

THE USE AND TREATMENT OF MICRONESIAN LABOR  
UNDER THE JAPANESE EMPIRE, 1922-1945

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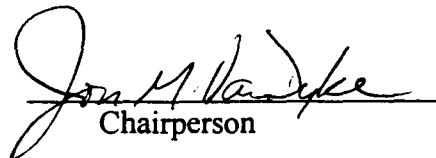
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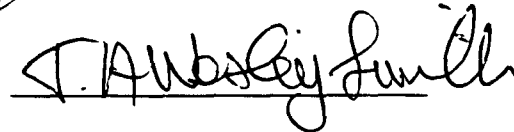
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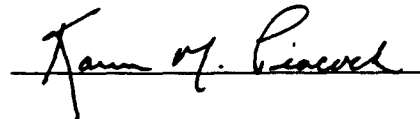


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satisfactory in scope and quality as a thesis for the degree of Master of  
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## CHAPTER I

### INTRODUCTION

#### *I.A. Overview*

On Tuesday, July 18, 2000, the Honolulu Advertiser published an article entitled “Compensation fund created for survivors of Nazi camps.”<sup>1</sup> The article indicated that U.S. and European officials created a \$5 billion fund to compensate more than 1 million survivors of Nazi enslavement and forced labor. The settlement arose out of class-action lawsuits filed by U.S. victims and survivors who were forced to work for German companies during World War II. The victims filed the lawsuit because German companies profited from these laborers, working them to death or forcing them to work against their will.<sup>2</sup>

The lawsuit filed against German companies set a precedent for other similar lawsuits. On Tuesday, November 30, 2000, the Honolulu Advertiser published an article entitled “Japan mining firm acknowledges crimes against Chinese war slaves.”<sup>3</sup> The article stated: “A Japanese construction and mining company yesterday acknowledged in a landmark case that Chinese slave laborers were worked and tortured to death in its mines during World War II and has offered their relatives \$4.6 million in compensation.” The article described some of the conditions the workers experienced:

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<sup>1</sup> *Compensation fund created for survivors of Nazi camps*, THE HONOLULU ADVERTISER, July 18, 2000, at A13.

<sup>2</sup> *Id.*



“Beaten, starved and abused, few survived more than a year in factories and mines that were part of Japan’s wartime production machine.”<sup>4</sup>

The purpose of these lawsuits was to compensate victims who were forced to work against their will for German and Japanese entities in the years prior to and during World War II. Some of the most inhumane losses that occurred through this forced labor included loss of life, loss of family, ill-treatment, and starvation. Other losses included loss of property, forced relocation, and lost compensation. Many of the victims worked for German and Japanese enterprises which profited financially from their labor. Other victims were simply used as labor to fuel the war machine.

After the war, a number of the perpetrators of such atrocities were prosecuted at the Nuremberg War Crimes trials and the Tokyo War Crimes trials for war crimes, human rights violations, and crimes against peace. Through the Nuremberg and Tokyo trials, the world community felt that they had sufficiently punished German and Japanese leaders for their atrocities. Not all victims, however, were satisfied with the outcome of these trials, and in the years after the war, a new spate of issues came to the fore.

In the 1950’s, a number of Micronesian people complained of losses incurred on their territory during the war. In order to address these grievances, the United States and Japan negotiated a treaty in 1961 to compensate Micronesians. The treaty divided losses into two categories: Title I claims and Title II claims. Title I claims

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<sup>3</sup> *Japan mining firm acknowledges crimes against Chinese war slaves*, THE HONOLULU ADVERTISER, November 30, 2000, at A2.

<sup>4</sup> *Id.*

sought to compensate “Micronesian inhabitants of the Trust Territory who suffered loss of life, physical injury, and loss of or damage to personal property directly resulting from the hostilities between the governments of Japan and the United States between December 7, 1941, and the dates of the securing of the various islands of Micronesia by the Armed Forces of the United States.”<sup>5</sup> Title II claims sought to compensate Micronesians for the same type of losses arising during 1945 and 1951. Through the treaty and subsequent United States Congressional Hearings, a number of Micronesians received some compensation for their grievances.

In the mid 1980’s, Korean women sued the Japanese government accusing it of enslaving them and forcing them to work as prostitutes and “comfort women” for the Japanese Army. After the Korean women initiated the suit, Filipino, Indonesian, and Dutch women sued the Japanese government as well.<sup>6</sup> “The Japanese government maintained that the claims had been settled by the 1951 Peace Treaty with Japan with respect to the former prisoners of war of the Allied Powers, and by the 1965 Agreement on the Settlement of Claims between Japan and South Korea with respect to the Koreans.”<sup>7</sup> Although the Japanese government denied any wrongdoing and dismissed the suit, it attempted to set up a compensation fund for the comfort women. Unfortunately, however, the fund was never properly funded, and the issue reemerged in the late 1990’s.

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<sup>5</sup> *To Amend the Micronesian Claims Act of 1971: Hearing Before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. on H.R. 2008, at 3 (1973).*

<sup>6</sup> YUJI IWASAWA, INTERNATIONAL LAW, HUMAN RIGHTS, AND JAPANESE LAW. THE IMPACT OF INTERNATIONAL LAW ON JAPANESE LAW 302 (1998).

<sup>7</sup> *Id.*

In the 1990's, holocaust survivors and victims sued German companies for enslaving them and forcing them to work against their will. One of the results of the lawsuit was a compensation fund set up by the German government, as described in the first paragraph of this chapter.

As the number of lawsuits grew, one set of workers was completely absent from these discussions -- Micronesians working for Japanese entities. Even the treaty negotiated between Japan and the United States in 1961 regarding the Micronesians and the subsequent Title I and Title II compensation never addressed how the Micronesian people fared as a labor force under the Japanese. This is important because Micronesia was a Japanese colony for 31 years. It had been the site of intense economic development prior to World War II. During the war, the Japanese Army intensified its industries for the war effort in numerous ways. Like the people in Japan's other possessions, the people of Micronesia played a part in the industrial experiment as labor. This, then, leads to the present inquiry and purpose of this research – Did Japanese entities commit any labor abuses against the Micronesian people in violation of international law that would justify monetary compensation or an apology?

In order to answer the above question, this paper analyzes how the Japanese employed the Micronesian people as a labor force from 1922-1945. The discussion centers around a comparison between Japan's performance and the international laws regarding the use and treatment of labor. For areas where data are lacking, this paper addresses the issue as best as possible in the hopes that future researchers will be able to fill in the gaps. The ultimate objective of this research is to

bring to the fore the issue of Japan's use and treatment of the Micronesian people as a labor force, and to inform readers that even though more than 50 years have passed since World War II, some issues are still outstanding and are ripe for discussion.

### ***I.B. Historical Background***

From 1922 until 1945, the Empire of Japan held a League of Nations Mandate over the Micronesian islands in the North Pacific Ocean. The Mandate was created by the victorious powers at the Versailles Peace Conference on January 15, 1919.<sup>8</sup> At the Versailles Peace Conference, the Allied Powers decided to give Japan the German islands in the Pacific Ocean north of the equator because Japan was in possession of them at the end of WWI.<sup>9</sup> Japan actually acquired the islands in 1914 when the Japanese Navy sailed into Micronesia and remained there throughout the war.

At the Versailles Peace Conference, the United States objected to Japanese ownership of the Micronesian Islands since the region was located near U.S. military bases in Guam and the Philippines, and since the island group of Yap was the site of an international cable station.<sup>10</sup> After much deliberation, however, the Allied Powers agreed

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<sup>8</sup> The Versailles Peace Conference was a meeting among the victorious allied powers, who had gathered at Versailles to negotiate a Treaty of Peace after World War I. *See, e.g.* 1 CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, INSTITUTE OF PEACE, THE TREATIES OF PEACE, 1919-1923 (1924); MARK PEATTIE, NAN'YO, THE RISE AND FALL OF THE JAPANESE IN MICRONESIA, 1885-1945, at 52 (1988).

<sup>9</sup> The Japanese Navy seized the islands in 1914 at the start of WWI and remained there throughout the war.

<sup>10</sup> PEATTIE, *supra* note 8, at 47-54. *See also* THE JAPANESE COLONIAL EMPIRE, 1895-1945, at 183 (Ramon H. Myers and Mark R. Peattie, eds.) (1984); WILLARD PRICE, JAPAN'S ISLANDS OF MYSTERY 101-102 (1944).

to give Japan the Micronesian Islands, and specified this agreement in Article 22 of the Versailles Peace Treaty.<sup>11</sup>

In addition to deciding which country should get German possessions such as Micronesia, the Allied Powers also created the League of Nations and required nations to sign a Covenant to that League.<sup>12</sup> The League created the Permanent Mandates Commission which selected other “modernized” nations to govern the territories previously under German, Austro-Hungarian, and Turkish regimes prior to WWI. These governing nations were called “Mandatory Powers,” and the territories to be governed were called “Mandates.” Japan was appointed to be the Mandatory Power over the Micronesian Islands. The terms of Japan’s Mandate over Micronesia were laid out in Article 22 of the Covenant of the League of Nations.<sup>13</sup>

Mandates were divided into three categories -- A, B, and C -- based on their stage of development in the “modern world.” The islands of Micronesia fell under a “Class C” mandate, which meant that the people were not “civilized” enough to govern themselves.<sup>14</sup> The Allied Powers required Japan to administer the Mandate area “as an integral part of its own territory.”<sup>15</sup> For Japan, this meant it must govern the islands so that the inhabitants would be persuaded to become “civilized” enough to participate in the international arena on their own.<sup>16</sup>

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<sup>11</sup> PAUL CLYDE, JAPAN’S PACIFIC MANDATE 33 (1935).

<sup>12</sup> LEAGUE OF NATIONS COVENANT art. 12, 13, 14. *See also* SHINICHI FUJII, VIEWS OF LEAGUE OF NATIONS AND JAPAN 70 (1925).

<sup>13</sup> GEORGE SCOTT, THE RISE AND FALL OF THE LEAGUE OF NATIONS 215 (1973).

<sup>14</sup> PEATTIE, *supra* note 8, at 2, 56.

<sup>15</sup> LEAGUE OF NATIONS COVENANT, art. 22.

<sup>16</sup> CLYDE, *supra* note 11, at 31, 38.

Between 1922 and approximately 1937, the Micronesian Islands were ruled primarily by a civilian administration called the Nanyocho (or South Seas Bureau). Around 1931, the Japanese government in Tokyo became increasingly militaristic and required all of its colonies to enter into a semi-war economy in preparation for war against China.<sup>17</sup> In 1937, Japan waged war against China and placed all of its colonies, including Micronesia, under a war economy. Japan further ordered all of its peace-time industries to cease, and all of its war-time industries to operate at full speed. By the time the United States entered the Pacific War in 1941, the laws and policies administered by the Japanese administration in Micronesia were essentially based on war-time regulations from Tokyo.

### *I.C. Japan's Interest in Micronesia*

When Tokyo first learned in 1914 that the Japanese Navy had acquired the Micronesian Islands, the government did not know what to do with them.<sup>18</sup> Up until that time, most of Japan's energies had been focused on building its Navy and trying to keep on par, if not surpass, Western powers. The rush to grab the islands in 1914 was largely an independent maneuver by the Japanese Navy trying to compete with the Western world. At the Versailles Peace Conference in 1919, Tokyo had already become accustomed to the idea that the islands would be good for strategic purposes only. When

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<sup>17</sup> For information on Japan's other colonies, see generally THE JAPANESE COLONIAL EMPIRE, *supra* note 10.

<sup>18</sup> See generally PEATTIE, *supra* note 8, and THE JAPANESE COLONIAL EMPIRE, *supra* note 10.

the League of Nations required Japan to administer the islands as part of its own territory, Tokyo was not sure how to govern them. Although Japan had already acquired Taiwan in 1898 and officially annexed Korea in 1910<sup>19</sup>, Tokyo felt that Micronesia was different for a number of reasons. First, the people were culturally different from the Asian peoples of Japan's other colonies in Taiwan, Korea, and parts of China. Second, the natural resources appeared to be so poor that Tokyo felt it would have to subsidize most of the colonial experiment. Third, the islands were far from the home islands of Japan, and the logistics of administration seemed daunting. Fourth, most leaders in Tokyo believed that Japan's future lay in the Chinese mainland, not in outlying islands such as Micronesia. Although Tokyo agreed to hold onto the islands, it left the future of the economy primarily in the hands of small entrepreneurs who were supported by government incentives.<sup>20</sup>

In the 1920's, the economy of the islands was subsidized mostly through a mixture of government and semi-government enterprises. The business sector in Japan had little or no interest in the islands, except for a handful of entrepreneurs who tried their luck with sugar production. One successful entrepreneur was Mr. Matsue Haruji, who by mid 1920 had managed to make sugar a successful crop in the Mariana Islands. It was Matsue's success, coupled with the growing economic depression in the late 1920's, which led Japanese businessmen to suddenly take an interest in the islands as a potential for profit. "Bureaucrats, bankers and entrepreneurs were . . . persuaded to

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<sup>19</sup> Japan first began its presence in Korea in 1885. Korea then became a Protectorate in 1905, and was officially annexed in 1910. *See generally* THE JAPANESE COLONIAL EMPIRE, *supra* note 10.

<sup>20</sup> *See generally* PEATTIE, *supra* note 8.

support the numerous industrial, commercial, and agricultural initiatives that followed. Encouraged by that support and seeking economic opportunities of their own, farmers, fishermen, shopkeepers and small entrepreneurs ... [came] to Micronesia in increasing numbers by the 1930's."<sup>21</sup>

Japanese businessmen were also enticed to come to Micronesia by economic incentives such as near monopoly conditions, absence of outside competition, and generous government support. This interplay of private initiative and government capital was first successful in the home islands, and had been duplicated in each of Japan's colonies. By the late 1920's, the system became successful in Micronesia -- the islands were self-sufficient and generated an economic surplus, largely due to Mr. Matsue's success with sugar production.<sup>22</sup>

In 1931, the Japanese Army invaded Manchuria, and set up a puppet government called Manchukuo. Tokyo subsequently placed all of its colonies on a semi-war economy and focused on building a self-sufficient industrial base from all of its colonies. "Each overseas territory was ... harnessed more closely to the economic priorities of [Japan], through more intensive planning, more thorough exploitation of the colony's resources, and greater regimentation of its economy."<sup>23</sup> Japan's intensive drive to develop a strong industrial base also stemmed from its fear that it might be cut off from necessary imports, such as oil. By 1935, Tokyo formed a commission to "accelerate the colonization and settlement of Micronesia, to intensify planning for the

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<sup>21</sup> PEATTIE, *supra* note 8, at 130-131.

<sup>22</sup> See generally PEATTIE, *supra* note 8.



development and exploitation of Micronesian resources, and to promote tropical industries there.”<sup>24</sup>

In addition to Japanese businessmen, Japanese families were particularly eager to move to Micronesia in the 1930’s primarily because the Japanese economy had turned sour and thousands of landless and jobless people were crowded in a country with little land or economic opportunity.<sup>25</sup> The Japanese domestic political scene had also become increasingly militaristic and fascist, and the Japanese government had forged a strong alliance with Germany. For Japanese émigrés, Micronesia seemed ideal -- it was not too far away from the home islands of Japan, had no snow, possessed abundant economic opportunities, and yet it was still a national territory where a Japanese person could become accepted. It was because of the poor economic situation in Japan and the bright outlook of job opportunities in Micronesia that Japanese people came to Micronesia by the thousands in the 1930’s. Once they arrived, they immediately began setting up industries and new enterprises. The influx of Japanese immigrants increased the ranks of the Nanyocho government as well. This influx of industrious Japanese set the stage for the massive economic development that left a legacy in the islands even until today.

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<sup>23</sup> PEATTIE, *supra* note 8, at 132.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 152.

#### ***I.D. Japanese Need for Micronesians as a Labor Force***

Prior to the 1930's, Micronesians were employed primarily in the Angaur mines and in the Nanyocho administrative government. A smattering of Micronesians worked in the copra and sugar industries, but not in any significant numbers. With the influx of the Japanese coming to Micronesia in the 1930's, the demand for Micronesian workers increased only slightly. This is because the Japanese tended to rely primarily on their own people and other immigrants for labor rather than on the Micronesian people to fill gaps where labor was lacking. Although no single explanation is given in the literature, perhaps the obvious explanation is that the Japanese felt Micronesians were lazy and inefficient workers, and thus relegated them to tasks such as mining which did not require much thinking, or only hired the best and brightest workers, such as the few who were hired as police assistants and teacher assistants. In the sugar cane fields, another explanation is appropriate. The Japanese felt that Okinawans and Taiwanese were better suited for the job since sugar was grown on those islands and the people were more accustomed to working in that capacity. Thus, although the population of Micronesia grew through the influx of Japanese, Japanese use of Micronesian labor increased only slightly in comparison.

## CHAPTER II

### RESEARCH METHODS

#### *II.A. Method of Research*

The data for this research were collected in several ways. First, I received a fellowship from the National Security Education Program, Washington, D.C., to go to Japan and locate information pertaining to the Japanese colony in Micronesia. During the Fall of 2000, I went to Nagoya, Japan, to collect information at the Nagoya International Center. The information I collected consisted primarily of Japanese history and legal information pertaining to war crimes, Japan's responsibility in WWII, human rights law in Japan, and international law and treaties as applied to and accepted by Japan. While in Nagoya, I also collected information at the United Nations Regional Center as well as the United States Information Agency.

After I collected data in Nagoya, I then went to Tokyo to conduct research at the National Diet Library (NDL), which is Japan's equivalent of the Library of Congress in Washington, D.C. At the NDL, I went through the database to locate all books written about Micronesia labeled in both English and Japanese. Next, I read the summary in the database to determine whether or not the books pertained to the era when Japan administered the islands. A large number of the books were memoirs of individual Japanese soldiers fighting in Micronesia during WWII. I did not look at these books or attempt to read them because I felt that such books would not contain information

regarding the use and treatment of Micronesian labor. Once I located the books that were pertinent to my research, I enlisted the help of university students from the University of Waseda to decipher the exact translation of the information and to help me accurately read the Japanese kanji.

In addition to research at the National Diet Library, I located the private collection of a man named Yoji Yamaguchi. The collection was located in Tokyo. Mr. Yamaguchi was born in Saipan and lived in the Northern Mariana Islands with his parents until approximately age 9 or 10 (circa 1943). His father died during one of the battles between Japan and the United States in the Mariana Islands, possibly on Tinian. Throughout the latter years of his life, Mr. Yamaguchi attempted to collect all books, pamphlets, and pictures written in Japanese pertaining to the Japanese colonial empire in Micronesia. Although his primary focus was on information written in Japanese, he also collected data in English. At the time I met Mr. Yamaguchi, he had just finished publishing a book containing a review of all the literature in his private collection. Because of this publication and his research, he was able to recall whether or not and to what extent he had any information pertinent to my research. My discussions with him lasted several weeks, and I feel confident that he provided me with the most up-to-date information available in Japanese regarding this research.

In addition to the National Diet Library and the Yamaguchi private collection, I made attempts to locate information at the following locations: the Embassy of the Marshall Islands, the Embassy of Palau, the Embassy of the Federated States of Micronesia, the United States Information Agency in Tokyo, and the Tenrikyo library in

Tenri City, Nara Prefecture.<sup>26</sup> Unfortunately, I was unable to locate any information in the above locations pertaining to this research.

After I collected data in Japan, I returned to Honolulu to continue my research in the Pacific Collection of the Hamilton Library, University of Hawaii at Manoa. I conducted this portion of my research by locating all documents in the data base of the Pacific Collection that pertained to Japan and Micronesia. I then systematically read each of the documents. In addition to the sources in the Pacific Collection, I also researched the Trust Territory Archives of the Pacific Islands, located on microfilm in the Hamilton Library. The majority of the microfilm boxes are labeled with a short description of the general contents. Out of the possible 2000+ microfilm reels in the Trust Territory Archives collection, I uncovered approximately 19 reels that had any hint of pertaining to either the Japanese colonial period, wartime trials, or war compensation. I then systematically looked at each reel on microfilm that related to this research.

## ***II.B. Discussion of Sources***

The variety of sources used for this research include books, interviews, government publications, Japanese texts, unpublished documents, and microfilmed archives. I will discuss the benefits, shortcomings, and credibility of the major texts used for this research.

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<sup>26</sup> The Tenrikyo Library in Tenri City, Nara Prefecture, is known for having one of the largest international

The most up-to-date book on the Japanese colonial period in Micronesia is Nan'yo, The Rise and Fall of the Japanese Empire in Micronesia, 1885-1945, by Mark Peattie.<sup>27</sup> Mr. Peattie is a specialist in modern Japanese history by training and interest. His book provides the most thorough and comprehensive discussion of the Japanese colonial period of Micronesia in English that I am aware of. His text, however, is not without fault. Mr. Peattie's work appears to exhibit a slight bias against Japan, and the tone of his work is rather negative. His choice of words appear to be more subjective than most of the other texts covering this period. Despite these shortcomings, I found his facts and data reliable, primarily because his information is consistent with other authors who wrote about this period.

The next source which comprehensively covers this period is entitled Japanese Expansion in the South Pacific, 1890-1935, written by David Purcell.<sup>28</sup> This work is a 1967 Ph.D. dissertation in History at the University of Pennsylvania. Mr. Purcell displays extensive coverage of the Japanese period in Micronesia, and provides good data on the number of laborers and the amount of wages for Micronesian workers which I was unable to find in other texts. His information is also reliable and quite thorough. Unfortunately, however, his work covers Japanese colonial history in Micronesia only until 1935. A number of incidents of abuse toward Micronesians occurred during the war years, and his work has no information regarding those years.

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libraries in Japan.

<sup>27</sup> PEATTIE, *supra* note 8.

<sup>28</sup> David Purcell, *Japanese Expansion in the South Pacific, 1890-1935* (1967) (unpublished Ph.D. dissertation, University of Pennsylvania (Philadelphia)).

The third useful source I found in this research were the various publications written by Ms. Wakako Higuchi.<sup>29</sup> Although I am not aware of Ms. Higuchi's academic background, I do know that she is of Japanese ancestry and conducted a number of interviews in the Micronesian islands, particularly with Palauans. She is the only author I am aware of who has published a comprehensive number of interviews with Micronesians regarding their experiences during the war. Since some of her work was funded by a Japanese grant,<sup>30</sup> however, one might assume that her publications might try to mask some of Japan's negative wartime actions. The interviewees, however, appear to explain both the good and bad aspects of living under the Japanese administration, particularly during the war period.

A fourth useful source for this research were the works published by Ms. Sachiko Hatanaka.<sup>31</sup> Unfortunately, I do not know much information regarding the context and objectives of the writings she produced. I do know, however, that she is of Japanese ancestry, and because of this fact, one might assume that her works would show

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<sup>29</sup> Wakako Higuchi, "War Reparations in Micronesia and Japan's Responsibility" (1994) (unpublished paper, Micronesian Area Research Center, University of Guam); "Islander's Japanese Assimilation and their Sense of Discrimination" (1993) (unpublished paper, Micronesian Area Research Center, University of Guam); *War in Palau: Morikawa and the Palauans*, in REMEMBERING THE PACIFIC WAR, OCCASIONAL PAPER 36 (Geoffrey M. White ed., 1991); "Micronesia Under the Japanese Administration: Interviews with Former South Sea Bureau and Military Officials" (1987) (unpublished paper, University of Guam); "Palauan Interviewees List" (1986) (unpublished paper, University of Guam); "Micronesians and the Pacific War: The Palauans." An Oral Historiography of the Japanese Administration. November 20, 1985, Revisions February 6, 1986 (1985) (unpublished paper from a Japan Foundation Grant, Micronesian Area Research Center, University of Guam).

<sup>30</sup> At least one publication was funded by a grant from Japan. Wakako Higuchi, "Micronesians and the Pacific War: The Palauans." An Oral Historiography of the Japanese Administration. November 20, 1985, Revisions February 6, 1986 (1985) (unpublished paper from a Japan Foundation Grant, Micronesian Area Research Center, University of Guam).

<sup>31</sup> Sachiko Hatanaka, "A Study of Acculturation in Micronesia Under the Japanese Mandate" (1975) (unpublished paper, University of Kanazawa (Japan)); "Culture Change in Micronesia Under the Japanese

some bias in favor of Japan. To my surprise, however, I found that this was not the case. Ms. Hatanaka's works are reliable and objective, much in the same way as Ms. Higuchi's writings are credible.

A fifth source that provided some foundation for breadth of coverage on this research is called Japan's Pacific Mandate, by Paul Clyde.<sup>32</sup> Mr. Clyde's book shows a particular bias in favor of the Japanese. He visited the islands circa 1935 when the world community speculated and accused Japan of employing slave labor practices and building military fortifications.<sup>33</sup> Mr. Clyde, however, states that he saw none of these. It is indeed quite possible that he did not see any labor abuse because most of the semi-war economic push hit the islands around 1936-1937 after Clyde had left the islands. More likely, however, he did not see any forced labor or military fortifications because the places he visited and the questions he asked were filtered by the Japanese administration. His text is thus taken only in comparison with all the other texts, and to supplement some of the information written about the period around the time he visited the islands.

A sixth book used for this research is entitled Pacific Islands Under the Japanese Mandate, written by Tadao Yanaihara.<sup>34</sup> Mr. Yanaihara studied at Tokyo University and assumed the chair of Colonial Studies at that university in 1937.<sup>35</sup> He was soon dismissed from his lectureship in Colonial Studies, and in 1938 his works were

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Administration" (1973/1974) (unpublished paper from the Programme of Participation 1973/74 no. 4273 for UNESCO, University of Kansas).

<sup>32</sup> CLYDE, *supra* note 11.

<sup>33</sup> *Id.* at 203.

<sup>34</sup> TADAO YANAIHARA. PACIFIC ISLANDS UNDER THE JAPANESE MANDATE (1940).



banned and he was purged from public life.<sup>36</sup> With courage, however, he continued to speak out against Japanese colonial abuses. For example, he advocated a liberal alternative to an increasingly authoritarian colonial policy.<sup>37</sup> Much of his criticism was directed toward Japan's colonial policies in Korea and Taiwan, and not necessarily toward Micronesia. For this reason, his work on Micronesia seems to be objective, accurate and well-balanced, and does not seem to indicate any particular bias for or against Japan. The one drawback of his book, however, is that it was published in 1940 and does not cover the war years.

A seventh source used in this research were the Annual Reports which Japan sent to the League of Nations from 1922 until 1937.<sup>38</sup> I used these Reports primarily for statistical information, such as the number of workers and the wages that the workers received for certain occupations. I also used the Annual Reports for data on the laws and regulations of the period. Since these Reports were produced by Japan, one might be concerned that the statistical data might not necessarily be accurate. I found, however, that the data were consistent with the data provided by other authors. The major drawback of these Annual Reports is that they were only produced up until 1937, and I was not able to locate any other texts that comprehensively covered the number of Micronesian workers and wages during the war years.

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<sup>35</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 114.

<sup>36</sup> *See generally* THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 114.-118

<sup>37</sup> *Id.* at 118-119.

<sup>38</sup> SOUTH SEA ISLANDS (JAPANESE MANDATE), ANNUAL REPORT TO THE LEAGUE OF NATIONS ON THE ADMINISTRATION OF THE SOUTH SEA ISLANDS UNDER JAPANESE MANDATE (1922-1937).

An eighth source I used were the United States Congressional Reports for War Compensation.<sup>39</sup> These documents are the reports, bills, and resolutions used in U.S. Congressional hearings during the 1970's on war compensation for Micronesians. The information in these documents were extremely useful for indicating what the Micronesian people went through during the war years. The testimonies appear to be accurate, unfiltered experiences, which provide good insight into how the Japanese Army treated Micronesian people during the war.

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<sup>39</sup> *To Amend the Micronesian Claims Act of 1971: Hearing Before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. on H.R. 2008 (1973) (House. Committee on Foreign Affairs. Subcommittee on International Organizational Movements); Micronesian Claims: Hearings before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives, 91<sup>st</sup> Cong. 2<sup>nd</sup> Sess. on H.J. Res. 1161, H.J. Res. 1258, and H.J. Res. 1265 (1971); Joint Resolution to Authorize an Ex Gratia Contribution to Certain Inhabitants of the Trust Territory Who Suffered Damages Arising out of the Hostilities of the Second World War, to Provide for the Payment of Noncombat Claims Occurring Prior to July 1, 1951, and to Establish a Micronesian Claims Commission, 92d Congress, 1<sup>st</sup> Session, H.J. Res. 617, Report no. 92-226 in the House of Representatives (1971); Authorizing an Ex Gratia Contribution to Certain Inhabitants of the Trust Territory of the Pacific Islands Who Suffered Damages Arising out of the Hostilities of the Second World War, Providing for the Payment of Noncombat Claims Occurring Prior to July 1, 1951, and Establishing a Micronesian Claims Commission: Report to accompany H.J. Res. 617, 92d Congress, 1<sup>st</sup> Session, (1971) (House. Committee on Foreign Affairs); Micronesian Claims Act of 1971: Hearings Before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives, 92<sup>nd</sup> Cong., 1<sup>st</sup> Sess. on H.J. Res. 521 (1971) (House. Committee on Foreign Affairs. Subcommittee on International Organizations and Movements); To Amend the Organic Act of Guam: Hearing Before the Subcommittee on Insular and International Affairs of the Committee on Interior and Insular Affairs. House of Representatives, 101<sup>st</sup> Cong., 1<sup>st</sup> Sess. on H.R. 2024 (1989) (House. Committee on Interior and Insular Affairs. Subcommittee on Insular and International Affairs); Collection of Congressional Documents Relating to Micronesian Claims and to the Establishment of a Micronesian Claims Commission (1971) (United States Congress); FOREIGN CLAIMS SETTLEMENT COMMISSION. REPORT TO THE CONGRESS (1972).*

A ninth source used in this research were the archives of the Trust Territory of the Pacific Islands.<sup>40</sup> The documents located in the archives are the official documents of the United States government while the United States held a trusteeship over the Micronesian Islands. The documents were microfilmed after all the islands attained independent status. Although it took quite a bit of work to cull through the 2000+ microfilms and see which ones were pertinent to my research, the time and effort was well worth it. I located information about the war period that was not available to me elsewhere. For example, I found correspondence between the U.S. government and representatives of Micronesian people that gave me information regarding the location of Japanese mining projects and whether or not Micronesians were subjected to any kind of abuse.

In addition to the above English texts, I also used various Japanese resources for this research. I must first preface this by saying that although I have had a number of years of Japanese language training, I was humbled by the amount of information written in Japanese about the Japanese colonial period in Micronesia. Unfortunately, I was unable to read most of these works because the documents written before World War II were written in a form of “classical Japanese” which even the young Japanese people find difficult to read. Furthermore, my training of the Japanese kanji was geared toward learning kanji characters sufficient for functional living in Japan. I was soon to find out that my knowledge of written Japanese was too elementary for this

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<sup>40</sup> Department of Finance, Micronesian War Claims Commission Releases. Trust Territory Archives on Microfilm, at reel numbers 1, 197, 287, 288, 534, 583, 497, 199, 178, 420, 1507, 1525, 1534, 2152, 2153, 3769, 3770, 3839, 534 (1971-1975). (Microform collections containing original materials).

type of research. Due to this difficulty, I employed student help from the University of Waseda to help me locate resources at the NDL and to accurately read the Japanese kanji.

The best resource I found in Japanese at the National Diet Library was *Nantaku Shi* [History of Nantaku], written by Shigeo Shimode.<sup>41</sup> This book discussed the Nantaku Company which began in 1936 and employed a number of Micronesian workers in various capacities. Unfortunately, while this book covered a breadth of information that was not known or reported by any of the authors who wrote in English, the depth of information was lacking. It indicated precisely where the Nantaku had mining operations in the Micronesian Islands, the years of operation, and the rough estimate of workers, but not much more. It was primarily a company report written in the 1980's summarizing Japanese enterprises in the Pacific Islands and Southeast Asia. Nevertheless, it provided good clues and insight into Japanese labor practices during the pre-war and war period.

At the National Diet Library, I was unable to find any Japanese language texts which described how the Japanese treated the Micronesian people as a labor force. The reason is probably because of the following three factors: (1) most Japanese who went to Micronesia and interacted with Micronesians as a labor force worked for the South Seas Bureau government administration, and were thus unlikely to report any information about negative treatment of the Micronesian people; (2) Japanese people are not known for speaking out or breaking the status quo, so even if they did encounter some mistreatment of Micronesians, it is unlikely that they would have reported or published their observations; and (3) Micronesians who lived under the Japanese

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<sup>41</sup> SHIGEO SHIMODE, NANTAKU SHI [HISTORY OF NANTAKU] (1982).

administration did not learn enough Japanese in order to write anything substantial in the Japanese language.<sup>42</sup>

### ***II.C. Organization of Research***

The purpose of this thesis is threefold: (1) to assess precisely where Japanese entities used Micronesian people as a labor force; (2) to analyze how those Japanese entities treated their Micronesian workers; and (3) to assess whether or not Japanese entities violated any international laws in their treatment of the Micronesian people as labor. In addition to investigating the use and treatment of Micronesian labor, I analyzed the Micronesian labor force over the entire mandate period beginning in 1922, rather than just concentrating on the war years. During Japan's reign in Micronesia, the islands had a level of economic development that was so strong, it surpassed any other level of economic development in Micronesia prior to or after the Japanese administration. Because of this amazing economic output, it is perhaps easy to assume that the Japanese administration used the Micronesian people as a labor force in order to accomplish its economic and wartime objectives. By analyzing the labor force over the entire Japanese administrative period, this research aims to remind readers that Japanese entities employed Micronesian labor in many positive, non-abusive ways that were completely unrelated to the war machine.

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<sup>42</sup> Personal communication with Mr. Yoji Yamaguchi on October 20, 2000, in Tokyo, Japan.

The information in this paper is organized primarily according to employers or entities who were responsible for utilizing Micronesian labor. I have divided the research into three major uses of labor: large-scale use of Micronesian labor, medium-scale use of Micronesian labor, and small-scale use of Micronesian labor. The research is divided into these three categories based on an average use of Micronesian laborers in certain occupations per year, not necessarily based on the number of Micronesians employed on each island.

Large-scale use of labor refers to employment of between 1225 and 3253 Micronesians. (See Tables 20 – 23). Such large-scale use of labor occurred during the war years under the Japanese Imperial Army. Unfortunately, however, we may never know the exact number of Micronesians utilized by the Japanese Army because a lot of information during the war was not written down. Nevertheless, I have tried to calculate the estimated number of Micronesian laborers based on the numbers reported in various resources covering this period. Medium-scale use of labor refers to the various mining operations undertaken by Japanese entities. The evidence for mining operations occurred from 1922 through 1945. The average employment was approximately 350 – 500 Micronesian workers between 1922 and 1938. Beginning around 1938, however, the numbers increased tremendously. (See Tables 1 – 24). Small-scale use of labor refers primarily to the administrative functions in the Nanyocho administrative government, as well as the copra and sugar industries. The number of workers documented to work in these occupations range from approximately 1 worker to 1000 workers. (See Tables 1 – 24).

I divided each of these three chapters into two major sections: 1) the use of Micronesian labor; and 2) the treatment of Micronesian labor. The sections which describe the use of labor refer to facts and concrete information reported officially or by observation, such as in government reports or interviews. The following factors were looked at to decipher the use of labor: the number of workers in that occupation; the description of work; the increase or decrease of workers over time; the laws that promote/encourage their use; the percentage of native workers out of the entire native population; how society benefited; information about the employer; the date when work commenced or ended; the history of that type of labor; the method of training for that occupation; the age, fitness, and gender of the workers; the use of the workers in each island branch; and why the employer used that type of labor.

The sections discussing the treatment of Micronesian labor analyze information such as fairness, discrimination, or ill-treatment. The sections also attempt to incorporate an analysis of international labor laws vis a vis Japanese treatment of that labor. The following factors were looked at to analyze the treatment of Micronesian labor: wages and/or type of compensation; number of hours worked per day, week, or year; benefits from the employer; any evidence of abuse or mistreatment; the number of workers in that occupation who suffered from any deaths, injuries or illnesses; any laws that protected the workers; any discrimination in wages; method of recruiting labor; and to what extent the Japanese treatment matched international labor standards, taking into consideration that most of the workers were still living in a subsistence economy.

## CHAPTER III

### LABOR NORMS

#### *III.A. The League of Nations Mandate as Applied to Japan*

In 1922, Japan agreed to rule the Micronesian islands according to the terms of the League of Nations Mandate Agreement.<sup>43</sup> The Mandate Agreement was the basic law or constitution of the islands of Micronesia, and consisted of seven articles.<sup>44</sup> It required Japan to “apply the laws of the Empire of Japan to the territory, subject to such local modifications as circumstances may require.”<sup>45</sup> It also required Japan to follow several international commitments. For example, it stated that the “slave trade is prohibited and . . . no forced labor is permitted, except for essential public works and services, and then only for adequate remuneration.”<sup>46</sup> Japan was additionally prohibited from training the people of Micronesia to be used as soldiers during war. The Mandate read: “The military training of the natives, otherwise than for purposes of internal police and the local defense of the territory, shall be prohibited.”<sup>47</sup> Furthermore, the Mandate Agreement prohibited Japan from using the islands for strategic purposes, stating that “no military or naval bases shall be established, or fortifications erected in the territory.”<sup>48</sup>

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<sup>43</sup> See generally CLYDE, *supra* note 11, at 27-44.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.* at 37.

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*



### *III.B. Legal Status of Micronesia*

Article 2 of the League of Nations Mandate Agreement allowed Japan to administer the Micronesian islands as an integral part of its administration.<sup>49</sup> The Allied Powers intended that Japan would apply its own laws and policies to the islands much in the same way that Japan applied laws and policies within Japan and to Japan's other colonies. Japan, however, did not necessarily view Micronesia in the way that the Allied Powers envisioned the relationship.<sup>50</sup>

By the time Japan had acquired Micronesia, it had four other territorial possessions<sup>51</sup>: Taiwan (acquired in the Sino-Japanese war of 1895); Korea (became a protectorate in 1905; annexed as a colony in 1910); Karafuto (also known as the Southern half of Sakhalin; acquired in the Russo-Japanese war of 1905); and Kantoshu (comprising the leased territory on the Kwantung peninsula and the South Manchuria Railway with its narrow right-of-way; acquired in the Russo-Japanese war of 1905).<sup>52</sup> Japan initially intended to bring all of these colonies under one legal system and make them consistent with the home islands.<sup>53</sup> Japan, however, did not consider its territorial possessions to be eligible for all of the Japanese laws. In fact, a majority of the Japanese colonial administrators believed that the inhabitants of the colonies were racially inferior, and that the "subject people's were to retain a separate identity ... to be governed pragmatically,

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<sup>48</sup> *Id.* at 37-38.

<sup>49</sup> *Id.* at 37.

<sup>50</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 242.

<sup>51</sup> For more information on Japan's relationship with its other colonies, *see generally* THE JAPANESE COLONIAL EMPIRE, *supra* note 10.

with due respect to their own institutions.”<sup>54</sup> Because such people were considered to be “lessor races,” they were kept indefinitely subordinate.<sup>55</sup> For example, the constitution was applicable to the sovereign colonies of Taiwan, Korea, and Karafuto, but not to the non-sovereign colonies of Kantoshu and Nan’yo.<sup>56</sup> Thus, despite what the League of Nations Mandate Agreement said, the supreme law of Japan did not apply to the Micronesian Islands.<sup>57</sup> Instead, Micronesia was governed by the laws and regulations of the colonial government, and through the Imperial Ordinances which were often used during times of emergency.<sup>58</sup>

### *III.C. Laws and Regulations of the Nanyocho*

In order to comply with the League of Nations Mandate, Japan set up the Nanyocho, meaning South Seas Bureau, to administer the islands. The Nanyocho promulgated a comprehensive list of laws and regulations which attempted to cover all aspects of life in the islands, including employment, policing, health, and economic development. The rules were in effect from the date of their promulgation until at least 1937, the last Annual Report to the League of Nations. The following regulations are the ones most applicable to this research.

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<sup>52</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 500.

<sup>53</sup> *Id.* at 29, 268.

<sup>54</sup> *Id.* at 39-40.

<sup>55</sup> *Id.* at 40.

<sup>56</sup> *Id.* at 241.

### ***III.C.1. Regulations Concerning Village Chiefs***

The laws and regulations concerning village chiefs essentially covered their duties, eligibility, and compensation. “Monthly allowances [were] given to Senior Village Chiefs, Assistant Senior Village Chiefs, Village Chiefs and Assistant Village Chiefs. The amounts of the allowances [were] separately fixed.”<sup>59</sup> The laws also indicated that the chiefs would not receive compensation if they did not cooperate with the Nanyocho government. The law stated that “[n]o allowance may be given to a Village official, who, on account of illness or other circumstances, is unable to discharge his duties for a prolonged period.”<sup>60</sup>

### ***III.C.2. Regulations Concerning Nanyocho Employees***

The Nanyocho was the government arm of the Micronesian Mandate. It employed Micronesians as teacher assistants and police assistants. The Nanyocho also recognized it had a responsibility to its employees in the event the employees became injured, sick, or died. Under such circumstances, the Nanyocho provided compensation when “skilled workmen, miners and other persons in the employ of the government are

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<sup>57</sup> *Id.* at 242.

<sup>58</sup> *Id.* at 241.

<sup>59</sup> III. Regulations Concerning Native Village Officials in the South Sea Islands, South Seas Bureau Ordinance No. 34, Article VI, promulgated on October 11 of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 154.

<sup>60</sup> V. Rules Concerning Allowances to Native Village Officials, South Seas Order No. 6, Article II; promulgated on February 2 of the 12<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 157.

injured, fall sick or are killed while in duty, [and granted] them compassionate allowances in accordance with the present Ordinance.”<sup>61</sup>

The Nanyocho also recognized six types of allowances in the event of injury, death, or sickness. It gave “allowances for treatment, allowances with regard to unemployment, allowances in consideration of bodily hindrances, allowances in single sums, allowances in aid of bereaved families and allowances with regard to funerals.”<sup>62</sup>

### ***III.C.3. Regulations Concerning Payment of a Poll-Tax***

In some circumstances, the regulations allowed labor to be paid in lieu of a poll-tax. This practice was common in a number of other Pacific Islands as well.<sup>63</sup> The poll-tax was required of all “[m]ale persons, who [were] natives of, and live in the South Sea Islands, and are above sixteen years of age.”<sup>64</sup> The Nanyocho, however, placed a limit on the amount of the tax. In the early years of the administration, the government stated that “[t]he poll-tax cannot exceed 10 yen in amount per year.”<sup>65</sup> In the 1920’s, the poll-tax increased from 10 yen to 20 yen.<sup>66</sup> In 1927, the poll-tax jumped from 20 yen to

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<sup>61</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>62</sup> I. Regulations Concerning Aid to Employees, Imperial Ordinance No. 382, of the 7<sup>th</sup> year of Taisho (1918), SOUTH SEA ISLANDS (1925), *supra* note 38, at 158.

<sup>63</sup> See, e.g., LABOUR IN THE SOUTH PACIFIC (Clive Moore, et al. eds., 1990).

<sup>64</sup> XVI. Poll-Tax Regulations for the Natives of the South Sea Islands, South Seas Bureau Order, No. 16, Article I, promulgated on July 18 of the 11<sup>th</sup> year of Taisho (1922), and amended by South Seas Bureau Order No. 36, promulgated in December of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 200.

<sup>65</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>66</sup> *Id.*

40 yen.<sup>67</sup> The Nanyocho also recognized the need to respect local customs as required by the League of Nations, and incorporated this regulation in the administration of the poll-tax. The Regulations stated that “[t]he Chief of the Branch Bureau determines the amount of the tax taking into consideration local conditions and old customs and after obtaining the approval of the Director of the South Seas Bureau.”<sup>68</sup>

The Nanyocho regulations additionally recognized limitations on who should pay the poll-tax. The regulations stated that “[n]o poll-tax is imposed on the following persons: 1. Those supporting five or more children of less than sixteen years of age. 2. Those who are decrepit or those who are unable to pay on account of bodily deformity or incurable disease.”<sup>69</sup> The laws further specified that the “Village Chiefs shall collect the poll-tax from persons liable to the tax who are living within their jurisdiction and shall forward it to the Chief of the competent Branch Bureau.”<sup>70</sup>

#### ***III.C.4. Regulations Concerning Payments in the Form of Labor for Offences***

In addition to labor being paid as a poll-tax, the Nanyocho government allowed labor to be paid as a penalty when a Micronesian person committed an offense. The law stated that “[t]he Chief of a Civil Administration Office may impose detention,

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<sup>67</sup> Amendment in the Poll-Tax Regulations for Native Inhabitants of the South Sea Islands, South Seas Bureau Order No. 2, promulgated on March 16 of the 2<sup>nd</sup> year of Showa (1927), SOUTH SEA ISLANDS (1927), *supra* note 38, at 7.

<sup>68</sup> XVI. Poll-Tax Regulations for the Natives of the South Sea Islands, South Seas Bureau Order, No. 16, Article II, promulgated on July 18 of the 11<sup>th</sup> year of Taisho (1922), and amended by South Seas Bureau Order No. 36, promulgated in December of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 200.

<sup>69</sup> *Id.*

finer or labor for less than one month on persons who have committed acts recognized as police offenses by local laws and regulations and old custom or by laws and regulations of the Empire.”<sup>71</sup> Such payments by labor were enforced by the local chiefs: “[t]he Chief of a Civil Administration Office may entrust the authority mentioned in the preceding article in part to Senior Village Chiefs or to Village Chiefs upon obtaining the sanction of the Director of the Civil Administration Department.”<sup>72</sup>

### ***III.C.5. Regulations Concerning Native Police***

The laws and regulations of 1922 state that native policemen were required to work at least eight hours per day starting at 7:30 am.<sup>73</sup> They were also given five days off from work per month.<sup>74</sup> In 1930, the rules were amended to indicate that if a native policemen could not work for the required 8 hours per day starting at 7:30 am, then alternate arrangements would be made.<sup>75</sup> The regulation specifically read: “[i]f, owing to special circumstances, the provisions of the preceding three articles cannot be

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<sup>70</sup> *Id.* at 201.

<sup>71</sup> I. Ordinance Concerning Penalties for Police Offences in the South Sea Islands, Civil Administration Order no. 9, Article I, promulgated on June 6 of the 5<sup>th</sup> year of Taisho (1916), SOUTH SEA ISLANDS (1925), *supra* note 38, at 250.

<sup>72</sup> I. Ordinance Concerning Penalties for Police Offences in the South Sea Islands, Civil Administration Order no. 9, Article II, promulgated on June 6 of the 5<sup>th</sup> year of Taisho (1916), SOUTH SEA ISLANDS (1925), *supra* note 38, at 250.

<sup>73</sup> VII. Regulations Concerning the Distribution and Service of Native Police Constables, South Seas Bureau Order No. 39 of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 271.

<sup>74</sup> *Id.*

<sup>75</sup> SOUTH SEA ISLANDS (1930), *supra* note 38.

followed, the Chief of the Branch Bureau may provide for a special method of service under the concurrence of the Director of the South Seas Bureau.”<sup>76</sup>

### *III.C.6. Regulations for the Sugar Industry*

Micronesians were not employed in the sugar industry on any large scale. They essentially worked as tenant farmers and thus received subsidies for their efforts. To encourage this, the Nanyocho government gave subsidies for “[p]ersons cultivating sugar cane or manufacturing sugar and recognized by the Director of the South Seas Bureau as deserving.”<sup>77</sup> The Nanyocho also placed restrictions on who could stop producing sugar cane. The regulations stated that: “[t]hose receiving bounties are not allowed to suspend or give up the cultivation of sugar cane in newly opened plantations and nurseries or to throw away imported seedlings of sugar cane unless the permission of the Director of the South Seas Bureau is obtained.”<sup>78</sup>

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<sup>76</sup> II. Rules for the Distribution and Service of Native Policemen, South Seas Bureau Instruction No. 39, issued to Internal Affairs Department and Branch Bureau on September 5, 1922, amended in September, 1924, by South Seas Bureau Instruction No. 38 and in September 1929, by South Seas Bureau Instruction No. 21, SOUTH SEA ISLANDS (1930), *supra* note 38, at 133.

<sup>77</sup> IV. Regulations for the Encouragement of the Sugar Industry, South Seas Bureau Order, No. 29, Article I, promulgated on October 1 of the 11<sup>th</sup> year of Taisho (1922), Amended in June of the 12<sup>th</sup> year of Taisho (1923) by South Seas Bureau Ordinance No. 13 and in June of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 7, SOUTH SEA ISLANDS (1925), *supra* note 38, at 357.

<sup>78</sup> IV. Regulations for the Encouragement of the Sugar Industry, South Seas Bureau Order, No. 29, promulgated on October 1 of the 11<sup>th</sup> year of Taisho (1922), Amended in June of the 12<sup>th</sup> year of Taisho (1923) by South Seas Bureau Ordinance No. 13 and in June of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 7, promulgated on September 13 of the 15<sup>th</sup> year of Taisho (1926), Article V, SOUTH SEA ISLANDS (1926), *supra* note 38, at 215.

### ***III.C.7. Regulations for the Copra Industry***

Like sugar production, copra producers were also given subsidies as early as 1922. The regulations stated that “[p]ersons planting cocoa-palms or putting in order cocoa-palm groves and recognized by the Director of the South Seas Bureau as deserving are given bounties within the limits of the budget for the year.”<sup>79</sup>

Although the South Seas Bureau gave subsidies to the industry, they also kept a tight leash on production. The laws stated that “[t]hose receiving bounties shall carry out complementary planting and also weeding twice a year for the ensuing two years.”<sup>80</sup> If the worker did not follow the policies of the Nanyocho, however, the subsidy would be revoked, as stated in the following regulation: “[w]hen orders issued in accordance with Article V or Article VI are infringed or the results are found not to be good, the granting of bounties dies.”<sup>81</sup>

### ***III.C.8. Regulations for Mine Workers***

Mine workers were the largest group of Micronesians employed for wages throughout the entire colonial period. The Nanyocho government recognized that mine workers should be paid, and stated that “[t]he payment of wages to skilled workers and

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<sup>79</sup> V. Regulations for the Encouragement of the Cultivation of Cocoa-Palms, South Seas Bureau Order, No. 19, Article I, promulgated on September 1 of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 359.

<sup>80</sup> *Id.*

<sup>81</sup> *Id.*



miners engaged in works of the Mining Office shall be effected in accordance with the present Regulations.”<sup>82</sup> Wages were to be paid daily, and the rates were based on a fee schedule with “[t]he wages of skilled workmen and miners [being] paid either by the day or according to the amount of work done.”<sup>83</sup> The Nanyocho regulations provided for wage increases as well. “[W]ages are increased at the rate of under two-tenth per hour of the daily amount according to the number of hours worked.”<sup>84</sup> The regulation continues by stating that “[w]hen an employee works in a day for a period less than the fixed working hours his wages are decreased for the hours during which he does no work at the rate of under two-tenth per hour of his daily wage.”<sup>85</sup>

Wages were also increased when one had to do the following: work extra hours, do dangerous work, work at night, work out-doors in the rain, work in shifts doing special tasks requiring continuous work throughout the day and night.<sup>86</sup> The Nanyocho also promulgated laws for natural disasters and other uncontrolled events, which could possibly be interpreted to include war as well.<sup>87</sup> The Nanyocho had the discretion to

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<sup>82</sup> IX. Regulations Concerning Allowances to Workmen and Miners of the Mining Station of the South Seas Bureau, South Seas Bureau Order No. 11 promulgated on March 1 of the 12<sup>th</sup> year of Taisho (1922), amended in June of the 13<sup>th</sup> year of Taisho (1924) by South Seas Bureau Order No. 23 and in January of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 1, Article I, SOUTH SEA ISLANDS (1925), *supra* note 38, at 369.

<sup>83</sup> *Id.* (quoting Article II).

<sup>84</sup> *Id.* (quoting Article IV).

<sup>85</sup> *Id.* (quoting Article IV).

<sup>86</sup> X. Regulations Concerning Allowances to Workmen and Miners Employed by the Mining Station of the South Seas Bureau, South Seas Bureau Instruction No. 11 promulgated on March 1, 1923, amended in June, 1924, by Instruction No. 23, in January 1925, by Instruction No. 1, in June 1929, by Instruction No. 9 and in July 1930, by Instruction No. 25, Article IV, SOUTH SEA ISLANDS (1930), *supra* note 38, at 245.

<sup>87</sup> IX. Regulations Concerning Allowances to Workmen and Miners of the Mining Station of the South Seas Bureau, South Seas Bureau Order No. 11 promulgated on March 1 of the 12<sup>th</sup> year of Taisho (1922), amended in June of the 13<sup>th</sup> year of Taisho (1924) by South Seas Bureau Order No. 23 and in January of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 1, Article XIII, SOUTH SEA ISLANDS (1925), *supra* note 38, at 372.

provide food in addition to wages, but “[t]he kind or quantity of food to be given and the method of supply [were] determined by the Chief of the Mining Station after approval of the Director of the South Seas Bureau has been obtained.”<sup>88</sup>

The Nanyocho government additionally had regulations regarding the age, number of hours and times a worker could work. The laws and regulations stated that “[n]o person less than fifteen years old shall be engaged as a skilled workman or laborer.”<sup>89</sup> The regulation also stated that “[t]he working hours of skilled workmen and laborers shall be under ten per day and shall be hours determined between 6 a.m. and 5 p.m. . . . It is required, however, that a time of rest not less than one and half hour in length be instituted within the working hours.”<sup>90</sup> The Nanyocho regulations further allowed workers to have days of rest for national holidays and other reasons.<sup>91</sup>

Miners were also required to work in the event of some kind of disaster. The laws and regulations stated that “[i]n cases in which on account of the occurrence of disasters or of the possibility of the occurrence of disasters urgency is required, skilled workmen and laborers may be caused to work without regard to the provisions of the preceding two articles.”<sup>92</sup>

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<sup>88</sup> *Id.* (quoting Article XVI).

<sup>89</sup> X. Regulations Concerning the Service of Skilled Workmen and Labourers in the Employ of the Mining Station of the South Seas Bureau, South Seas Bureau Instruction No. 9, promulgated on May 1 of the 13<sup>th</sup> year of Taisho (1924), Article II, SOUTH SEA ISLANDS (1925), *supra* note 38, at 374.

<sup>90</sup> *Id.* (quoting Article III).

<sup>91</sup> IX. Regulations Concerning Allowances to Workmen and Miners of the Mining Station of the South Seas Bureau, South Seas Bureau Order No. 11 promulgated on March 1 of the 12<sup>th</sup> year of Taisho (1922), amended in June of the 13<sup>th</sup> year of Taisho (1924) by South Seas Bureau Order No. 23 and in January of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 1, Article III, SOUTH SEA ISLANDS (1925), *supra* note 38, at 370-371.

<sup>92</sup> X. Regulations Concerning the Service of Skilled Workmen and Labourers in the Employ of the Mining Station of the South Seas Bureau, South Seas Bureau Instruction No. 9, promulgated on May 1 of the 13<sup>th</sup> year of Taisho (1924), Article V, SOUTH SEA ISLANDS (1925), *supra* note 38, at 374.

The Nanyocho placed limitations on work which was considered too dangerous for women or children under sixteen years of age.<sup>93</sup> The laws and regulations stated that “[n]o one under sixteen years old or women must be caused to work longer than the fixed working hours or at night.”<sup>94</sup> Furthermore, any persons suffering from diseases or mental illnesses could not be required to work.<sup>95</sup>

### ***III.C.9. Regulations for Agricultural Production***

Like the sugar and copra producers, Micronesians who produced agricultural products were also given subsidies. The laws and regulations stated that “[p]ersons who cultivate pine-apples, fruit trees, coffee, cocoa, vegetables and other agricultural crops or persons who work for improvement of such crops and are recognized as deserving by the Chief of the Branch Bureau are given subsidies within the limits of the estimate ... for the year.”<sup>96</sup> The Nanyocho, however, kept a tight reign on those who received subsidies, and promulgated the rule that “[p]ersons who have been given notice of subsidies being granted can not alter plans of their enterprises or suspend or give up their enterprises unless permission be obtained from the Chief of the competent Branch Bureau.”<sup>97</sup> The regulations additionally stated that “[t]he Chief of the Branch Bureau may issue orders necessary for the encouragement of cultivation of

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<sup>93</sup> *Id.* at 375 (quoting Article VII).

<sup>94</sup> *Id.* at 374 (quoting Article IV).

<sup>95</sup> *Id.* at 375 (quoting Article IX).

<sup>96</sup> VI. Rules for the Encouragement of Cultivation of Agricultural Products, South Seas Bureau Ordinance No. 10, promulgated on May 31, 1933, Article I, SOUTH SEA ISLANDS (1934), *supra* note 38, at 203.

agricultural products to persons who have been given notice of subsidies being granted.”<sup>98</sup>

### ***III.D. Laws of the International Labour Organization***

Although the laws and regulations of the Nanyocho aimed to cover most areas of life in the Micronesian Mandate, a number of areas regarding labor policies were noticeably absent. For this reason, one must also look at other laws and standards to determine what was considered to be an acceptable labor policy for that time period. One area to look at regarding labor norms is the International Labour Organization. This organization was set up after the Versailles Treaty in 1919, and covered labor policies in the 1920’s, 1930’s, and 1940’s. The purpose of the organization was to address labor standards and to set norms for the international community after World War I.

The International Labour Code of 1939 covers the Japanese period in Micronesia.<sup>99</sup> This Code has an entire section devoted to “Standards of Colonial Labour Policy.”<sup>100</sup> Of particular interest for this research is the Forced Labor Convention (FLC) and the Recruiting of Indigenous Worker’s Convention (RIWC). The following provisions from the two Conventions are the ones most applicable to this research.

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<sup>97</sup> *Id.* (quoting Article IV).

<sup>98</sup> *Id.* at 204 (quoting Article VI).

<sup>99</sup> INTERNATIONAL LABOUR OFFICE, THE INTERNATIONAL LABOUR CODE 1939. A SYSTEMATIC ARRANGEMENT OF THE CONVENTIONS AND RECOMMENDATIONS ADOPTED BY THE INTERNATIONAL LABOUR

### ***III.D.1. Forced Labour Convention***

The origin of the Forced Labour Convention appears to have been aimed at the type of forced labor which occurred in Soviet Russia prior to World War II.<sup>101</sup> Much of the language is directed toward prohibiting labor for political retraining or for economic development, which were the two main ways Soviet Russia utilized forced labor during the late 1920's and early 1930's when this convention was first drafted.<sup>102</sup> Despite the focus, the FLC has components that attempted to speak to a wider audience and to set world-wide standards for labor. It was signed by Japan and was in force for Japan on September 1, 1939.<sup>103</sup>

#### **III.D.1.a. DEFINITIONS**

According to the FLC, the term “forced or compulsory labour” means “all work or service which is exacted from any person under the menace of any penalty, and for which the said person has not offered himself voluntarily.”<sup>104</sup> Forced labor does not include “any work or service exacted in cases of emergency ... in the event of war or of a

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CONFERENCE 1919-1939. WITH APPENDICES EMBODYING OTHER STANDARDS OF SOCIAL POLICY FRAMED BY THE INTERNATIONAL LABOUR ORGANIZATION 1919-1939 (1941).

<sup>100</sup> *Id.* at xxxvi.

<sup>101</sup> See, e.g., JAMES BUNYAN, THE ORIGIN OF FORCED LABOR IN THE SOVIET STATE, 1917-1921. DOCUMENTS AND MATERIALS (1967).

<sup>102</sup> *Id.*

<sup>103</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 476, n.2. The Forced Labour Convention was in force on September 1, 1939, for Japan. The Forced Labour Convention is still active and Japan is still a member. See <http://ilolex.ilo.ch:1567/scripts/ratifce.pl?C29> (Website visited on 5/29/01).

<sup>104</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 479.

calamity or threatened calamity, such as fire, flood, famine, earthquake.”<sup>105</sup> Forced labor also does not include minor communal services which are “performed by the members of the community in the direct interest of the said community ... [and are] considered as normal civic obligations incumbent upon the members of the community.”<sup>106</sup>

Other important components of the FLC state that forced labor was to be “suppressed within the shortest possible period” and that “recourse to forced or compulsory labour may be had . . . for public purposes only and as an exceptional measure.”<sup>107</sup>

#### **III.D.1.b.      ROLE OF TRADITIONAL CHIEFS**

The FLC discusses the roles chiefs should play in recruiting labor. The Convention states that “[c]hiefs who exercise administrative functions may, with the express permission of the competent authority, have recourse to forced or compulsory labour, subject to the provisions of Article 774 of this section.”<sup>108</sup> Article 774 states: “Forced or compulsory labour exacted as a tax and forced or compulsory labour to which recourse is had for the execution of public works by chiefs who exercise administrative functions shall be progressively abolished.”<sup>109</sup>

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<sup>105</sup> *Id.* at 480.

<sup>106</sup> *Id.* at 481.

<sup>107</sup> *Id.* at 477-478.

<sup>108</sup> *Id.* at 482.

<sup>109</sup> *Id.* at 483.

### **III.D.1.c. REGULATIONS REGARDING THE AGES OF WORKERS**

Although the FLC states that forced labor is to be prohibited at all costs, the creators were not blind to the fact that forced labor existed at the time the Convention was drafted. It thus set standards for the ages and health of those who could be called into forced labor service. The Convention states that “[o]nly adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour.”<sup>110</sup> The following limitations shall apply: “exemption of school teachers and pupils and of officials of the administration in general.”<sup>111</sup>

### **III.D.1.d. NUMBER OF HOURS AND LENGTH OF SERVICE OF WORKERS**

The FLC set standards for the length of service and the daily hours any person could be required to perform acts of forced or compulsory labor. The maximum period any person may be taken for forced or compulsory labor of all kinds in any one year “shall not exceed sixty days, including the time spent in going to and from the place of work.”<sup>112</sup> Additionally, the Convention states that the normal working hours of any person performing forced or compulsory labor shall be the “same as those prevailing in the case of voluntary labour,” and the hours worked in excess of the normal working

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<sup>110</sup> *Id.* at 484.

<sup>111</sup> *Id.*

<sup>112</sup> *Id.* at 485.

hours “shall be remunerated at the rates prevailing in the case of overtime for voluntary labour.”<sup>113</sup> The Convention also recognized that a “weekly day of rest shall be granted to all persons from whom forced or compulsory labour of any kind” is exacted.<sup>114</sup> The Convention further states that workers shall work “[e]ight hours a day and 48 hours per week – equal to the standards for voluntary labor.”<sup>115</sup>

#### **III.D.1.e. COMPENSATION OF WORKERS**

Article 14 states: “forced or compulsory of all kinds shall be remunerated in cash at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited, whichever may be higher.”<sup>116</sup> The FLC further indicates that ordinary rations shall not be given in lieu of wages.<sup>117</sup> Additionally, the preamble of the ILO Constitution mentions the principle of equal remuneration for work of equal value.<sup>118</sup>

#### **III.D.1.f. FOOD, HEALTH, AND SANITATION REQUIREMENTS FOR WORKERS**

The FLC required employers to provide adequate food, housing, water and sanitation conditions so that the workers do not starve or do not die of health problems

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<sup>113</sup> *Id.*

<sup>114</sup> *Id.*

<sup>115</sup> LAMMY BETTEN, INTERNATIONAL LABOUR LAW. SELECTED ISSUES 131 (1993) (quoting the ILO Conf. of 1919, articles 2 to 6 of convention No. 1).

<sup>116</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 485.



caused by working conditions. The Convention specifically states that the employer “shall satisfy itself -- (iii) that the sanitary conditions of the workplace, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory.”<sup>119</sup> The Convention additionally states that “[r]ecourse to forced or compulsory labour should be so regulated as not to imperil the food supply of the community concerned.”<sup>120</sup>

#### **III.D.1.g. AGRICULTURAL DEVELOPMENT TO PREVENT FAMINE**

The FLC recognized that agricultural development was acceptable, but only to prevent famine or starvation of the people. The Convention states that “[t]he competent authority shall only authorize recourse to compulsory cultivation as a method of precaution against famine or a deficiency of food supplies and always under the condition that the food or produce shall remain the property of the individuals or the community producing it.”<sup>121</sup>

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<sup>117</sup> *Id.* at 486.

<sup>118</sup> BETTEN, *supra* note 115, at 65.

<sup>119</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 487.

<sup>120</sup> *Id.* at 491.

<sup>121</sup> *Id.* at 488.

### ***III.D.2. Recruiting of Indigenous Workers Convention***

In addition to the Forced Labour Convention, the Recruiting of Indigenous Workers Convention (RIWC) was specifically geared toward setting standards for recruiting indigenous labor. This convention applied to Japan in 1939.<sup>122</sup>

#### **III.D.2.a. DEFINITIONS**

The term “recruiting” includes “all operations undertaken with the object of obtaining or supplying the labor of persons who do not spontaneously offer their services at the place of employment or at a public emigration or employment office or at an office conducted by an employers’ organization and supervised by the competent authority.”<sup>123</sup>

#### **III.D.2.b. WHO IS ELIGIBLE FOR RECRUITMENT?**

The convention placed parameters on who could be recruited by stating that “[t]he recruiting of the head of a family shall not be deemed to involve the recruiting of any member of his family.”<sup>124</sup>

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<sup>122</sup> *Id.* at 491 n.8.

<sup>123</sup> *Id.* at 493-494.

<sup>124</sup> *Id.* at 495.

### **III.D.2.c.      ROLE OF TRADITIONAL CHIEFS**

The convention also explicitly stated that tribal chiefs cannot participate in the recruitment process, and that “[c]hiefs or other indigenous authorities shall not – (a) act as recruiting agents; (b) exercise pressure upon possible recruits; or (c) receive from any source whatsoever any special remuneration or other special inducement for assistance in recruiting.”<sup>125</sup>

### ***III.E. Laws Promulgated After World War II***

In addition to the Forced Labor Convention and the Recruiting of Indigenous Workers Convention, a number of laws after World War II also shed some light on acceptable labor policies. The first set of laws to consider is the Nuremberg Principles. These Principles were created as a result of the Nuremberg Trials which were designed to prosecute Nazi Germans who tortured, persecuted, and murdered millions of people during World War II.<sup>126</sup> It was through these trials and the resulting promulgation of the Nuremberg Principles that the new terms of Human Rights, Crimes Against Humanity, and War Crimes became accepted as international law.<sup>127</sup> The prosecution for

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<sup>125</sup> *Id.* at 496. See also BETTEN, *supra* note 115, at 33-42.

<sup>126</sup> INTERNATIONAL LAW ANTHOLOGY 19 (Anthony D’Amato, ed. 1994).

<sup>127</sup> See generally *id.*

these crimes constituted an ex post facto provision, indicating that the law could be used retroactively for atrocities that occurred during the war and pre-war period.<sup>128</sup>

According to the Nuremberg Principles, War Crimes include:

Murder, ill-treatment, or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment or prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity.<sup>129</sup>

Crimes against Humanity include:

Murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.<sup>130</sup>

Numerous American litigants have used the Principles to argue their cases in American courts. The resulting judge-made laws are important because they reiterate what the world community has come to regard as unacceptable labor practices. A recent judge-made law comes from the case entitled In re Nazi Era Cases Against German Defendants Litigation.<sup>131</sup> Although much of the case pertains to a legal analysis of creating a compensation fund for Holocaust survivors, it is interesting to note that the definitions for forced labor and slave labor are similar to the definitions in the Nuremberg Principles. According to the In re Nazi Era case, the definition of forced labor is: “those who were compelled to work against their will, but in somewhat less harsh conditions

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<sup>128</sup> *Id.* at 19.

<sup>129</sup> ROBERT K. WOETZEL, THE NUREMBERG TRIALS IN INTERNATIONAL LAW, 172 (1962).

<sup>130</sup> *Id.*

<sup>131</sup> In re Nazi Era Cases Against German Defendants Litigation, 2000 U.S. Dist. LEXIS 18148.

than slave labor.”<sup>132</sup> The definition for slave labor is defined as “those who were intended to be literally worked to death.”<sup>133</sup>

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<sup>132</sup> *Id.* at 13 n.10 (citing Eizenstat Decl. at 16).

<sup>133</sup> *Id.* at 13 n.9 (citing Eizenstat Decl., at 16).

## CHAPTER IV

### LARGE-SCALE USE OF MICRONESIAN LABOR

The Japanese used Micronesians as laborers on a large-scale during the war to facilitate Japan's war-time objectives. The number of Micronesians employed have been estimated to be between 1225 and 3253. (See Tables 20 – 23). Such use of labor consisted of the Japanese Imperial Army conscripting Micronesians during the war for three purposes: 1) to construct military facilities such as roads, artilleries, and bases; 2) to grow agricultural products, with the goal of having an abundant supply of food during wartime; and 3) to serve as soldiers to be used for combat and to transport equipment.

#### *IV.A. Construction of Wartime Facilities*

Japan was prohibited by the League of Nations Mandate Agreement from using the islands for strategic purposes or for building any military bases.<sup>134</sup> The Mandate also prohibited the use of indigenous labor for the construction of military facilities, but indigenous labor could be used for essential public works and services.<sup>135</sup> Article 3 of the Mandate Agreement stated that the “slave trade is prohibited and no forced labor is permitted, except for essential public works and services, and then only

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<sup>134</sup> CLYDE, *supra* note 11, at 37-38.

<sup>135</sup> *Id.*

for adequate remuneration.”<sup>136</sup> Despite these prohibitions by the League of Nations, the evidence indicates that Japan used Micronesians to build military fortifications.

As early as 1934, the international community began to accuse Japan of fortifying the islands.<sup>137</sup> Japan, however, vehemently denied such accusations in the Annual Reports submitted to the League of Nations.<sup>138</sup> As soon as Japan entered the Pacific War in 1941, however, many of these facilities were easily suited for military means as air launching pads, bunkers, and ports. Although historians disagree on whether or not these facilities were designed with the intent that they could be used in the event of war, it would not be farfetched to imagine that the Nanyocho, in building facilities “for civilian use” to improve the general welfare of the islanders, also had the intent to use the facilities during wartime if Japan went to war with the United States.<sup>139</sup> Even some Japanese civilians recognized that the construction was in preparation for a war. One Japanese civilian said: “In the late 1930’s ... Fortifications on Eten Island, Truk, were erected. ... Channel markers and lighthouses in Palau were set up on the pretext of civilian’s night time safety. Of course, these were for military purposes.”<sup>140</sup>

Furthermore, one must keep in mind that by 1931 Japan was under a semi-war economy led by military leaders, and by 1937 Japan had declared war on China. Since Micronesia was the main strategic block separating the United States and Japan,

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<sup>136</sup> *Id.* at 37.

<sup>137</sup> CLYDE, *supra* note 11, at 203.

<sup>138</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>139</sup> Compare PEATTIE, *supra* note 8, with CLYDE, *supra* note 11.

<sup>140</sup> Higuchi (1987), *supra* note 29, at 21-22.

Tokyo anticipated that a military conflict with the U.S. might eventually occur. In such a case, Japan wanted to be ready.

#### ***IV.A.1. Use of Micronesian Labor to Construct Wartime Facilities***

##### **IV.A.1.a. TIME PERIOD WHEN CONSCRIPTION BEGAN**

It is difficult to decipher exactly when construction for wartime facilities began in the Micronesian islands. Although a number of Micronesians indicate that they were conscripted to build installations well before the outbreak of World War II, the heaviest use of Micronesia labor for construction occurred between 1943-1944, at the peak of the war in Micronesia.

One of the earliest accounts of Micronesians being used to construct military facilities occurred around 1931 or 1932, when Palauans remarked that harbor improvements started in Malakal, Palau, contracted by the NBK and the Nanyo Kohatsu.<sup>141</sup> Early in 1932, a number of Micronesians also remarked that they were used to build airport landing pads and towers.<sup>142</sup> For example, in 1932, “rumors began circulating that Japan was fortifying the islands [and] [t]hings changed as Japan’s military growth became priority.”<sup>143</sup> Another early recorded incident occurred on Ponape between 1933 and 1934 when “natives were employed for road construction [and] were

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<sup>141</sup> Higuchi (1986), *supra* note 29, interview with Termeteet Eusevio at 4.

<sup>142</sup> HARVEY GORDON SEGAL, KOSRAE: THE SLEEPING LADY AWAKENS 149-150 (1989).

<sup>143</sup> *Id.*



hired by the day [with the] actual number working at one time [varying] from 30 to 80 people.”<sup>144</sup> In the late 1930’s, some Micronesians noted that “in all three island groups [Micronesians] were conscripted for heavy construction work, largely against their will.”<sup>145</sup> In 1941 on Truk, heavy construction started when “Trukese were used in a major way to help build fortifications . . . of the Japanese military.”<sup>146</sup> In 1942, some Palauans were requisitioned to work in Malakal harbor.<sup>147</sup>

#### **IV.A.1.b. NUMBER OF MICRONESIANS CONSCRIPTED**

The exact number of Micronesians used to construct facilities has not been established. The documented evidence indicates that an estimated number of between 300 to 2763 Micronesians were conscripted. (See Tables 18 – 24). In 1933 in Ponape, one author documents the number of workers used to construct facilities to be between 30 to 80 Micronesians at any one time.<sup>148</sup> Another source indicates that on Kosrae during the war, as many as “7,000 Japanese, Okinawans, Koreans, Gilbertese and Banabans as well as Pohnpeian workers [were conscripted].”<sup>149</sup> Unfortunately, this statement does not indicate how many of the 7000 workers were Micronesian, but according to another source, at least one Micronesian from each household was conscripted.<sup>150</sup> On Palau in

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<sup>144</sup> CLYDE, *supra* note 11, at 145-147.

<sup>145</sup> PEATTIE, *supra* note 8, at 251-252.

<sup>146</sup> Susan A. Ballard Dolan, *Truk: The Lagoon Area in the Japan Years, 1914-1945*, at 42 (1974) (unpublished Master of Arts thesis, University of Hawaii (Manoa)).

<sup>147</sup> Higuchi (1986), *supra* note 29, interview with Thomas Tellei, at 1.

<sup>148</sup> CLYDE, *supra* note 11, at 145-147.

<sup>149</sup> SEGAL, *supra* note 143, at 150.

<sup>150</sup> *See generally* Higuchi, *supra* note 29.

1944, one source indicates that “all residents in Palau including islanders, women, children, and even government officials were drafted for the construction of an airfield shelter and other defense facilities at Airai.”<sup>151</sup>

#### **IV.A.1.c. TYPE OF WORK**

Micronesians conscripted to construct military facilities primarily undertook two types of work: (1) building harbors, roads, airstrips, and other military installations; and (2) transporting and unloading luggage, ammunition, and other things for the Japanese Imperial Army. One Micronesian noted: “On the high islands, Japanese construction crews and conscripted island laborers gouged out tunnels and caves and poured tons of concrete for communications centers, ammunition dumps, and gun emplacements.”<sup>152</sup> On Kosrae, “Pohnpeian men and Okinawan laborers were [used] to build roads, a fighter plane airstrip in Malem, Pill-box forts in Utwe along the harbor. ...[a] large, concrete radio station was constructed at Yewak in Male, near the airfield construction.”<sup>153</sup>

Some Micronesians remarked that the Japanese made them dig caves up in the mountains in several places, “like the caves in Iwo-Jima and other islands that were invaded by the Americans.”<sup>154</sup> The Japanese soldiers also made Micronesian men dig

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<sup>151</sup> Higuchi (1987), *supra* note 29, at 86.

<sup>152</sup> PEATTIE, *supra* note 8, at 263-264; *see also* Suzanne Falgout, Lessons of War from Pohnpei in Remembering the Pacific War, Occasional Paper 36, at 124 (Geoffrey M. White, ed. 1991).

<sup>153</sup> SEGAL, *supra* note 143, at 149-150.

<sup>154</sup> *Id.* at 151.

holes and put coconut tree logs over them for air raid shelters.<sup>155</sup> One observer remarked that “leveling one half of the island for the airstrip took nearly seven years, from 1934 to 1941, largely because nearly all the work was undertaken by dynamite, pickax, and shovel.”<sup>156</sup>

#### **IV.A.1.d. AGE, GENDER, AND SOURCE OF MICRONESIANS CONSCRIPTED**

The evidence indicates that the Japanese Army usually conscripted the men to build facilities, but left the women and children in the homes so they could tend to the agricultural plots.<sup>157</sup> They used workers from as young as 9 years old.<sup>158</sup> Some children on Yap had to weave 50 pieces of coconut leaves per day at age 10 and up, or they would be “beaten and kicked by the Japanese.”<sup>159</sup> Additionally, the Palauans chosen as Choyo-Ninpu to work at Malakal harbor ranged from 15 years to 40 years old.<sup>160</sup>

Labor was recruited from various sources. Micronesians were conscripted from the schools and from among able-bodied men.<sup>161</sup> Many of the men were transported to other islands to construct air fields and harbors.<sup>162</sup> In the Marshalls, “labor recruitment was far harsher, whole villages being swept for adult males, who were then

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<sup>155</sup> *Id.*

<sup>156</sup> PEATTIE, *supra* note 8, at 251, n.51 (conversation with Antolin Sotan, Peattie's guide on Truk and Eten, June 1983).

<sup>157</sup> *Infra* section IV.B. in the main text.

<sup>158</sup> Personal communication, *supra* note 42; PEATTIE, *supra* note 8, at 297-298.

<sup>159</sup> Lin Poyer, *Yapese Experiences of the Pacific War*, in ISLA, A Journal of Micronesian Studies, Vol. 3, Number 2, Dry Season, at 236 (1995).

<sup>160</sup> Higuchi (1986), *supra* note 29, interview with Techitong Reblud, at 1.

<sup>161</sup> PEATTIE, *supra* note 8, at 251-252; Personal communication, *supra* note 42.

<sup>162</sup> PEATTIE, *id.*

shipped from atoll to atoll as the navy's labor requirements dictated.”<sup>163</sup> One observer remarked that each household had to provide at least one laborer per day.<sup>164</sup> On Yap, construction of the airstrip was done by women and children, as well as by men. One Micronesian remarked that “[w]omen and children joined the first phase of clearing. ... Women and often children took part in war-related labor.”<sup>165</sup>

#### *IV.A.2. Treatment of Micronesian Labor to Construct Wartime Facilities*

##### **IV.A.2.a. ILL-TREATMENT**

Japanese policies regarding the treatment of Micronesians who were used to construct military facilities fell short of the international norms. The Nuremberg Principles prohibit “murder, **ill-treatment**, or deportation to slave labor or for any other purpose of civilian population of or in occupied territory.”<sup>166</sup> The Principles also prohibit “extermination, enslavement, deportation, and **other inhumane acts committed against any civilian population, before or during the war** ... whether or not in violation of the domestic law of the country where perpetrated.”<sup>167</sup>

The literature indicates that when Micronesians were first conscripted to construct war-time facilities, many did not realize what was going on and did not object.

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<sup>163</sup> *Id.*

<sup>164</sup> *Id.* at 297-298.

<sup>165</sup> Poyer, *supra* note 159, at 235.

<sup>166</sup> WOETZEL, *supra* note 129.

<sup>167</sup> *Id.*

In fact, a number of them felt it was their duty and honor to help Japan.<sup>168</sup> As the war waged on, however, the Japanese Army became increasingly cruel and brutal, and started mistreating the Micronesian people.<sup>169</sup> For example, circa 1943, the Japanese Army required Micronesians to gather food for them, and would shoot anybody who was seen stealing or eating the food.<sup>170</sup> The Japanese Army also required Micronesians to do dangerous work for the Japanese, such as using dynamite to blast the reefs for fish.<sup>171</sup>

The hours for work on construction were also rather tiresome. One Palauan said the Seinan-dan (Young men's Association) "joined the construction of Airai airport" in 1943.<sup>172</sup> They worked "from 5:00 am to 5:00 pm."<sup>173</sup> Another Palauan said he worked from 7:00 am to 5:30 pm.<sup>174</sup>

Other Micronesians indicate that the Japanese Army treated them very harshly. On Yap, for example, "[p]unishments were slaps, punches, kicks, and beatings with a piece of wood. A vividly remembered punishment consisted of the victim kneeling for a long time on crushed shells scattered over a cement platform while enduring a bamboo stalk being pressed by two men against the backs of his knees."<sup>175</sup> One Palauan woman recalls that "once a month the soldiers drafted her and several other

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<sup>168</sup> Falgout, *supra* note 152.

<sup>169</sup> See generally Higuchi, *supra* note 29.

<sup>170</sup> *Id.*

<sup>171</sup> *Id.*

<sup>172</sup> Higuchi (1986), *supra* note 29, interview with Fancisco [sic] Morei, at 2.

<sup>173</sup> *Id.*

<sup>174</sup> *Id.* at interview with Techitong Reblud, at 1.

<sup>175</sup> Rosalind L. Hunter-Anderson and Darlene R. Moore, *Archaeology and Oral History of the Japanese Lighthouse at Yap*, in ISLA, A Journal of Micronesian Studies, Guam, Volume 3, Number 2, Dry Season, at 272 (1995).

women to carry goods ... to other military units ... a distance of about 16 km.”<sup>176</sup> In the Marshalls, one author stated: “We ... had to work, work all the time; and if your work was not suitable – [they would] beat you. Hit you. Yes, all the time they beat you ... with hands, with belts, with sticks [boards].”<sup>177</sup> On Pohnpei, “[s]ome workers were locked in compounds; others were forced to sleep in bunkers too tiny to sit upright in. . . . It [was] worse than being in prison.”<sup>178</sup> One Yapese remarked: “[a]s long as you were able, you could work, you were called to work. And if you refused, you would be punished. So you had no choice. When they came, they came with rifles.”<sup>179</sup>

#### IV.A.2.b. FORCED CONSCRIPTION OF LABOR

Japanese policies regarding forced conscription of labor of Micronesians fell short of international norms. According to the FLC, the term “forced or compulsory labour” means “all work or service which is exacted from any person under the menace of any penalty, and **for which the said person has not offered himself voluntarily.**”<sup>180</sup> The FLC also states that forced labor is to be “**suppressed within the shortest possible**

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<sup>176</sup> Karen R. George, *Through a Glass Darkly: Palau's Passage Through War, 1944-1945*, in ISLA, A Journal of Micronesian Studies, Guam, Volume 3, Number 2, Dry Season, at 332 (1995).

<sup>177</sup> Laurence M. Carucci, *The Source of the Force in Marshallese Cosmology*, in *The Pacific Theater: Island Representations of World War II*, at 75 (Geoffrey M. White and Lamont Lindstrom, eds., 1989).

<sup>178</sup> Suzanne Falgout, *From Passive Pawns to Political Strategists: Wartime Lessons for the People of Pohnpei*, in *The Pacific Theater: Island Representations of World War II*, at 284 (Geoffrey M. White and Lamont Lindstrom, eds., 1989).

<sup>179</sup> Poyer, *supra* note 150, at 236.

<sup>180</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 479.

**period**” and that “recourse to forced or compulsory labour may be had, ... for public purposes only and as an **exceptional measure**.”<sup>181</sup>

The evidence is clear that the Japanese forcibly conscripted Micronesians to work. In the Marshalls, for example, one Micronesian stated: “near dawn, I was awakened by the touch of a sharp object on my head. [The Japanese soldiers] took me to the barge and dumped me in. I landed on some guys underneath. They were elderly men who were captured by Japanese to be used at [sic] forced labor.”<sup>182</sup> The author continues by saying: “I was one of the laborers. There were twenty-nine of us. . . . I had to stay in a place spending 14 hours a day after ten-hour shifts.”<sup>183</sup> On Pohnpei, another Micronesian stated: “[t]he great majority of the men of Sapwuahfik<sup>184</sup> and many of the adult women, spent time as laborers for the Japanese military administration . . . most of this labor involved constructing airstrips and other military installations. . . .”<sup>185</sup> The author adds: “men who went as laborers from Sapwuahfik to work for the Japanese government on Pohnpei during the military escalation recall it as hard, endless physical labor. There were no machines to make their work easier, nor did Islanders know how to use construction machines.”<sup>186</sup>

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<sup>181</sup> *Id.* at 477-478.

<sup>182</sup> John Heine, *Marshall Islanders' Experiences in World War II*, in *Remembering the Pacific War*, Occasional Paper 36, at 114 (Geoffrey M. White, ed., 1991).

<sup>183</sup> *Id.*

<sup>184</sup> Sapwuahfik is an island near Pohnpei.

<sup>185</sup> Lin Poyer, *Echoes of Massacre: Recollections of World War II on Sapwuahfik (Ngatik Atoll)*, in *The Pacific Theater: Island Representations of World War II*, at 106 (Geoffrey M. White and Lamont Lindstrom, eds., 1989).

<sup>186</sup> *Id.*

#### IV.A.2.c. FORCED RELOCATION

The Japanese Army also instituted policies of forced relocation of the Micronesians. The Nuremberg Principles prohibit “murder, ill-treatment, or **deportation to slave labor or for any other purpose of civilian population** of or in occupied territory ...”<sup>187</sup> The Principles also prohibit “extermination, enslavement, **deportation**, and other inhumane acts committed against any civilian population, before or during the war ...”<sup>188</sup>

Despite these prohibitions, the evidence indicates that some Micronesians were forcibly relocated. On Pohnpei, for example, “[a]s the war ... intensified, the Japanese instituted forced labor. ... All able-bodied Pohnpei men were taken from their homes and relocated to various projects around the island or even abroad.”<sup>189</sup> On Palau, “[t]he [Japanese] military appropriated the island of Ngerkebesang in Koror, and by late 1944 nearly all Palauans had moved or been evacuated to the big island of Babeldoab.”<sup>190</sup> Another Micronesian states: “[m]ost adult men worked as conscripted labor for the Japanese, and some moved from island to island as they were ordered.”<sup>191</sup> Another

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<sup>187</sup> WOETZEL, *supra* note 129.

<sup>188</sup> *Id.*

<sup>189</sup> Falgout, *supra* note 178.

<sup>190</sup> Karen L. Nero, *Time of Famine, Time of Transformation: Hell in the Pacific, Palau*, in *The Pacific Theater: Island Representations of World War II*, at 122 (Geoffrey M. White and Lamont Lindstrom, eds., 1989).

<sup>191</sup> Lin Poyer, *Micronesian Experiences of the War in the Pacific*, in *Remembering the Pacific War*, Occasional Paper 36, at 87 (Geoffrey M. White, ed., 1991).



source indicated that “[i]n July 1943 another 179 Pohnpei men were drafted and sent to Kosrae ... [they] represented all remaining able-bodied men from [Kitti].”<sup>192</sup>

#### IV.A.2.d. COMPENSATION

Article 14 of the FLC states: “**forced or compulsory of all kinds shall be remunerated in cash** at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited.”<sup>193</sup> Additionally, the preamble of the ILO Constitution mentions the principle of **equal remuneration for work of equal value**.<sup>194</sup>

Although evidence exists that at least some Palauans received a salary for their work after being conscripted by the Japanese Army,<sup>195</sup> the salary was often put into some sort of postal savings account, and many Palauans claim they never received the compensation.<sup>196</sup> For example, one Palauan said he received a salary of 70 yen for his labor term with the Japanese Army, which was 3-4 months long.<sup>197</sup> Another Micronesian stated that “Palauans were gathered from each village according to the population; working hours were 8:00 am-4 pm; salary was a minimum of 70 sen per day.”<sup>198</sup>

On Pohnpei, “civilian workers were to be paid one-and-a-half yen per day for skilled labor, one yen for unskilled labor, and ¾ yen for women. As the war ...

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<sup>192</sup> Falgout, *supra* note 152.

<sup>193</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 485.

<sup>194</sup> BETTEN, *supra* note 115, at 65.

<sup>195</sup> Higuchi (1986), *supra* note 29, interview with Thomas Tellei, at 1.

<sup>196</sup> *Id.*

intensified, the Japanese instituted forced labor. . . .”<sup>199</sup> In Yap, workers were paid 2 yen (US 50 cents) per day to work on a lighthouse for 3 years.<sup>200</sup> Yapese also said the “Japanese inadequately compensated them for their efforts.”<sup>201</sup>

#### IV.A.2.e. FOOD

The FLC states that the employer “shall satisfy itself --- (iii) that the sanitary conditions of the workplace, the supply of drinking water, **food**, fuel, and cooking utensils, and, where necessary, of housing and clothing, **are satisfactory**.”<sup>202</sup> The Convention additionally states that “[r]ecourse to forced or compulsory labour **should be so regulated as not to imperil the food supply of the community concerned**.”<sup>203</sup>

The literature indicates that although some Palauans received rations starting in 1941, “the amount was smaller than what the Japanese received.”<sup>204</sup> On Yap, “when they were shifted to airport construction, the Japanese provided one meal: very, very little unpolished rice was given to them, only in the morning. And the two other meals they had to fend for themselves.”<sup>205</sup> The author continues by saying: “[a]gainst the

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<sup>197</sup> *Id.* at interview with Techitong Reblud.

<sup>198</sup> *Id.* at interview with Termeteet Eusevio, at 2.

<sup>199</sup> Falgout, *supra* note 178.

<sup>200</sup> Hunter-Anderson, *supra* note 175, at 270.

<sup>201</sup> *Id.*

<sup>202</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 487.

<sup>203</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 491.

<sup>204</sup> Higuchi (1986), *supra* note 29, interview with Itelbang Luii [Shimeichi, Nicolas], at 2.

<sup>205</sup> Poyer, *supra* note 159, at 235.

threat of starvation, the Yapese planted their own gardens of fast-growing sweet potatoes.”<sup>206</sup>

#### ***IV.B. Labor for Agricultural Production***

In addition to conscripting men to construct facilities, the Japanese Army used Micronesian labor for agricultural production. Nanyocho's expectation of the “Palauans not yet recruited for the war effort was for them to increase agricultural production as rapidly as possible. In the eyes of Japanese officials, this agricultural work represented an important preparation for long-term fighting when it would be hard for . . . ships to reach Palau.”<sup>207</sup>

Agricultural production appears to have come from two sources: (1) the agricultural stations which began circa 1933; and (2) forcing families to grow food on their home plots during the war. The evidence is unclear as to whether these agricultural plots were planned specifically for the war effort, or whether the stations existed prior to the war and then subsequently turned into agricultural stations. The literature indicates, though, that as early as 1933, the Nanyocho felt that agricultural production was important and gave subsidies to those who grew certain agricultural products.<sup>208</sup>

The primary goal of the conscription process was to increase the food supply for the Japanese Army, and included the following tasks: the harvesting of

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<sup>206</sup> *Id.*

<sup>207</sup> Higuchi, *supra* note 29, at 21-22.

<sup>208</sup> *See supra* note 96.

tapioca, sweet potatoes and vegetables; encouraging planting; and regulating supplies and techniques for increasing production.<sup>209</sup> One observer remarked that “[a]griculture products grown by Palauans were especially important in supporting the Japanese military food needs. As a matter of course, the Japanese expected the islanders to supply food.”<sup>210</sup>

#### ***IV.B.1. Use of Micronesian Labor for Agricultural Production***

##### **IV.B.1.a. NUMBER, SOURCE, AND LOCATION OF LABORERS**

The literature is unclear as to the exact number of Micronesians who worked as agricultural laborers. The documented evidence indicates that an estimated number of between 100 to 270 were conscripted. (See Tables 18 – 23). The labor came from a variety of resources. Since the men who were conscripted to work and build wartime facilities left behind their families, it was the women and children who were often required to produce food during wartime.<sup>211</sup> Furthermore, children as young as 8 years old were required to help out.<sup>212</sup> The literature, however, is silent as to how old the oldest or youngest laborer was.

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<sup>209</sup> Higuchi, *supra* note 29, at 22-23, 26, 29-30.

<sup>210</sup> Higuchi, *supra* note 29, at 26.

<sup>211</sup> PEATTIE, *supra* note 8, at 298.

<sup>212</sup> Higuchi, *supra* note 29, at 22.

Agricultural stations were found at least on Ponape, Palau, and Yap.<sup>213</sup> On Ponape in 1933, an agricultural station, called Haruki-mura, was set up.<sup>214</sup> “In 1940, 78 families with a total population of 350 worked in the colony and about 563.5 acres were developed. Of this amount, 171.5 acres were cultivated with coffee, sweet potato and cotton.”<sup>215</sup> Another author states that in 1944, “In Kitti [Ponape] all able-bodied women were now conscripted to work on various agricultural projects around the island.”<sup>216</sup>

Use of labor for agriculture purposes also occurred on Yap around 1943-1944. One Micronesian stated: “The first military-related labor involved men conscripted from throughout Yap to prepare extensive sweet-potato plantations in Southern Yap. . . . the Yapese working on the gardens were treated as if they were soldiers. . . . [and] the labor was organized in a paramilitary fashion.”<sup>217</sup> The author continues by stating that the men “were encouraged to think my tools are my guns. . . . It became clear in hindsight that these fields were to feed the Japanese troops that would soon arrive.”<sup>218</sup>

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<sup>213</sup> Higuchi (1987), *supra* note 29, at 56

<sup>214</sup> *Id.*

<sup>215</sup> *Id.*

<sup>216</sup> Falgout, *supra* note 152, at 125.

<sup>217</sup> Poyer, *supra* note 159, at 234.

#### ***IV.B.2. Treatment of Micronesian Labor for Agricultural Production***

##### **IV.B.2.a. ILL-TREATMENT**

Japanese treatment of Micronesians who were forced to use their labor to produce agricultural goods fell short of international labor norms. In the early years of the Nanyocho, the regulations allowed for agricultural production and gave subsidies to “[p]ersons who cultivate pine-apples, fruit trees, coffee, cocoa, vegetables and other agricultural crops or persons who work for improvement of such crops and are recognized as deserving by the Chief of the Branch Bureau.”<sup>219</sup> The Nanyocho, however, kept a tight reign on those who received subsidies, and promulgated the rule that “[p]ersons who have been given notice of subsidies being granted can not alter plans of their enterprises or suspend or give up their enterprises unless permission be obtained from the Chief of the competent Branch Bureau.”<sup>220</sup>

The international laws are explicit that such use of labor for agricultural production can not be abused to the point where the people are harmed. The Nuremberg Principles prohibit “murder, **ill-treatment**, or deportation to slave labor or for any other purpose of civilian population of or in occupied territory.”<sup>221</sup> The Principles also prohibit “murder, extermination, enslavement, deportation, and **other inhumane acts committed**

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<sup>218</sup> *Id.* at 234-235.

<sup>219</sup> *See supra* note 96.

<sup>220</sup> *Id.* (quoting Article IV).

<sup>221</sup> WOETZEL, *supra* note 129, at 172.

**against any civilian population, before or during the war.”**<sup>222</sup> Additionally, the Forced Labor Convention states that “[t]he competent authority shall only authorize recourse to compulsory cultivation as a **method of precaution against famine or a deficiency of food supplies** and always under the condition that **the food or produce shall remain the property of the individuals or the community producing it.**”<sup>223</sup> The Convention further adds that “[r]ecourse to forced or compulsory labour should be so regulated as **not to imperil the food supply of the community concerned.**”<sup>224</sup>

The literature indicates that the treatment of those Micronesians who were required to produce food for the Japanese Army appears to be about the same as those who were conscripted to build facilities. One difference exists, however. Those who were conscripted to build facilities were employed primarily in the beginning stages of the war, whereas those who were used for agricultural production were employed extensively in the latter years of the war, circa 1943, when shipments between islands became few or too dangerous, and when food supplies ran out.

The evidence is clear that the Japanese mistreated the Micronesians who worked as agricultural laborers. A number of Micronesians reported accounts of cruelty by the Japanese because of the food scarcity. Many Micronesians indicated that in the latter stages of the war, Japanese soldiers turned into animals and did terrible things to the Micronesian people in their desperate attempts to survive.<sup>225</sup> Some examples of

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<sup>222</sup> *Id.*

<sup>223</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 488.

<sup>224</sup> *Id.* at 491.

<sup>225</sup> See generally George, *supra* note 176; Nero, *supra* note 190; Falgout, *supra* note 152; Falgout, *supra* note 178; Falgout et al., *supra* note 259; Poyer, *supra* note 185; Poyer, *supra* note 191.

mistreatment against Micronesians who were used for agricultural production include the following: “The Japanese soldiers prohibited us, under threat of instant death, from eating our own food. Our men were forced to go fishing to get food for the Japanese soldiers, and many were shot and killed while they fished. All food was for the Japanese soldiers.”<sup>226</sup> On Babelthuap, Palau, one Micronesian stated: “so it began, a long, grueling one year of starvation ... a terrible period of starvation and sickness. ... in some places the Japanese took over the food gardens, and taro, and food sources for the natives, by force, in order to feed the military persons.”<sup>227</sup>

On Pohnpei, work started at 5 am, from sunrise to sunset.<sup>228</sup> “However, they do not recall any serious lack of food during the war [in Pohnpei].”<sup>229</sup> On Truk, though, “[a]llied bombing ... disrupted further transportation ... and cut off needed goods. ... strict rationing was begun and starvation soon set in. ... Even the sick and dying were assigned tasks according to their remaining abilities.”<sup>230</sup> Another author states: “[p]eople recall strict control of food production and supply, with each local officer telling villagers to ... produce two baskets of food each day ... They were threatened with punishment whether they were caught stealing in another area or came home empty-handed.”<sup>231</sup>

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<sup>226</sup> *Micronesian Claims: Hearings before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives*, 91<sup>st</sup> Cong. 2<sup>nd</sup> Sess. on H.J. Res. 1161, H.J. Res. 1258, and H.J. Res. 1265 (1971), *supra* note 39, at 47.

<sup>227</sup> Nero, *supra* note 190, at 127.

<sup>228</sup> Falgout, *supra* 152, at 125.

<sup>229</sup> *Id.*

<sup>230</sup> *Id.* at 126.

<sup>231</sup> Poyer, *supra* note 159, at 237.



#### *IV.C. Labor for Soldiers*

In addition to using Micronesians as labor to construct facilities or to grow food, the Japanese Army also trained and used Micronesians as soldiers in the war. Article 4 of the mandate specifically prohibited Japan from training the inhabitants for war. The Mandate read: “The military training of the natives, otherwise than for purposes of internal police and the local defense of the territory, shall be prohibited.”<sup>232</sup> Japan denied training any Micronesians for war in each of the League of Nations Annual Reports. When Japan entered the Pacific war, however, a number of Micronesians were easily mobilized as soldiers, as if training had already been taking place for years.<sup>233</sup>

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<sup>232</sup> CLYDE, *supra* note 11, at 37.

<sup>233</sup> At least 4 (four) categories of Palauans were conscripted as soldiers:

- (1) The Palau Chosa-tai (first survey group to New Guinea) in early 1943 (about 60 people)(*see* Higuchi (1985), *supra* note 29, at 9); The Palau Teisin-tai (Palauan voluntary group to New Guinea) in August 1943 (went to Manokuwari, New Guinea) (no numbers); “Palauan Chosatai members who enlisted in early 1943 participated mainly in the survey of natural resources [in New Guinea] but the second group, Teishintai, provided essential services as military porters” (*see, e.g.*, Higuchi (1985), *supra* note 29, at 10);
- (2) Makassar Kaiin Yaseijo (sailors Training Center in Makassar, Celebes) (about 23 people) (*see, e.g.*, Higuchi (1985), *supra* note 29, at 13);
- (3) Kinro Hoshi (labor service in Palau)
- (4) Morikawa Butai (The Morikawa Corps) and Giyu Kirikomi-tai (Patriotic Shock Corps) (about 80 people; *see* Higuchi (1985), *supra* note 29, at 32), experienced intensive military training. The purpose of the Morikawa corps was to “iron out the differences between the Palauan and Japanese soldiers, to put the Palauans’ minds to rest, to prevent any further dissention from the Palauan ranks ... and to encourage the Palauans to cooperate with the military” (*see, e.g.*, Higuchi (1985), *supra* note 29, at 29).

#### ***IV.C.1. Use of Micronesian Labor as Soldiers***

##### **IV.C.1.a. VOLUNTEERS**

In the beginning of the war, a number of Micronesians “volunteered” to fight on behalf of Japan. These volunteer groups were called the Teishintai. In 1937, a petition was submitted to Japan to allow islanders from Rota, Saipan and Ponape to enlist.<sup>234</sup> At that time, however, Japan said these islanders were not eligible as soldiers because they were not Japanese citizens.<sup>235</sup> These same volunteer groups were later conscripted and sent to Southeast Asia to be used as soldiers in places like New Guinea, Rabaul, Celebes,<sup>236</sup> and Solomon Islands.<sup>237</sup>

##### **IV.C.1.b. NUMBER OF MICRONESIANS CONSCRIPTED AS SOLDIERS**

The literature is unclear as to the exact number of Micronesians who were conscripted to work as soldiers. The documented evidence indicates that an estimated number of between 180 to 300 were conscripted. (See Tables 21 – 24). Some of the comments of Micronesians who experienced conscription as soldiers include the following: "I heard from my friends that Palau-shicho (Palau District Branch) was

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<sup>234</sup> Higuchi, *supra* note 29, at 43, fn \*\* (quoting “Micronesian Warriors, by Wakako Higuchi in *Islander*, July 1984, Guam).

<sup>235</sup> See generally Higuchi (1985), *supra* note 29.

<sup>236</sup> *Id.*

<sup>237</sup> Higuchi (1986), *supra* note 29, interview with Thomas Tellei, at 2.

recruiting Palauan youngmen to go to New Guinea around 1942 and 1943. More than 60 Palauans were selected.”<sup>238</sup> “In 1944 twenty-seven Ponapeans were actually drafted by the army and twenty-three died in New Guinea.”<sup>239</sup> “23 Palauans from 17 to 22 years of age received initial training from assistant police inspector Hara in Koror, Palau. For each of the two enlistments, 20 Palauans were drafted from northern Babeldaob and another 20 from southern Babeldaob for a total of 80.”<sup>240</sup> One Palauan said his company had 100 people in his corps, and they had to “requisition ... civilians because the number of soldiers was not enough.”<sup>241</sup>

#### **IV.C.1.c. LOCATION, AGES, AND GENDER OF RECRUITMENT**

The evidence indicates that Micronesians were recruited from at least the islands of Palau, Truk, Ponape and Yap. The earliest account of Micronesians being mobilized as soldiers is late 1942 when Palauans were recruited.<sup>242</sup> Evidence exists that recruitment of Palauans lasted at least until May 1945.<sup>243</sup>

The age of conscripted soldiers ranged between 17 and 27 years old. Additionally, the Japanese conscripted men who were “physically strong and of good character.”<sup>244</sup> Although most of the literature indicates that the soldiers were male, at

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<sup>238</sup> *Id.* at interview of Elibosang Eungel at 1, 5.

<sup>239</sup> Higuchi, *supra* note 29, at 43, fn \*\* (quoting “Micronesian Warriors, by Wakako Higuchi in *Islander*, July 1984, Guam).

<sup>240</sup> Higuchi (1986), *supra* note 29, interview of Simon Ramariu.

<sup>241</sup> *Id.* at interview with Thomas Tellei, at 2.

<sup>242</sup> *Id.* at interview of Elibosang Eungel, at 1, 5.

<sup>243</sup> *Id.* at interview of Simon Ramariu.

<sup>244</sup> Higuchi, *supra* note 29.

least one Palauan indicated that several Palauan women were trained “to defend fire”, under the group called “Tomin Josei Seinandan” (Islanders women’s volunteer group).<sup>245</sup>

#### IV.C.1.d. TYPE OF WORK

The type of work varied. Some Micronesians worked as military assistants, interpreters, and supervisors of indigenous labor.<sup>246</sup> Palauans indicated that they worked as messengers for the headquarters or messenger runners with the corps.<sup>247</sup> Others indicated that they were employed as members of fishing groups for soldiers, and as assistants in the manufacture of tapioca starch and salt.<sup>248</sup> Some Palauans also worked as rear guards and porters.<sup>249</sup> Others were forced to labor for soldiers by carrying things, becoming messengers, or driving ammunition and foodstuffs. Still others “watch[ed] for enemy submarines, ships and planes,”<sup>250</sup> or went to New Guinea to “survey the natural resources.”<sup>251</sup>

The Japanese also utilized Micronesians in direct combat situations to counter-attack American forces.<sup>252</sup> Even though Japanese soldiers did not expect Palauans to participate in actual combat, some Palauans today believe that “their mission

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<sup>245</sup> Higuchi (1986), *supra* note 29, interview with Itelbang Luii (Shimeichi, Nicolas), at 4.

<sup>246</sup> Higuchi, *supra* note 29.

<sup>247</sup> *Id.*

<sup>248</sup> *Id.*

<sup>249</sup> *Id.* at 9, 10, 26.

<sup>250</sup> Higuchi (1986), *supra* note 29, interview with Simon Ramariu, at 2.

<sup>251</sup> *Id.* at interview with Elibosang Eungel, at 2.

<sup>252</sup> *Id.* at interview with Techitong Reblud, at 4.

in 1944-45 was to counter-attack the U.S. on Peleliu and, thereby, die for Japan.”<sup>253</sup> One Palauan described his deployment course as the following: Ambon, May, 1944 – Celebes – Borneo, June 1944—Singapore, September 1944 – Shanghai – Pusan – Kure, Japan, January 1945 – Taiwan, April 1945 – Naggoug, April 1946 – Tokyo – Kurihama, June/July 1946 – Saipan – Guam – Palau, January 1947.<sup>254</sup>

#### *IV.C.2. Treatment of Micronesian Labor as Soldiers*

##### **IV.C.2.a. DEATH**

Japan’s treatment of the Micronesian people used as soldiers was below the standards required by governing international principles. The Nuremberg Principles prohibit “murder, ill-treatment, or deportation to slave labor **or for any other purpose of civilian population** of or in occupied territory.”<sup>255</sup> The Principles also prohibit “murder, extermination, enslavement, deportation, and **other inhumane acts committed against any civilian population**, before or during the war.”<sup>256</sup>

The evidence indicates that many Micronesian soldiers died. One source indicates that “of [the] 20 Ponapeans [drafted in 1944], 17 died in Rabaul and only 3 returned.”<sup>257</sup> Another source indicates that 14 out of 30 Palauan Teishintai members

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<sup>253</sup> *Id.*

<sup>254</sup> *Id.* at interview with Simon Ramariu, at 2.

<sup>255</sup> WOETZEL, *supra* note 129.

<sup>256</sup> *Id.*

<sup>257</sup> Higuchi (1987), *supra* note 29, at 49. *See also* Higuchi (1987), *supra* note 29, at 55, n.12.

were killed during the war in 1943.<sup>258</sup> Still another source states: “[n]early 200 Marshallese died fighting alongside Japanese soldiers in the assault on Kwajalein [by U.S. in 1943].”<sup>259</sup> Unfortunately, no other data were uncovered to indicate exactly how many Micronesian soldiers died.

#### **IV.C.2.b. SOLDIERS LEFT STRANDED**

In addition to death, Micronesian soldiers were also left stranded. One observer wrote that the Teishintai, the 104<sup>th</sup> Construction Detachment, was left stranded on New Guinea at the end of the war. “[U]npaid, forgotten, and leaderless -- their Japanese unit commander had committed suicide. It took them years to make their way back to Palau.”<sup>260</sup> Another observer wrote: “the native volunteer forces from the Palau islands generally suffered a dismal fate. Sent to Southeast Asia as construction units attached to the Japanese army, they were left stranded at war's end or were shipwrecked off the Palau's when the transports repatriating them were sunk by American Submarines.”<sup>261</sup>

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<sup>258</sup> Higuchi, *supra* note 29, at 8.

<sup>259</sup> Suzanne Falgout, Lin Poyer, and Laurence Carucci, *The Greatest Hardship: Micronesian Memories of World War II*, in ISLA, A Journal of Micronesian Studies, Volume 3, Number 2, Dry Season, Guam, 211 (1995).

<sup>260</sup> PEATTIE, *supra* note 8, at 301.

<sup>261</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 208, n.57.

## CHAPTER V

### MEDIUM-SCALE USE OF MICRONESIAN LABOR

The Japanese used Micronesians on a medium-scale primarily in the various mining operations in Micronesia. Mining under the Japanese occurred on the islands of Angaur, Fais, Sonsorol, Babelthuap, Peleliu, and Ebon. Collectively, the Japanese mining entities employed between 350 and 500 Micronesians in the years prior to the war, but the numbers increased significantly during the war. (See Tables 1 – 24).

The most well-known mining operation was on Angaur Island, located to the south of the Palau islands. (Figure 1). During the Japanese era, Angaur was operated by two mining companies, the Nanyocho government and the Nantaku Company. The Nantaku Company also had mining operations on Fais Island, Sonsorol Island, and Ebon Island. (Figure 1). In addition to the Nanyocho government and the Nantaku Company, another Japanese entity called Toyo or South Seas Aluminum Company began mining operations on Babelthuap Island, Palau, during WWII. Reports also exist of mining operations on Peleliu Island, Palau, but this research was unable to uncover any significant information regarding the Peleliu mines to include in this chapter.<sup>262</sup>

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<sup>262</sup> The Japanese also conducted phosphate mining on Nauru island during the war, but Nauru was not technically included in the Japanese Mandate. See, e.g., Nancy J. Pollock, *Nauruans During World War II*, in *Remembering the Pacific War*, Occasional Paper 36, at 91 (Geoffrey M. White, ed., 1991).

### *V.A. The Angaur Mines*

By the end of World War II, the Angaur mines had four owners, three of which were Japanese entities. The first owner was the German South Seas Phosphate Company (Deutsche Sudsee Phosphat Aktiengesellschaft) which began mining in 1908.<sup>263</sup> The second owner was the Japanese Navy, which came to the islands in 1914 and began mining around 1915. The third employer of the Angaur mines was the Nanyocho, which operated the mines from 1922 until mid 1936. Circa mid 1936, the Angaur mines were bought by the Nantaku Company, the fourth owner, which subsequently operated the mines until 1944.<sup>264</sup> Mining on Angaur stopped in March 1944 “because of U.S. air attacks during which all employees of the Nan’yo Takushoku Company were killed . . . or when the U.S. landed and occupied the island.”<sup>265</sup>

Employment in the Angaur mines has been the subject of much international controversy. During the 1930’s, several newspaper articles accused Japan of using forced labor or slave labor in the mines.<sup>266</sup> Although this research has not uncovered any information to indicate that forced labor or slave labor as defined by the Nuremberg Principles occurred in the mines at Angaur, this research did uncover a practice of forced recruitment of labor by the Japanese.

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<sup>263</sup> S.G. Firth, *German Recruitment and Employment of Labourers in the Western Pacific before the First World War* 296 (1973) (Thesis submitted for the degree of Doctor of Philosophy, Oxford University).

<sup>264</sup> SHIMODE, *supra* note 41, at 37. *See also* U.S. GEOLOGICAL SURVEY FOR INTELLIGENCE DIVISION, *MILITARY GEOLOGY BRANCH, GEOLOGICAL SURVEY (U.S.), PHOSPHATE DEPOSITS OF ANGAUR ISLAND, PALAU ISLANDS* 80 (1950); Personal communication, *supra* note 42.



***V.A.1. Use of Micronesian Labor in the Angaur Mines***

**V.A.1.a. AGE AND GENDER OF WORKERS**

Under the Nanyocho government, skilled workers and miners were chosen by physical examination from among men of 18 to 40 years of age and who were of sound health and good conduct.<sup>267</sup> When the work required special skills, however, the Nanyocho had no age-limit either in regard to workers or miners.<sup>268</sup> The Annual Reports indicate, though, that no one under the age of sixteen was employed.<sup>269</sup> Additionally, most of the workers were male. The Annual Reports to the League of Nations indicate that the Nanyocho employed one Chamorro woman from 1922 to circa 1930. That female, however, was employed “to do various menial work in the office” as opposed to heavy mining work.<sup>270</sup>

Under the Nantaku Company, the literature indicates that most of the same labor policies of the Nanyocho government were maintained. Unfortunately, this research was not able to uncover any information indicating whether or not the Nantaku utilized workers in the same age range as the Nanyocho did, or whether they used workers younger than age 16 and older than age 40.

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<sup>265</sup> Higuchi (1987), *supra* note 29, at 146.

<sup>266</sup> CLYDE, *supra* note 11, at 203, n.2 (citing N.Y. Times, Nov. 6, 1934).

<sup>267</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>268</sup> *Id.* (1922).

<sup>269</sup> *Id.*

#### V.A.1.b. LOCATION OF RECRUITMENT

The Japanese categorized Micronesian labor in the Annual Reports to the League of Nations as consisting of “Chamorros, and Kanakas.”<sup>271</sup> The Chamorros were the group of Micronesians recruited from the Northern Mariana Islands. The “Kanakas” represented all other natives in the Micronesian islands who were not of Chamorro descent. The reason the Japanese categorized the Micronesians into two labor groups is because the Chamorros, on average, tended to have more skills and were better workers, primarily because they had previously lived under Spanish rule and had become more accustomed to a money economy.<sup>272</sup> This was most likely because they had lived under Spanish rule prior to the Japanese administration and had therefore become accustomed to exhibiting good work habits in exchange for monetary compensation.

Laborers were recruited from Yap and Palau until 1923. This process occurred under the German regime in 1908 and under the Japanese Navy in 1914 as well. In 1923, however, the native population of Yap and Palau began to decrease. At that time, the Japanese began to look elsewhere for laborers. After 1926, the Japanese recruited Micronesians from Truk and the Mortlock islands. Still, of all the island groups, it appears that the Yapese comprised the largest group of Micronesian workers

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<sup>270</sup> *Id.* (1924), at 38.

<sup>271</sup> In the Annual Reports to the League of Nations, the Japanese labeled the people from the Mariana islands “Chamorros” and all other Micronesians as “Kanakas.” See generally SOUTH SEA ISLANDS, *supra* note 38.

<sup>272</sup> See generally Don A. Farrell, Saipan (1990).

throughout most of the period.<sup>273</sup> One reason given for the high number of Yapese is because a Yap high chief made an oral agreement with the Nanyocho to send a number of Yapese to Angaur between 1933-1936.<sup>274</sup> Additionally, the Japanese felt that the Yapese physique was “most suited for labor in the Angaur phosphate mines.”<sup>275</sup>

#### **V.A.1.c.        NUMBER OF WORKERS**

The number of Micronesian workers in the mines under the Nanyocho government on any single day was between 350 to 500. (See Tables 1 – 24). This number remained fairly constant throughout the period when the Nanyocho government controlled the mines. Under the Nantaku Company, a similar number of Micronesians were employed. The exact number of Micronesian laborers after 1937 and during the war is absent. After the war, however, one piece of literature indicates that American forces found 485 Micronesian workers.<sup>276</sup> What is unclear in the literature and which needs more research is precisely how many were working in Angaur before the war and how many were repatriated to their home islands right before the war ended.<sup>277</sup>

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<sup>273</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>274</sup> Personal communication, *supra* note 42.

<sup>275</sup> Higuchi (1987), *supra* note 29, at 20.

<sup>276</sup> John F. Embree, Field Report on Trip to Micronesia, December 14, 1945 – January 5, 1946, at 101 (Unpublished report available at the University of Hawaii library).

**V.A.1.d. TYPE OF WORK**

The categories of work in the mines were divided into the following eleven areas: (1) mining, (2) transportation, (3) drying of ores, (4) loading and unloading, (5) sawing, (6) engineering work, (7) architecture, (8) machinery, (9) ironwork, (10) electrical work and (11) miscellaneous work.<sup>278</sup> Chamorros performed skilled work, such as analysis of phosphate, operation of the power generator and other machinery, loading, electric work, carpentry, forestry, lumbering, engineering and miscellaneous work.<sup>279</sup> The “Kanakas,” on the other hand, performed unskilled tasks such as collection of phosphate, land transport of phosphate, and drying of phosphate.<sup>280</sup>

**V.A.2. *Treatment of Micronesian Labor in the Angaur Mines***

**V.A.2.a. FORCED RECRUITMENT OF LABOR**

The League of Nations Mandate prohibited Japan from using any slave labor or forced labor.<sup>281</sup> During the mandate period, however, Japan was often accused of utilizing such policies in the Angaur mines.<sup>282</sup> Japan vehemently denied these accusations and took pains to clarify such labor accusations by making sure it listed the

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<sup>277</sup> Higuchi (1987), *supra* note 29, at 131, 143.

<sup>278</sup> SOUTH SEA ISLANDS (1922), *supra* note 38, at 8.

<sup>279</sup> *Id.* (1927) at 98.

<sup>280</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>281</sup> CLYDE, *supra* note 11, at 37.

value of wages each year in the Annual Report to the League of Nations. The literature indicates that the method of recruiting the workers, rather than the actual work at Angaur, was the area where force and compulsion were instituted.

International labor policies prohibit both forced/compulsory use of labor and forced/compulsory recruitment of labor. According to the Forced Labor Convention (FLC), “forced or compulsory labour” means “all work or service which is exacted from any person under the menace of any penalty, and **for which the said person has not offered himself voluntarily.**”<sup>283</sup> The Convention also states that forced labor was to be “suppressed within the shortest possible period.”<sup>284</sup>

The international norms also prohibited chiefs from participating in forced recruitment of labor. The FLC states that “[c]hiefs who exercise administrative functions may, with the express permission of the competent authority, have recourse to forced or compulsory labour, subject to the provisions of Article 774 of this section.”<sup>285</sup> Article 774 states: “[f]orced or compulsory labour exacted as a tax and forced or compulsory labour to which recourse is had for the execution of public works by chiefs who exercise administrative functions **shall be progressively abolished.**”<sup>286</sup>

The Recruiting of Indigenous Workers Convention (RIWC) defines the term “recruiting” as “all operations undertaken with the object of obtaining or supplying

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<sup>282</sup> *Id.* at 145-147.

<sup>283</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 479.

<sup>284</sup> *Id.* at 477.

<sup>285</sup> *Id.* at 482.

<sup>286</sup> *Id.* at 483.

the labour of persons **who do not spontaneously offer their services** . . .<sup>287</sup> The Convention also explicitly states that **chiefs cannot “(a) act as recruiting agents; (b) exercise pressure upon possible recruits; or (c) receive from any source whatsoever any special remuneration or other special inducement for assistance in recruiting.”**<sup>288</sup>

Despite the prohibitions in the League of Nations Mandate Agreement as well as the international laws of the time, the literature indicates that both the Nanyocho government and the Nantaku Company practiced a policy of forced recruitment of labor. This policy was similar to the type of forced recruitment of labor utilized by the Germans when they operated the mines. It was also similar to the practice that colonizers undertook in some other Pacific Islands as well.<sup>289</sup>

The literature is unclear as to who was responsible for the forced recruitment of labor in the Angaur mines. Some evidence indicates that the policy was promoted by the village chiefs in the early years under the Nanyocho, and not in the years after the Nantaku took over in 1936.<sup>290</sup> Other evidence indicates that even as late as 1939, labor was still being sent to Angaur by compulsion.<sup>291</sup> Once the war started, little evidence exists to validate whether or not the Nantaku Company maintained the same policy of forced recruitment of labor because virtually no information exists regarding its labor practices during the war.

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<sup>287</sup> *Id.* at 493.

<sup>288</sup> *Id.* at 496.

<sup>289</sup> See generally LABOUR IN THE SOUTH PACIFIC, *supra* note 63.

<sup>290</sup> See generally SOUTH SEA ISLANDS, *supra* note 38.

<sup>291</sup> YANAIHARA, *supra* note 34, at 61-62.

Although forced recruitment of labor by Japanese mining entities was a common policy, the literature also indicates that the practice was not akin to slavery and was therefore not met with complete aversion by the Micronesian workers. Some islanders reported that they did not want to work in the mines, but the reason was because the work was arduous and hot, not because they were subjected to any physical abuse in the mines as defined by the Nuremberg Principles.<sup>292</sup> Furthermore, because no major labor unrest or rebellion occurred, some historians interpreted the compulsory recruiting system to be acceptable at the time by the Micronesian people.<sup>293</sup> Additionally, the literature indicates that although not all workers went willingly, the recruits respected and trusted the chiefs because they were responsible for their welfare, i.e. by participating in the work at Angaur, the recruits also ensured the well-being of their village and families.

The literature indicates that labor was most likely recruited through a joint effort between the chiefs and the entity that controlled the mines, either the Nanyocho government or the Nantaku Company. The mining entity had a labor quota to fill and put pressure on the chiefs to fill that quota. The chiefs filled the quota first with volunteers. When the number of volunteers was insufficient to fill the labor quota, the chiefs would send the workers who were in prison or simply told villagers they had to offer a specific number of workers. Chiefs were willing to participate in this system because they

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<sup>292</sup> *Id.*

<sup>293</sup> CLYDE, *supra* note 11, at 141-142.

received compensation from recruiters. Recruiters paid bonuses to the chiefs to ensure the continuing supply of laborers.<sup>294</sup>

The evidence indicates that the Japanese mining entities recruited Micronesians by force to work in the Angaur mines under at least three conditions: (1) compulsory enrollment to fill labor quotas; (2) labor as a form of penal servitude; and (3) labor paid in lieu of a poll-tax.

#### **V.A.2.a.i. Compulsory Enrollment to Fill Labor Quotas**

Compulsory enrollment to fill labor quotas occurred in the following manner. Labor was generally recruited by the local office of the government through the village headman on the instruction of the mining authorities as to the number of laborers required. When the number of voluntary applicants was less than required, the deficiency was supplied through compulsory enrollment by the village council.<sup>295</sup> This practice was common in other Pacific Islands such as Papua New Guinea.<sup>296</sup> In Micronesia, the evidence indicates that such a practice occurred at least in Yap. The policy required colonial governments to place an artificial pressure on local communities and send their surplus labor to fill the labor quota.<sup>297</sup> One author describes the process in the following manner:

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<sup>294</sup> PEATTIE, *supra* note 8, at 82-82 (quoting CLYDE, *supra* note 11, at 147). *See also* LABOUR IN THE SOUTH PACIFIC, *supra* note 63, at 41.

<sup>295</sup> YANAIHARA, *supra* note 34, at 61-62.

<sup>296</sup> LABOUR IN THE SOUTH PACIFIC, *supra* note 63, at 26.

<sup>297</sup> *Id.*



The mining officer first requested [workers from] the district headquarters then sent the request on down to village officials for certain numbers of men. If the total number thus recruited did not meet the government demand, residents of the villages met together to select those who would make up the needed numbers.<sup>298</sup>

This policy was prohibited by the international labor policies of the time. As stated previously, chiefs could not “(a) act as recruiting agents; (b) exercise pressure upon possible recruits; or (c) receive from any source whatsoever any special remuneration or other special inducement for assistance in recruiting.”<sup>299</sup> The literature indicates, however, that the chiefs acted as recruiting agents in cooperation with the Japanese mining entities, and in direct violation of the international laws of the time.

#### **V.A.2.a.ii. Labor as a Form of Penal Servitude**

Micronesians were also sent to work in Angaur as a form of penal servitude. The evidence indicates that the implementation of compulsory labor as a form of penal servitude was performed at least in Palau and Truk. This research has been unable to locate evidence as to whether the Chamorros or the Yapese, who comprised a large number of the workers at Angaur, were also forced to work in the mines under this type of penal labor.<sup>300</sup> On Truk, for example, “the natives who were forced to work in the mines [performed a type] of penal servitude enforced by the native chiefs, called

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<sup>298</sup> Hatanaka (1975), *supra* note 31.

<sup>299</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 496.

<sup>300</sup> Arthur J. Vidich, Political Factionalism in Palau. Its Rise and Development 72 (Pacific Science Board, National Research Counsel, 1949).

karbos.”<sup>301</sup> One author put it this way: “It was so difficult to get workers from Truk (as recruits) that they were given a hard labor (punishment). As they became more familiar with the currency and economy, voluntary workers ... appeared and they [did] not hate to go to other islands as much as before.”<sup>302</sup>

Although the Nanyocho regulations allowed labor to be paid as a form of payment for an offense, it put a time limit on such payment. The law stated: “[t]he Chief of a Civil Administration Office may impose detention, fines or **labour for less than one month** on persons who have committed acts recognized as police offenses by local laws and regulations and old custom or by laws and regulations of the Empire.”<sup>303</sup> What is unclear in the literature and which needs more research is whether the Micronesian workers who were forced to work at Angaur under this policy worked for “less than one month” as required by the Nanyocho regulations, or whether they stayed longer such as 4 - 6 months (the average time for Truk workers), or 8 months - 1 year (the average time for Yap workers).<sup>304</sup>

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<sup>301</sup> YANAIHARA, *supra* note 34, at 61-62.

<sup>302</sup> Dolan, *supra* note 146, at 71.

<sup>303</sup> I. Ordinance Concerning Penalties for Police Offences in the South Sea Islands, Civil Administration Order no. 9, Article I, promulgated on June 6 of the 5<sup>th</sup> year of Taisho (1916), SOUTH SEA ISLANDS (1925), *supra* note 38, at 250.

#### V.A.2.a.iii. Labor Paid in Lieu of a Poll-tax

In several other Pacific Islands, labor could be paid in lieu of a poll-tax.<sup>305</sup> Such policy also existed in Micronesia under the Germans and the Japanese Navy up to 1922. The Annual Reports to the League of Nations, however, indicate that the policy was abolished in 1922, and this research did not uncover any evidence to indicate that it reoccurred later in the Japanese administration.

#### V.A.2.B. FORCED RELOCATION OF WORKERS

In addition to the forced recruitment of labor, Japanese mining entities also practiced a policy of forced relocation of workers. The Nuremberg Principles prohibit “murder, extermination, enslavement, **deportation**, and other inhumane acts committed against any civilian population, before or during the war....”<sup>306</sup> The literature indicates, however, that up until 1935, the people living on Angaur island were divided into four villages, each of which comprised family groups of close kinship. In 1935-1937, however, “in order to facilitate mining operations ... the Japanese moved the natives to the northern village into a single village south of the phosphate drying plant.”<sup>307</sup>

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<sup>304</sup> Michiko Kodama, Japanese in Micronesia (1922-1937): Impact on the Native Population 30 (1975) (unpublished senior thesis submitted to the Department of History, University of Hawaii).

<sup>305</sup> See, e.g., LABOUR IN THE SOUTH PACIFIC, *supra* note 63; Hatanaka (1975), *supra* note 31, at 5-6.

<sup>306</sup> WOETZEL, *supra* note 129.

<sup>307</sup> U.S. GEOLOGICAL SURVEY FOR INTELLIGENCE DIVISION, *supra* note 264, at 14.

The evidence also indicates that during the war. “[a]lthough all Islanders were evacuated from Peleliu, nearly 200 people did remain on Angaur.”<sup>308</sup> “The chiefs of all Palau were called and told that first Peleliu people were to be evacuated, and Angaur people to be evacuated ... [to Bebelthuap].”<sup>309</sup> What is uncertain, however, is how many of the people who were forced to relocate were the people who worked in the Angaur mines, or how many were the inhabitants who simply lived on the island. Such issue needs more research.

#### V.A.2.c. HEALTH OF THE WORKERS

Japanese labor policies regarding the health of Micronesian workers appears to comport with international labor norms. The international laws state that an employer cannot work an employee **to the point of starvation or ill-health**.<sup>310</sup> The Forced Labor Convention specifically indicates that the employer “shall satisfy itself --- (iii) that the sanitary conditions of the workplace, the **supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory**.”<sup>311</sup>

The literature indicates that no starvation occurred under the Nanyocho or the Nantaku mining entities. In fact, during the Nanyocho period, miners received good

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<sup>308</sup> George, *supra* note 176, at 317-318.

<sup>309</sup> Nero, *supra* note 190, at 128.

<sup>310</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 487.

<sup>311</sup> *Id.*

food and adequate medical treatment.<sup>312</sup> The workers were better off in many ways than in other parts of the Mandated Islands. This is because Angaur had a hospital and was noted to have ample food and well-trained nurses and doctors. The Nanyocho also provided relief allowances and benefits to workers who became ill, injured or died. These allowances were divided into six categories: (1) medical allowance, (2) allowance for inability to work, (3) injuries relief allowance, (4) temporary allowance, (5) allowance in aid of a bereaved family, and (6) funeral allowance.<sup>313</sup> By the time the Nantaku took over operations circa 1937, Angaur had a good reputation as one of the few places where Micronesians could earn money.

Under the Nantaku company, the literature indicates that the same policies of the Nanyocho government were carried out, at least until the war. Once the war started, however, this research has been unable to locate any specific information regarding the health of the workers. Some accounts indicate that the workers on Angaur had better conditions than on the other islands where the mining operations occurred under the Nantaku. Additionally, when the U.S. Army landed in 1945, they did not find any evidence of starvation or physical abuse.<sup>314</sup>

In addition to no information in the published texts, no testimony exists of starvation on Angaur Island when U.S. personnel interviewed Micronesians after the war for information regarding war claims and compensation.<sup>315</sup> One reason for the lack of any such information could be because a number of Micronesians working on Angaur

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<sup>312</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>313</sup> *Id.*

<sup>314</sup> See generally Department of Finance, *supra* note 40.

were repatriated back to their homes right before the war ended.<sup>316</sup> It seems that if some kind of blatant starvation occurred in the Angaur mines, it would have come out in the testimonies for war compensation or elsewhere, as it did when islanders experienced starvation and ill-treatment during the war on islands such as Truk.<sup>317</sup>

#### V.A.2.d. MONETARY COMPENSATION

Japanese labor practices regarding compensation of mining workers did not comport with international labor standards. The international laws indicate that **people must receive equal pay for equal work**, and that any kind of forced/compulsory labor “**shall be remunerated in cash.**”<sup>318</sup> The literature, however, indicates that the Japanese gave different wages for the four types of workers -- Chamorros, “Kanakas,” Japanese, and Chinese.<sup>319</sup> The reports submitted by the Japanese to the League of Nations do not provide a complete explanation as to why the mining entities used a separate pay scale for different ethnic groups, but they do state that wages were based according to standard of living and need.<sup>320</sup> One view is that this discrimination was because the Micronesians did not require much money since they received most of their needs through the traditional subsistence economy.<sup>321</sup> Another view is that Micronesians received food in addition to wages. The Nanyocho authorities justified the low wages

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<sup>315</sup> *Id.*

<sup>316</sup> *Id.*

<sup>317</sup> *See, e.g.,* Dolan, *supra* note 146.

<sup>318</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 485.

<sup>319</sup> SOUTH SEA ISLANDS, *supra* note 38.

paid to “Kanaka” laborers by saying it was due to their poor efficiency and the fact that they received free board.<sup>322</sup>

Although the Japanese differentiated wages based on ethnicity, the literature indicates that the pay was perhaps comparable to, if not higher than, wages in other jobs for Micronesians during the same time period.<sup>323</sup> One author writes that the wages of the Chamorros were equivalent to the median wages received by native skilled laborers, such as carpenters, sawyers, shipwrights, and plasterers, and were higher than the wages paid to native day laborers.<sup>324</sup> The author also notes that wages paid to “Kanakas” were the same as those paid to native day laborers, which was about one yen per day less than for natives in the skilled trades.<sup>325</sup> The author concludes by stating that the “Kanaka” mine laborers were probably “no worse off than the general day laborers, except that the mining labor was compulsory.”<sup>326</sup>

The fact remains that the wages were discriminatory based on ethnic background. On this point, the Japanese administration failed to live up to the international standards of the time.

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<sup>320</sup> *Id.* (1925).

<sup>321</sup> Personal communication, *supra* note 42.

<sup>322</sup> SOUTH SEA ISLANDS (1927), *supra* note 38, at 99.

<sup>323</sup> For yen to dollar rates for the years between 1922-1941, see BUREAU OF FOREIGN AND DOMESTIC COMMERCE, UNITED STATES DEPARTMENT OF COMMERCE, 52 STATISTICAL ABSTRACT OF THE UNITED STATES 1930, at 295 (1930); BUREAU OF THE CENSUS, UNITED STATES DEPARTMENT OF COMMERCE, 61 STATISTICAL ABSTRACT OF THE UNITED STATES 1939, at 288 (1940); BUREAU OF THE CENSUS, UNITED STATES DEPARTMENT OF COMMERCE, STATISTICAL ABSTRACT OF THE UNITED STATES 1947, at 971 (1947).

<sup>324</sup> Purcell, *supra* note 28, at 195.

<sup>325</sup> *Id.*

**V.A.2.e. NON-MONETARY COMPENSATION**

Some Micronesians also received food and board in addition to wages. The literature indicates that such policy was only reserved to the “Kanaka” and not to the Chamorro workers. The practice was allowed under the Nanyocho laws and regulations, but it was not accepted by the international laws of the times.<sup>327</sup> For example, the FLC states that **ordinary rations shall not be given in lieu of wages**.<sup>328</sup> Although the Japanese mining entities gave food in addition to wages to some “Kanaka” laborers, the workers received a significantly reduced wage rate.

The evidence is unclear, however, whether the food was satisfactory. The international laws simply require an employer to provide adequate food.<sup>329</sup> According to the League of Nations Annual Reports, the daily diet per head for each Chamorro workers was adequate.<sup>330</sup> The detailed description of the food, as well as evidence that no starvation was found in the mines after the war indicates that the workers were fed satisfactorily.

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<sup>326</sup> *Id.*

<sup>327</sup> IX. Regulations Concerning Allowances to Workmen and Miners of the Mining Station of the South Seas Bureau, South Seas Bureau Order No. 11 promulgated on March 1 of the 12<sup>th</sup> year of Taisho (1922), amended in June of the 13<sup>th</sup> year of Taisho (1924) by South Seas Bureau Order No. 23 and in January of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 1, Article XVI, SOUTH SEA ISLANDS (1925), *supra* note 38, at 372.

<sup>328</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 486.

<sup>329</sup> *Id.* at 487.



**V.A.2.f.        NUMBER OF WORKING HOURS PER DAY, WEEK, YEAR**

Japan's policies regarding the number of working hours per day, week, and year appear to comport with international standards. The international laws state that workers shall work "[e]ight hours a day and 48 hours per week – equal to the standards for voluntary labor."<sup>331</sup>

The literature states that the number of working hours per day for Micronesians was eight hours.<sup>332</sup> Micronesians worked from 6 am to 5 pm, but with "the hours for rest and napping being deducted, the working time [was] eight hours."<sup>333</sup> The 1927 Annual Report to the League of Nations indicates that "the hours of work at present adopted at the Mining Station in compliance with these provisions begin at 6:30 am and end at 4 pm. The intervals for rest are given between 9 am and 9:15 am, and again between 11:45 and 1 pm, so that the actual working time is 8 hours."<sup>334</sup>

Miners also were reported to work a 48 hour week, and received at least one day off during the weekends.<sup>335</sup> They also received time off for Japanese holidays, and a type of furlough up to a maximum of 80 days for serving "regularly for one year and a half."<sup>336</sup>

The number of days a laborer worked per year depended on the type of working contract one was employed on, and the contracts varied according to ethnic

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<sup>330</sup> SOUTH SEA ISLANDS (1922), *supra* note 38, at 9-10.

<sup>331</sup> BETTEN, *supra* note 115.

<sup>332</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>333</sup> *Id.* (1922).

<sup>334</sup> *Id.* (1927) at 99.

group. Chamorros came with their families and stayed for long periods of time.<sup>337</sup> All other Micronesians, however, came without their families and were employed on short contracts between six months to one year.<sup>338</sup> Yap islanders usually worked for four months to a year, while the inhabitants of smaller Yap islands worked for eight months to a year. Peleliu inhabitants worked six months to one year while Truk and Mortlock inhabitants worked 4-6 months.<sup>339</sup> Because of these short contracts, recruitment of new Micronesian laborers was carried out two or three times a year.<sup>340</sup>

Despite what the Annual Reports to the League of Nations reported, the evidence is unclear whether or not Micronesians actually worked an 8 hour day. Some evidence suggests that they worked 10 hours instead of 8.<sup>341</sup> Other evidence indicates that even though workers were on the job for more than 8 hours, they worked just 8 hours because they took a number of breaks.<sup>342</sup> Although no clear evidence exists in the literature as to the exact number of hours worked per day, week, or year, what is evident is that no claim for abuse through overwork in the Angaur mines has been documented.<sup>343</sup> If the workers on Angaur had felt abuse or mistreatment in the mines under the Nanyocho or the Nantaku mining entities, they had ample opportunity to make

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<sup>335</sup> *Id.* (1922-1937).

<sup>336</sup> *Id.*

<sup>337</sup> See generally SOUTH SEA ISLANDS, *supra* note 38.

<sup>338</sup> *Id.*

<sup>339</sup> Kodama, *supra* note 304, at 30.

<sup>340</sup> PETER CAREL PAUWELS, THE JAPANESE MANDATE ISLANDS, 105 (1936); SOUTH SEA ISLANDS (1927), *supra* note 38, at 98, 122.

<sup>341</sup> PEATTIE, *supra* note 8.

<sup>342</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>343</sup> I checked the war claims files of the Trust Territory Archives on microfilm. See *supra* note 40.

their claim during the war claims and compensation gathering period.<sup>344</sup> Certainly, any abuse or mistreatment, particularly such as the type of atrocities that occurred elsewhere in Japanese colonies and occupied territories, would have been reported.<sup>345</sup>

#### V.A.2.g. ILL-TREATMENT

Japanese labor practices regarding ill-treatment of Micronesian labor appears to comport with the labor standards of the time. The Nuremberg Principles prohibit “murder, **ill-treatment**, or deportation to slave labor or for any other purpose of civilian population, of or in occupied territory...”<sup>346</sup> The Principles also prohibit “**inhumane acts... committed against any civilian population, before or during the war.**”<sup>347</sup>

Although the treatment of the laborers at the Angaur mines has been subject to much controversy and speculation, this research has not uncovered any evidence to indicate that the laborers were mistreated under the Nanyocho government. The literature does indicate, however, that from 1922-1934, total sales of phosphate as well as earnings gradually increased.<sup>348</sup> Furthermore, the size of the labor force shows a gradual increase while the wages show a steady decrease over the same time period.<sup>349</sup>

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<sup>344</sup> See *infra* section VII.D.

<sup>345</sup> For information on other atrocities committed by Japan, see, e.g. IRIS CHANG, RAPE OF NANKING. THE FORGOTTEN HOLOCAUST OF WORLD WAR II (1997); RICHARD H. MINEAR, VICTORS' JUSTICE. THE TOKYO WAR CRIMES TRIAL (1971).

<sup>346</sup> WOETZEL, *supra* note 129.

<sup>347</sup> *Id.*

<sup>348</sup> Purcell, *supra* note 28, at 195.

<sup>349</sup> *Id.*

This research also did not uncover any evidence of abuse or mistreatment of the workers at the work site in Angaur under the Nantaku Company between 1936-1945. The literature does indicate, however, that the pace of production accelerated once the Nantaku took over in 1936.<sup>350</sup> For example, one source indicates that “[a]fter 1936, partly to conserve foreign exchange, the Japanese government stepped up phosphate production within the Empire from 100,000 to nearly 300,000 tons annually.”<sup>351</sup> Additionally, “[b]y employing large numbers of hand laborers, the high production rate of the earlier war years was maintained through 1942 and into 1943.”<sup>352</sup>

No evidence has been found to link the higher pace of production to any abuse in the mines under the Nantaku company. Additionally, directly after the war, U.S. authorities contacted the Angaur Chief and his council regarding reopening the mines.<sup>353</sup> U.S. authorities found that the Angaur Chief and his council were “extraordinarily intelligent” and their “comprehension of business aspects” was great.<sup>354</sup> If any abuse had occurred, the workers most likely would have told the chiefs, who in turn would have told U.S. representatives who came to meet with them regarding the reopening of the mines.<sup>355</sup>

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<sup>350</sup> See generally PEATTIE, *supra* note 8.

<sup>351</sup> U.S. GEOLOGICAL SURVEY FOR INTELLIGENCE DIVISION, *supra* note 264, at 7.

<sup>352</sup> *Id.* at 82.

<sup>353</sup> *Id.* at 93.

<sup>354</sup> *Id.*

### ***V.B. Fais Mines***

In addition to the Angaur mines, the Nantaku also had mining operations in the Fais mines. Fais Island is located in the Yap district. (Figure 1). Mining in Fais started in 1937 and lasted until 1944.<sup>356</sup> The Nantaku ceased operations around 1944 primarily because they were unable to bring in any more food or supplies to the workers on the island due to the war.

#### ***V.B.1. Use of Micronesian Labor in the Fais Mines***

##### **V.B.1.a. NUMBER OF WORKERS**

In 1937, 50 Japanese and 200 Micronesians were working on Fais Island.<sup>357</sup> It appears that most of the Micronesian workers came from Palau, Yap, Fais, and Oriaye islands.<sup>358</sup> Unfortunately, the literature is silent as to the number of workers during the war years.

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<sup>355</sup> See generally Department of Finance, *supra* note 40, at roll 497.

<sup>356</sup> SHIMODE, *supra* note 41, at 144.

<sup>357</sup> *Id.* at 143-144.

**V.B.1.b. TYPE OF MINING**

The method of mining on Fais Island was slightly different than the mining operations on Angaur. The biggest difference was that no port existed for the ships to dock.<sup>359</sup> Instead, workers had to jump into the ocean and hold the ship in order to keep it from drifting while other workers loaded the phosphate onto the ship.<sup>360</sup> Because of the wave action, workers would often scrape themselves against the reef. This process of getting the product to the ship was the reason why workers considered Fais mining to be more dangerous than the work on Angaur.<sup>361</sup>

Another way the work was different was that the phosphate on Fais was of poorer quality than the phosphate found on Angaur. The finished product was in a powder form, not in block form as it was on Angaur. When the workers loaded the phosphate onto the ship, the powder blew all over the place and covered the workers with white powder, creating an eerie feeling since the workers looked like ghosts.<sup>362</sup>

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<sup>358</sup> *Id.* See also PEATTIE, *supra* note 8, at 133.

<sup>359</sup> SHIMODE, *supra* note 41, at 144.

<sup>360</sup> *Id.*

<sup>361</sup> *Id.*

<sup>362</sup> *Id.*

**V.B.1.c. BUILDING OF INFRASTRUCTURE**

In addition to collecting phosphate, the workers were required to build a simple railroad circa 1937 or 1938.<sup>363</sup> Angaur already had a railroad since the German times because phosphate collection began as far back as 1908. The phosphate production on Fais began only in 1937, so the workers built the infrastructure to collect and transport the finished product.

**V.B.2. *Treatment of Micronesian Labor in the Fais Mines***

**V.B.2.a. COMPENSATION**

Japanese labor practices in the Fais mines regarding compensation is poor. The international laws indicate that people must receive **equal pay for equal work**.<sup>364</sup> Although the Fais mines were under the operation of the Nantaku, the Nanyocho regulations for mine workers still applied to the miners because the Fais mines opened in 1937 and the Pacific War had not yet started. In 1937, the Micronesian Islands were still regulated by the Nanyocho administrative government and not the Japanese Army. The Nanyocho still had laws on the books which applied to mining, and the Fais workers were still required to be paid.<sup>365</sup>

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<sup>363</sup> *Id.*

<sup>364</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 485-486.

<sup>365</sup> SOUTH SEA ISLANDS, *supra* note 38.

The literature indicates, however, that if the workers were paid, they were paid very little, particularly in comparison to the wages on Angaur. One argument could be made that the workers did not need a lot of money because they could rely on the subsistence economy. This argument might have held true in the 1920's when not many Japanese came to the islands, but not in 1937. By the late 1930's, thousands of Japanese had come to the islands and built new enterprises. Although the subsistence sector was probably still intact on the smaller islands and outlying atolls, the Micronesians living on the larger atolls were more accustomed to a yen economy, and were well aware of the need for money. The Japanese simply gave Fais workers a lower wage in violation of the labor policies of the time.

Another explanation for low or no compensation is that Fais mining occurred as a wartime circumstance. The Nanyocho promulgated laws for natural disasters and other uncontrolled events, which could possibly be interpreted to include war as well.<sup>366</sup> Despite the laws on the books, however, the literature indicates that Fais workers were probably paid a token amount for their work.

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<sup>366</sup> IX. Regulations Concerning Allowances to Workmen and Miners of the Mining Station of the South Seas Bureau, South Seas Bureau Order No. 11 promulgated on March 1 of the 12<sup>th</sup> year of Taisho (1922), amended in June of the 13<sup>th</sup> year of Taisho (1924) by South Seas Bureau Order No. 23 and in January of the 14<sup>th</sup> year of Taisho (1925) by South Seas Bureau Order No. 1, Article XIII, SOUTH SEA ISLANDS (1925), *supra* note 38, at 372.



**V.B.2.b. ILL-TREATMENT**

The literature is silent as to whether or not the Fais workers experienced any form of abuse or mistreatment under the Nantaku. Most likely, no form of abuse or mistreatment occurred for two reasons. First, the war claims and compensation literature does not indicate whether any of the workers claimed compensation for abuse or mistreatment in the Fais mines. If such blatant abuse or mistreatment did occur, the workers most likely would have reported it to the Americans and the field representatives who collected information from the islanders for war claims compensation. Second, after the war, the U.S. tried to reopen mines in various places in Micronesia. Fais was one of the islands where they sought to reopen, and they asked Japanese companies to do the mining. In a letter from the J.M. Spivey, Acting Deputy High Commissioner, dated May 9, 1968, the islanders indicated that they did not want the mines reopened.<sup>367</sup> The justification given in the letter was that reopening the mines would bring about further environmental destruction of the best agricultural lands.<sup>368</sup> The islanders did not make any claim of abuse or mistreatment by the Japanese, although the venue for making such claims was clearly available at this time.

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<sup>367</sup> Department of Finance, *supra* note 40, at microfilm roll 497.

<sup>368</sup> *Id.*

## V.B.2.c. HEALTH

Japanese labor policies regarding health on Fais island were poor during the war. The Forced Labor Convention specifically states that the employer “shall satisfy itself --- (iii) that the sanitary conditions of the workplace, the supply of drinking water, **food**, fuel, and cooking utensils, and, where necessary, of housing and clothing, are **satisfactory**.”<sup>369</sup> The FLC also state that “[r]ecourse to forced or compulsory labour should be so regulated as **not to imperil the food supply of the community concerned**.”<sup>370</sup>

The literature indicates that because of the war, shipping to and from the island nearly ceased or was very infrequent.<sup>371</sup> As a consequence, food was hard to get. The Japanese could not bring food and supplies to the island, and a number of the natives died of starvation.<sup>372</sup> What is not certain is how many of those natives were employed to work in the mines, or how many were natives already living on the island prior to commencement of the mining operations. Such information needs more research.

### *V.C. Ebon Mines*

In addition to mining on Fais, the Nantaku company had mining operations on Ebon Island. Ebon Island is located in the Marshall Islands, south of Jaluit

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<sup>369</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 487.

<sup>370</sup> *Id.* at 491.

<sup>371</sup> SHIMODE, *supra* note 41, at 144-145.

Atoll. (Figure 1). Work on Ebon began in 1939 and continued until 1945 when American soldiers landed on the island.<sup>373</sup>

***V.C.I. Use of Micronesian Labor in the Ebon Mines***

**V.C.1.a. INFORMATION ABOUT THE WORKERS**

In 1939, 14 Japanese and 60 Micronesians were working in the Ebon mines.<sup>374</sup> Unfortunately, no information exists regarding the increase or decrease of workers over time, or where the workers came from. The method of recruitment probably paralleled the mining operations on Fais, only to a smaller extent. Additionally, since Ebon is located in the Marshall Islands, the workers were probably Marshallese or Ponapean rather than Yapese or Palauan. Unfortunately, this research did not uncover any other information regarding the number of laborers working in the Ebon mines after 1939.

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<sup>372</sup> *Id.*

<sup>373</sup> *Id.*

<sup>374</sup> *Id.* at 146.

**V.C.1.b. TYPE OF MINING**

The type of minerals on Ebon Island were phosphate and iron. The phosphate most likely was used for ammunition in the Japanese war effort.<sup>375</sup> The mining on Ebon was different than the type of mining on Angaur or Fais. The mining process was described as “open cut mining,” and the material was sent to the Japanese mainland.<sup>376</sup> The work was harder than the work at Angaur or Fais because the mining was done completely by hand, e.g. using a shovel.<sup>377</sup>

**V.C.2. *Treatment of Micronesian Labor in the Ebon Mines***

**V.C.2.a. COMPENSATION**

Japanese labor practices in the Ebon mines regarding compensation were poor. The international laws required that people receive **equal pay for equal work**.<sup>378</sup> The history book of the Nantaku company indicates that workers on Ebon Island were paid.<sup>379</sup> Like the work on Fais Island, however, the pay was much lower than the pay on

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<sup>375</sup> *Id.* at 149.

<sup>376</sup> *Id.* at 144-145.

<sup>377</sup> *Id.* at 144-146.

<sup>378</sup> BETTEN, *supra* note 115, at 65.

<sup>379</sup> SHIMODE, *supra* note 41, at 134-136.

Angaur Island. The reason for this was because the industry on Ebon was not profitable.<sup>380</sup>

#### V.C.2.b. FORCED LABOR

According to the Forced Labor Convention, “forced or compulsory labour” means “all work or service which is exacted from any person under the menace of any penalty, and for which the said person has **not offered himself voluntarily**.”<sup>381</sup> Forced labour does not include “any work or service exacted in cases of emergency ... in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake.”<sup>382</sup> According to the In re Nazi Era case, forced labor refers to “those who **were compelled to work against their will**, but in somewhat less harsh conditions than slave labor.”<sup>383</sup>

This research did not uncover any evidence that the Nantaku Company employed any Micronesian person who did “not offer . . . himself voluntarily,” or who was compelled to work against their will.<sup>384</sup> If such policies occurred, the information would have become apparent during the collection of data for war claims and compensation gathering period.

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<sup>380</sup> *Id.*

<sup>381</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 479.

<sup>382</sup> *Id.* at 479-481.

<sup>383</sup> *In re Nazi Era*, *supra* note 131, at 13 n.10 (citing Eizenstat Decl. at 16).

<sup>384</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 479.

V.C.2.c.      ILL-TREATMENT

Without much information regarding the workers, it is hard to assess how the Japanese treated them. The Nuremberg Principles prohibit “murder, **ill-treatment**, or deportation to slave labor or for any other purpose of civilian population of or in occupied territory.”<sup>385</sup> The Principles also prohibit “murder, extermination, enslavement, deportation, or **other inhumane acts committed against any civilian population**.”<sup>386</sup>

Unfortunately, this research did not uncover much information regarding treatment of Micronesian workers in the Ebon mines. The mining conditions were described as “being good, until it was destroyed by the American Army.”<sup>387</sup> Additionally, the workers were paid next to nothing.<sup>388</sup> Such treatment does not meet the definition of forced or slave labor. It can, however, be considered an “inhumane act . . . against [a] civilian population” as defined by the Nuremberg Principles.<sup>389</sup> In this context, one could argue that Japan’s treatment of Micronesian workers in the Ebon mines fell short of the international labor standards.

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<sup>385</sup> WOETZEL, *supra* note 129.

<sup>386</sup> *Id.*

<sup>387</sup> SHIMODE, *supra* note 41, at 146.

<sup>388</sup> *Id.*

<sup>389</sup> WOETZEL, *supra* note 129.

### ***V.D. Sonsorol Mines***

In addition to the Fais and Ebon mines, the Nantaku also had mining operations on Sonsorol Island. Sonsorol Island is located about 200 miles south of Angaur Island. (Figure 1). Nantaku received the rights to dig phosphorous in Sonsorol around 1940, and started mining “soon after,” possibly also in 1940.<sup>390</sup> Mining on Sonsorol lasted until 1944 when the island was attacked by U.S. air forces.<sup>391</sup>

#### ***V.D.1. Use of Micronesian Labor in the Sonsorol Mines***

##### **V.D.1.a. NUMBER OF WORKERS**

Approximately 10 Japanese and 50 Micronesians worked in the Sonsorol mines.<sup>392</sup> Unfortunately, the literature does not indicate what year those Micronesians worked. This research has been unable to uncover any other information regarding the number of workers in the Sonsorol mines.

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<sup>390</sup> SHIMODE, *supra* note 41, at 148.

<sup>391</sup> *Id.* at 146.

<sup>392</sup> *Id.*

**V.D.1.b.      TYPE OF WORK**

Sonsorol mines produced phosphate. The literature indicates that the work on Sonsorol differed from the work on Fais or Ebon in that only test digging in the mines occurred. The literature also indicates that no final product was produced, nor was any material shipped.<sup>393</sup>

**V.D.2.      *Treatment of Micronesian Labor in the Sonsorol Mines***

**V.D.2.a.      ILL-TREATMENT**

Unfortunately, this research was unable to uncover any information regarding ill-treatment of Micronesian workers in the Ebon mines. One can only surmise that the same or similar labor practices which were employed in the Fais and Ebon mines were also employed in the Sonsorol mine.

**V.D.2.b.      COMPENSATION**

The same argument made under the Ebon mines holds here as well. The information and sources regarding the Sonsorol mines were found in the same place as the information and sources about the Ebon and Fais mines. Regarding salary, the history

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<sup>393</sup> *Id.*



book of the Nantaku indicates that on Angaur, the people received a good salary, but on the other islands, e.g. Ebon, Fais, or Sonsorol, they received little or no money because the industry was unprofitable.<sup>394</sup>

#### **V.D.2.c. FORCED RELOCATION**

The Japanese practiced a policy of forced relocation on Sonsorol Island. The Nuremberg Principles prohibit “**deportation** to slave labor or for any other purpose of civilian population of or in occupied territory.”<sup>395</sup> It also prohibits “**deportation**, and other inhumane acts committed against any civilian population, before or during the war...”<sup>396</sup>

The literature indicates that “all the natives of Sonsorol were moved to Fano island, but none were killed” and “all native houses on the islands were destroyed by bombing, fire or requisitioned by the Japanese.”<sup>397</sup> What is unclear and which needs more research is how many of the natives who were forced to relocate were working in the Sonsorol mines. Because of the war, it is hard to distinguish whether the information in the literature pertains to the inhabitants of Sonsorol Island or the mine workers.

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<sup>394</sup> *Id.* at 134-136.

<sup>395</sup> WOETZEL, *supra* note 129.

<sup>396</sup> *Id.*

<sup>397</sup> Department of Finance, *supra* note 40, at reel 1 (Statement of Edward E. Johnston, High Commissioner of the Trust Territory of the Pacific Islands, speech in support of Senate Joint Resolution 189 to the US Congress, at 9 (no date)).

### *V.E. Babelthuap Mines*

In addition to the Nantaku company, another Japanese company held mining operations in Micronesia. Bauxite exploitation occurred in the area of Ngerd mau on the island of Babelthuap in the Palau islands from 1938 until 1940. Although the literature is unclear, it appears that mining operations began soon after 1940 and terminated in 1944 because of bombing.<sup>398</sup>

The literature is unclear about the name of the company. One source calls it the Nanyo (South Seas) Aluminum Company, and says that the company was a Mitsui Mining Subsidiary.<sup>399</sup> Another source calls it the Toyo Company, and claims that it was a subsidiary of the Nantaku Company.<sup>400</sup> What is clear is that the company mined bauxite on Babelthuap Island and sent the material to Omuta, Japan, for refining. In addition to the bauxite mined on Babelthuap, the company mined bauxite from Yap and Ebon.<sup>401</sup> The literature also indicates that Mitsui Mining “produced most of the lead for the army’s bullets” during WWII, and that Mitsui was part of a cartel that produced explosives.<sup>402</sup> The other companies in the cartel were Du Pont, Imperial Chemical Industries of Britain, and I.G. Farben of Germany.<sup>403</sup> From this information, one can

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<sup>398</sup> See Department of Finance, *supra* note 40, at reel 497 (Letter from Allied International company, to Mr. William Yaomans, Assistant Director for Insular Affairs, April 25, 1956)

<sup>399</sup> WILLIAM D. WRAY, MITSUBISHI AND THE N.Y.K., 1870-1914: BUSINESS STRATEGY IN THE JAPANESE SHIPPING INDUSTRY 327 (1984).

<sup>400</sup> See Department of Finance, *supra* note 40, at reel 1 (Statement of Edward E. Johnston, High Commissioner of the Trust Territory of the Pacific Islands, speech in support of Senate Joint Resolution 189 to the US Congress, at 9 (no date)); SHIMODE, *supra* note 41, at 85-87.

<sup>401</sup> SHIMODE, *supra* note 41, at 85-87.

<sup>402</sup> WRAY, *supra* note 399.

<sup>403</sup> *Id.*

conclude that the bauxite from the Babelthuap mines was probably used by the Japanese Army as ammunition.

***V.E.1. Use of Micronesian Labor in the Babelthuap Mines***

**V.E.1.a. NUMBER OF WORKERS**

The literature is unclear as to the numbers of workers in the Babelthuap mines. One report indicates that there appears to have been “20 engineers and 10 natives [in the mines.] Office clerks were 10 Japanese and 10 natives.”<sup>404</sup> The same source indicates that there might have been anywhere from 700-800 natives on Babelthuap.<sup>405</sup> Unfortunately, however, the source is unclear as to the number of natives specifically working in the mines.<sup>406</sup> Another source states that “in about 1944, there were about 6000 natives living on Babelthuap.”<sup>407</sup> Again, this source provides no information as to the number of Micronesians who actually worked in the mines and those who just lived on the island.

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<sup>404</sup> Department of Finance, *supra* note 40, at reel 497 (Letter to William L. Yaomans, from Allied International Company, April 25, 1956, at 2).

<sup>405</sup> *Id.*

<sup>406</sup> *Id.*

<sup>407</sup> I DOROTHY E. RICHARD, UNITED STATES NAVAL ADMINISTRATION OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS 624 (1957).

#### **V.E.1.b. TYPE OF MATERIAL**

The quality of the bauxite was of low grade in comparison to other world resources. The Japanese valued it only “because of the lack of any other sources of supply within the Japanese empire.”<sup>408</sup> Because of the poor quality, the literature indicates that the Japanese probably mixed bauxite from other areas.<sup>409</sup>

The literature is unclear as to whether or not Japan actually shipped the bauxite. One author said that because the bauxite was poor, it was perhaps only used for testing.<sup>410</sup> Another author, however, indicated that the company shipped large amounts of bauxite to Japan during the war: 3,655 tons in 1938; 13,987 tons in 1939; 24,495 tons in 1940; 59,297 tons in 1941; 135,669 tons in 1942; 104,223 tons in 1943; and 1,000 tons in 1944.<sup>411</sup>

#### **V.E.1.c. METHOD OF MINING**

The method of bauxite mining on Babelthuap was most likely done by strip method. Since the bauxite is on the surface or mixed with clay down to about 6 feet, the process required “[s]tripping away the top layers of soil which contain the largest

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<sup>408</sup> Myles Cornelius King, A Comparison of the Japanese Administration of Micronesia under the League of Nations Mandate with the United States Administration of the Trust Territory of the Pacific Islands under the United States Trusteeship Agreement 101 (1976) (unpublished Masters thesis for the field of History, University of Guam); Personal communication, *supra* note 42.

<sup>409</sup> Department of Finance, *supra* note 40, at reel 497.

<sup>410</sup> Personal communication, *supra* note 42.

<sup>411</sup> Department of Finance, *supra* note 40, at reel 497.

amount of bauxite.”<sup>412</sup> Unfortunately, this process destroys the environment, and “[t]he land [becomes] useless for agricultural purposes [since the topsoil is removed].”<sup>413</sup> The literature indicates that when war demands necessitated higher production, “more extensive installations were established to develop the deposits in the Ngardum area, where production began in 1940 and continued until halted by bombing in 1944.”<sup>414</sup>

***V.E.2. Treatment of Micronesian Labor in the Babelthuap Mines***

**V.E.2.a. FORCED RECRUITMENT OF LABOR**

The literature indicates that the Babelthuap bauxite area belonged to the high chief, and the high chief sent some of his people to go work for the company and for mining.<sup>415</sup> This method most likely was the same form of forced recruitment of labor employed in the Angaur mines. Unfortunately, this research did not uncover any other information regarding forced recruitment of labor in the Babelthuap mines.

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<sup>412</sup> *Id.*

<sup>413</sup> *Id.* (Memo to the High Commissioner from J.M. Spivey regarding Mineral Deposits in the Trust Territory, May 20, 1959, at 1).

<sup>414</sup> Department of Finance, *supra* note 40, at reel 497.

<sup>415</sup> SHIMODE, *supra* note 41, at 85-87.

**V.E.2.b. ILL-TREATMENT**

The literature indicates that Japan nearly exhausted the mine.<sup>416</sup> A letter in the Trust Territory Archives with the following statement from J.C. Putman, Deputy High Commissioner, dated November 10, 1959, indicates that “the Japanese were successful in getting some bauxite out prior to the war by the use of hard labor.”<sup>417</sup>

In 1944, more effort was put into phosphate mining in Ngardmau, Babelthuap. “In connection with the positive development of munitions for war, both laborers and leaders of management should devote themselves to maximizing the sum of phosphate products in Ngardmau.”<sup>418</sup> Additionally, “[s]evere starvation increased because U.S. air attacks damaged food storage areas and water supply systems.”<sup>419</sup>

This research could not locate other sources to substantiate whether or not hard labor was used. If the Japanese employed any abusive policies in the mines, however, such information surely would have become apparent in the war claims and compensation gathering period.

**V.E.2.c. HEALTH**

Japanese labor policies regarding adequate health standards of the workers fell below international law levels. The Forced Labor Convention specifically states that

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<sup>416</sup> Department of Finance, *supra* note 40, at reel 497.

<sup>417</sup> *Id.*

<sup>418</sup> Higuchi (1985), *supra* note 29, at 26.

the employer “shall satisfy itself --- (iii) that the sanitary conditions of the workplace, the supply of drinking water, **food**, fuel, and cooking utensils, and, where necessary, of housing and clothing, **are satisfactory**.”<sup>420</sup> The Convention additionally states that “[r]ecourse to forced or compulsory labour should be so regulated as **not to imperil the food supply of the community concerned**.”<sup>421</sup>

The literature indicates that the Japanese acted contrary to the laws. The Japanese appropriated everything and issued only minimal amounts of food to the Micronesians.<sup>422</sup> Around 1944, approximately 6000 natives were living on Babelthuap, “many of whom were ill and all of whom were hungry because no food had been brought in by ship since April 1944.”<sup>423</sup> The literature indicates that 78 Micronesians were killed, 37 injured, and 200 died of starvation on Babelthuap.<sup>424</sup> Furthermore, “Palauans suffered malnutrition as a direct result of Japanese seizure of their farms and other food supplies.”<sup>425</sup> “Bombing and strafing caused injury and death and destroyed food supplies, bringing about starvation and disease.”<sup>426</sup> The Japanese reacted to the starvation and the air raids by “forcing Islanders to work harder to provide food for the soldiers.”<sup>427</sup> What is unclear in the literature and which needs more research is how many of these people were employed in the mines.

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<sup>419</sup> *Id.* at p. 27.

<sup>420</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 487.

<sup>421</sup> *Id.* at 491.

<sup>422</sup> RICHARD, *supra* note 407, at 624.

<sup>423</sup> *Id.*

<sup>424</sup> Department of Finance, *supra* note 40, at reel 1 (Statement of Edward E. Johnston, High Commissioner of the Trust Territory of Pacific Island, at 9).

<sup>425</sup> George, *supra* note 176, at 328.

<sup>426</sup> *Id.* at 329.

<sup>427</sup> *Id.* at 331.

#### V.E.2.d. COMPENSATION

The literature indicates that “considerable labor [was] required of the Micronesians for which there was no compensation.”<sup>428</sup> Unfortunately, however, this research has been unable to uncover any other source to substantiate this statement, or any other information regarding compensation in the Babelthuap bauxite mines.

#### *V.F. Peleliu Mines*

The Japanese also had mining operations on Peleliu Island in the Palau Islands. (Figure 1). In 1934, the Nanyo Kohatsu Kaisha received permission from the Nanyocho government to develop the mines of Peleliu and mine phosphates.<sup>429</sup> “100 Palauans and 100 Okinawans with their families worked there as laborers. Approximately 100 Japanese worked for the company in the offices.”<sup>430</sup> One Micronesian stated that “Nanyo Kohatsu stopped mining phosphate in Peleliu in 1943.”<sup>431</sup> The mining stopped in 1943 “as there was no more phosphate.”<sup>432</sup> Additionally, “Micronesians on Peleliu had been moved to other locations before the attack [in 1944].”<sup>433</sup> No natives were found on Peleliu when U.S. forces arrived.<sup>434</sup>

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<sup>428</sup> Department of Finance, *supra* note 40, at reel 1 (Statement of Edward E. Johnston, High Commissioner of the Trust Territory of Pacific Island, at 9-10).

<sup>429</sup> Purcell, *supra* note 28, at 190.

<sup>430</sup> Higuchi (1986), *supra* note 29, interview with Ichiro Blesam at 1.

<sup>431</sup> *Id.* at interview with Francisco (sic) Morei at 1.

<sup>432</sup> *Id.* at interview with Ichiro Blesam at 1.

<sup>433</sup> Falgout, et al., *supra* note 259, at 211.

<sup>434</sup> RICHARD, *supra* note 407, at 611.



Unfortunately, this research did not uncover any other information regarding the workers and conditions on Peleliu.

## CHAPTER VI

### SMALL-SCALE USE OF MICRONESIAN LABOR

This section will discuss small-scale employment of Micronesian workers during the Japanese colonial era. The material is arranged by employers, discussing first the administrative functions in the Nanyocho, then the copra industry and the sugar industry. Small-scale employment refers to employment of approximately 1 to 100 Micronesian workers in each occupation. (See Tables 1 – 24). Two anomalies in this category exist, however, which skew the aggregate number of workers in all small-scale employment. The first anomaly is a single report of 710 natives working in the copra industry in 1934 with no other data to substantiate the numbers and no other source to provide data for other years. The second anomaly is conflicting data about the number of Micronesians working as tenant farmers in the sugar industry. The data for both of these anomalies are included in this chapter and in the Appendix Tables in the hopes that future researchers will be able to clarify the discrepancies.

#### *VI.A. Administrative Functions in the Nanyocho*

In 1922, Japan formed the administrative arm of the Micronesian Mandate, calling it the Nanyocho (South Seas Bureau). The Nanyocho authorities recognized that the best way to achieve some of the objectives under the League of Nations Mandate was to employ native labor throughout the administrative government.

They accomplished this task in several ways: by incorporating traditional chiefs into the administration along the lines of culture; by employing police assistants to help keep order; and by employing teacher assistants to help with translation and communication between the Japanese and the local people. Each type of labor employed by the Nanyocho was compensated, either in the form of wages, food, or a special privilege in the society.

#### *VI.A.1. Traditional Chiefs*

The Nanyocho utilized four types of chiefs: 1) Senior Village Chiefs; 2) Vice Senior Village Chiefs; 3) Village Chiefs; and 4) Assistant Village Chiefs. The Senior Village Chiefs and the Village Chiefs each represented the Micronesian population who were not of Chamorro descent. The Vice Senior Village Chiefs and the Assistant Village Chiefs represented the Chamorro people who resided on the islands of Saipan, Rota, and Tinian.<sup>435</sup> Although the Nanyocho never gave any reason for distinguishing chiefs into two categories, the reason was most likely because the Chamorro people were more integrated into a modern system since they had previously lived under Spanish rule.

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<sup>435</sup> SOUTH SEA ISLANDS (1924), *supra* note 38.

#### **VI.A.1.a.      USE OF TRADITIONAL CHIEFS**

The primary function of a chief was to act as a liaison between the Micronesian people and the Japanese administrative authorities. Co-option and payment of leaders was a common practice in the Pacific Islands.<sup>436</sup> Colonial powers picked out individuals who they thought would be effective leaders in villages and made them local government officials.<sup>437</sup> The co-opted leaders were often able to amass wealth in Japanese goods and money which they then distributed to the village people to increase their own standing.<sup>438</sup>

The 1924 Annual Report to the League of Nations stated that chiefs were responsible for the following matters in accordance with customary usage: “(1) Matters concerning the dissemination of knowledge of laws and regulations among villagers. (2) Matters concerning the forwarding to the authorities of applications, reports and so forth sent in by villagers. (3) Matters concerning the transmission to villagers or execution of orders issued by the Chief of the Branch Office.”<sup>439</sup> In addition to the above job requirements, chiefs were also required to report at least twice a year to the Chief of the Branch Office or to police officers in order to inform the Japanese authorities of births, deaths, marriages, or any other changes in the population of their village.<sup>440</sup>

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<sup>436</sup> LABOUR IN THE SOUTH PACIFIC, *supra* note 63, at 41.

<sup>437</sup> *Id.*

<sup>438</sup> *Id.*

<sup>439</sup> SOUTH SEA ISLANDS (1924), *supra* note 38, at 16.

<sup>440</sup> *Id.*

#### **VI.A.1.b. TREATMENT OF TRADITIONAL CHIEFS**

It is difficult to apply international labor norms to the Nanyocho's use of chiefs. The main reason is because they operated primarily in the subsistence sector. The money the Japanese gave them was mainly to encourage them to do what the authorities wanted, rather than to compensate them for their work.

##### **VI.A.1.b.i. Compensation**

Japanese labor practices regarding compensation for chiefs appear to have gone above and beyond the labor standards of the time. The international laws require equal remuneration for work of equal value.<sup>441</sup> The literature indicates that village chiefs were compensated. The first indication that they were compensated was in 1923, when two sets of wages were reported in the Annual Report to the League of Nations. The Senior Village Chief and Village Chief each received a monthly wage of 35 yen per month.<sup>442</sup> Vice Senior Village Chief or Assistant Village Chief each received a monthly wage of 20 yen per month.<sup>443</sup> In 1937, however, the League of Nations Annual Report listed the exact same salary for the chiefs, indicating no change in salary occurred even though there had been a tremendous change in the economy. In 1938, the literature

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<sup>441</sup> BETTEN, *supra* note 115, at 65.

<sup>442</sup> SOUTH SEA ISLANDS (1924), *supra* note 38, at 16.

<sup>443</sup> *Id.*

indicates that their salary had remained at the same level as in 1922 and their responsibility and authority remained unchanged as well.<sup>444</sup>

#### **VI.A.1.b.ii. Ill-treatment**

Japanese treatment of chiefs was consistent with the labor practices found in other Pacific Islands like New Guinea, Fiji, and Samoa.<sup>445</sup> Japan simply appeared to have followed the same or similar practice that the Germans employed, which was similar to the practice which was utilized by other Western colonizers. Nevertheless, the literature indicates that the chiefs were not abused or mistreated in any way by the Japanese authorities. In fact, the Japanese depended on the trust and respect of the chiefs in order to carry out administrative functions and govern the islanders. They even thought it worthwhile to influence the chiefs and leaders of the islands, and in 1932 sponsored a trip to Japan for several of the leaders of Micronesia.<sup>446</sup>

On other occasions, however, the Japanese simply told the chiefs what they wanted the people to do, and the chiefs were required to carry out that wish. For example, the Japanese would often tell the chiefs how many coconut trees they needed to produce copra, or how many laborers were needed to work at Angaur. Furthermore, since they were appointed as village heads by the Japanese, the literature indicates that “they could be dismissed by their Japanese superior despite their hereditary

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<sup>444</sup> King, *supra* note 408, at 38-39.

<sup>445</sup> *See generally*, LABOUR IN THE SOUTH PACIFIC, *supra* note 63.

<sup>446</sup> Embree, *supra* note 276, at 15.

chieftainship.”<sup>447</sup> In fact, such regulation was made a part of the Nanyocho rules and regulations, which stated that “[n]o allowance may be given to a village official, who, on account of illness or other circumstances, is unable to discharge his duties for a prolonged period.”<sup>448</sup>

#### **VI.A.1.b.iii. Impact on Culture**

Japanese labor practices regarding the impact on culture appear to have gone above and beyond the labor standards of the time. According to the League of Nations Mandate Agreement, Japan was allowed to “apply the laws of the Empire of Japan to the territory, subject to such local modifications as circumstances may require.”<sup>449</sup> Furthermore, Japan was required to “promote to the utmost the material and moral well-being and the social progress of the inhabitants” of Micronesia.<sup>450</sup> With regard to their employment of the village chiefs, Japan appears to have done this.

The literature indicates that the Japanese kept the system of chiefs intact as much as possible. Many islanders were allowed to keep their old customs, and the Japanese did not interfere with or try to suppress the traditional customs.<sup>451</sup> One author put it this way: “[r]egardless of all these Japanese commercial and administrative measures, it can be said that . . . the Japanese political system in the islands [was never]

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<sup>447</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 226-227.

<sup>448</sup> V. Rules Concerning Allowances to Native Village Officials, South Seas Order No. 6, Article II; promulgated on February 2 of the 12<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 157.

<sup>449</sup> CLYDE, *supra* note 11, at 37.

truly oppressive, [and] no administrative policies implemented by the Japanese caused fundamental changes in native political or social patterns.”<sup>452</sup>

#### **VI.A.2.        *Police Assistants***

In addition to the traditional chiefs, the Nanyocho employed police assistants to help in the administration of the Mandate. Although the employment of natives as police assistants began in 1922, no specific information exists to indicate when or if the employment of police assistants stopped, since Japan submitted Annual Reports to the League of Nations only up to 1937.

Like the traditional chiefs, police assistants were used as liaisons between the Japanese authorities to communicate with the local people throughout the islands.<sup>453</sup> The Japanese living in Micronesia said this: “[police assistants] had to be good at reading and speaking Japanese, comparatively young, have strong bodies and be from a chief’s family or high ranking family.”<sup>454</sup> The author indicates that it was important that the police assistant come from a high ranking family because “the chief had absolute authority in islander society and it was easy for a chief’s son to control villages under his father’s power.”<sup>455</sup>

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<sup>450</sup> *Id.*

<sup>451</sup> King, *supra* note 408, at 109; Dolan, *supra* note 146, at 63.

<sup>452</sup> Felix Moos, *The Old and the New Japan and the United States in the Pacific 16-17 (197-?)* (Working paper, ARPA-Themis Project, University of Kansas).

<sup>453</sup> SOUTH SEA ISLANDS, *supra* note 38.



## **VI.A.2.a. USE OF POLICE ASSISTANTS**

### **VI.A.2.a.i. Eligibility**

Police assistants were recruited from the group of young Micronesian men who had completed the required six years of public schooling, and who were physically fit.<sup>456</sup> On average, police assistants were more educated than most of the other natives because they had to pass the police examination. After they were recruited, they received on-the-job training for three months.<sup>457</sup> They also had to have a high level of Japanese language skills in order to communicate with the Japanese and enforce the laws of the Nanyocho in their respective posts.<sup>458</sup>

### **VI.A.2.a.ii. Number of Police Assistants**

Throughout each year, the number of police assistants averaged between 35 and 50. (See Tables 1 – 24). In 1922, the League of Nations Annual Report indicated that the Nanyocho had employed 33 native policemen, out of a total 85 policemen.<sup>459</sup> In 1937, the report indicated that 55 native policemen were on the Nanyocho payrolls.

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<sup>454</sup> Higuchi (1987), *supra* note 29, at 109-110.

<sup>455</sup> *Id.*

<sup>456</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>457</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 237.

<sup>458</sup> *Nanyo Gunto Keisatsu Gaiyo*, [Yearbook of Police Business in Nanyo] 14 (1936). *See also* SOUTH SEA ISLANDS (1924), *supra* note 38, at 14.

<sup>459</sup> SOUTH SEA ISLANDS (1922), *supra* note 38, at 13.

Unfortunately, no information exists as to how many were employed after the submission of the last Annual Report to the League of Nations in 1937.

#### **VI.A.2.a.iii. Job Description**

The responsibilities of police assistants varied but included translating, enforcing the laws of the Nanyocho, and enforcing the laws of the local chief. The 1924 Annual Report indicated that they were used “for the management of affairs concerning policing, sanitation and prisons.”<sup>460</sup> Ultimately, they were employed to minimize the friction between the Japanese authorities and the native population.<sup>461</sup>

#### **VI.A.2.b. TREATMENT OF POLICE ASSISTANTS**

##### **VI.A.2.b.i. Compensation**

Japanese labor practices regarding compensation appear to have gone above and beyond the labor standards of the time. The international laws require equal remuneration for work of equal value.<sup>462</sup> The literature indicates that police assistants were compensated. The source of the salary, however, is unclear. The Annual Reports to the League of Nations indicate that native police were on the payroll of the Nanyocho,

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<sup>460</sup> SOUTH SEA ISLANDS (1924), *supra* note 38, at 14.

<sup>461</sup> CLYDE, *supra* note 11. *See also* PEATTIE, *supra* note 8.

<sup>462</sup> BETTEN, *supra* note 115, at 65.

but some authors indicate otherwise. For example, one author states: “their salaries are paid out of the allowance which the village chief receives from the government; they are not recognized as a part of the administrative system of the government.”<sup>463</sup>

Unfortunately, however, the Annual Reports to the League of Nations are not clear as to the level of salary from 1922 through 1937. In 1935-1936, the average salary for a native police assistant was reported to be 27 yen and 41 cents in 1935.<sup>464</sup> The highest salary for that time was 47 yen, and the lowest salary was 17 yen.<sup>465</sup> At that time, the highest salary for a Japanese policeman was 137.98 yen and the lowest salary was 82.98 yen.<sup>466</sup> One report indicates that the salary for all native policemen was 24,000 yen for 39 native policemen, which averages about 615.38 yen per policemen. Unfortunately, however, the literature does not indicate whether this was a monthly or a yearly salary, but based on the numbers, it most likely was a yearly salary. Regarding discrimination in salaries, the literature indicates that although police assistants were paid, their salary was low in comparison to the Japanese police.

#### **VI.A.2.b.ii. Number of Working Hours Per Day, Week, Year**

Japanese labor practices regarding the number of working hours per day, week, and year, appear to have gone above and beyond the labor standards of the time. The Nanyocho laws and regulations of 1922 state that native policemen were required to

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<sup>463</sup> YANAIHARA, *supra* note 34, at 265-266.

<sup>464</sup> See *supra* note 323.

<sup>465</sup> *Nanyo Gunto Keisatsu Gaiyo*, *supra* note 458, at 41-46.

work at least eight hours per day starting at 7:30 am.<sup>467</sup> They were also given five days off from work per month.<sup>468</sup> In 1930, the rules were amended to indicate that if a native policemen could not work for the required 8 hours per day starting at 7:30 am, then alternate arrangements would be made. The regulation specifically read: “[i]f, owing to special circumstances, the provisions of the preceding three articles cannot be followed, the Chief of the Branch Bureau may provide for a special method of service under the concurrence of the Director of the South Seas Bureau.”<sup>469</sup>

Unfortunately, however, the literature is somewhat unclear as to the number of hours per day a police assistant worked. One source indicates that they worked 8 hours,<sup>470</sup> while other reports indicate that they often worked 10 hours.<sup>471</sup> Police assistants did, however, receive five holidays a month, which often included a Saturday and/or a Sunday.

#### **VI.A.2.b.iii. Ill-treatment**

The literature indicates that police assistants most likely were not mistreated, at least from 1922 through 1937. Their relationship with the Japanese

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<sup>466</sup> *Id.*

<sup>467</sup> VII. Regulations Concerning the Distribution and Service of Native Police Constables, South Seas Bureau Order No. 39 of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 271.

<sup>468</sup> *Id.*

<sup>469</sup> II. Rules for the Distribution and Service of Native Policemen, South Seas Bureau Instruction No. 39, issued to Internal Affairs Department and Branch Bureaux on September 5, 1922, amended in September, 1924, by South Seas Bureau Instruction No. 38 and in September 1929, by South Seas Bureau Instruction No. 21, SOUTH SEA ISLANDS (1925), *supra* note 38, at 133.

<sup>470</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>471</sup> *Nanyo Gunto Keisatsu Gaiyo*, *supra* note 458, at 14.

administration, however, seemed to differ from place to place and depended on the Japanese individual under whom they were working. For example, one Micronesian indicated that the police sergeant at Lele in Kusaie was a “virtual tyrant and he believed in corporal punishment.”<sup>472</sup> No information exists as to how police assistants were treated during the war. After the war, however, the evidence indicates that many of them were beaten up by local people because they were on the Japanese side and helped the Japanese.<sup>473</sup>

### ***VI.A.3. Teacher Assistants***

In addition to police assistants, the Nanyocho employed teacher assistants. These teacher assistants were employed to assist the Japanese teachers in teaching the Micronesians who were in the first grade of public school. The teacher assistants helped primarily by translating and interpreting Japanese into the local language.

#### **VI.A.3.a. USE OF TEACHER ASSISTANTS**

The Nanyocho employed teacher assistants from 1922 to at least 1937. Unfortunately, however, no information exists as to when schooling in the islands stopped, although one can speculate that it was circa 1941 or 1942 when the Pacific War

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<sup>472</sup> Kodama, *supra* note 304, at 20.

<sup>473</sup> Personal communication, *supra* note 42.

began. The literature indicates that during the war all schools stopped and many of the students were required to work as conscripted laborers.<sup>474</sup>

Like the police assistants, the teacher assistants were selected from among those Micronesians who had completed at least six years of schooling in the public schools. Additionally, they were predominately young women, not young men, and they were trained by the Japanese teachers.<sup>475</sup>

The number of teacher assistants directly correlated with the number of schools on each island. In 1922, the Nanyocho had 19 public schools, and 19 native teacher assistants.<sup>476</sup> In 1937, the last report to the League of Nations, the Nanyocho had 23 public schools and 23 native teacher assistants. When the vocational woodworking school on Palau opened up in 1926, a teacher assistant was employed, but such statistic was not listed in the Annual Reports to the League of Nations.<sup>477</sup>

#### **VI.A.3.b. TREATMENT OF TEACHER ASSISTANTS**

##### **VI.A.3.b.i. Compensation**

Japanese labor practices regarding compensation appear to comport with the labor standards of the time. The international laws require equal remuneration for

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<sup>474</sup> *Id.*

<sup>475</sup> Purcell, *supra* note 28, at 97.

<sup>476</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>477</sup> King, *supra* note 408, at 38.

work of equal value.<sup>478</sup> The literature indicates that teacher assistants were paid. Unfortunately, however, the salary paid specifically to the native teachers is not reported. Rather, the Annual Reports indicate the expenditure for all salaries paid to public schools, but does not break down the figures into how much teacher assistants were paid.<sup>479</sup> Such information needs more research.

#### **VI.A.3.b.ii. Ill-treatment**

The literature indicates that teacher assistants most likely enjoyed a similar status and received similar treatment as police assistants. Unfortunately, however, the treatment of teacher assistants under the Nanyocho is not well documented. Like the police assistants, teacher assistants had to complete six years of the public school for Micronesians and have a proficient knowledge of the Japanese language. They were therefore brighter than most other Micronesians. The Japanese relied on them to fulfill the terms of the League of Nations Mandate and to smoothen their relationships with the local people. No evidence exists to indicate that they were mistreated in any way.

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<sup>478</sup> BETTEN, *supra* note 115, at 65.

#### ***VI.A.4. Nurse Assistants***

In addition to police assistants and teacher assistants, the Nanyocho employed nurse assistants to work in hospitals or clinics throughout the islands.<sup>480</sup> The Japanese Mandate Islands had at least three types of medical facilities: one built by the Nanyocho, one built by the NKKK, and private hospitals or clinics. Saipan had all three types of medical facilities, while Palau had only two -- one hospital built by the NKKK and one by the Nanyocho. By 1933, eight hospitals had been built in the islands, one each on Saipan, Yap, Palau, Truk, Angaur, Ponape, Kusaie, and Jaluit. The hospitals together had 25 physicians, 7 pharmacists, 23 nurses, and 7 assistants. Ponape, Angaur, Jaluit and Truk each had one hospital built by the Nanyocho, but no information exists regarding hospitals built by the NKKK or private clinics on these islands.

##### **VI.A.4.a. USE OF NURSE ASSISTANTS**

Like the police assistants and teacher assistants, nurse assistants were selected from among those women who completed six years of public school. Additionally, nurse assistants were utilized as a liaison between Japanese doctors and Micronesian patients who were unaware of technical Japanese medical terms. They were

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<sup>479</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>480</sup> Personal communication, *supra* note 42. This fact has been overlooked in most of the literature. Only some authors reported any information of natives as assistant nurse. *See also* Purcell, *supra* note 28, at 80; Kodama, *supra* note 304, at 31.



relied on primarily for translating and interpreting rather than for their medical training, since most doctors and nurses were Japanese and trained in Japan.

The number of nurse assistants is hard to determine since the material on this form of labor is scant. Evidence exists, however, that each medical facility employed about two clerks up until 1927, and about three clerks thereafter.<sup>481</sup>

The literature is unclear whether or not nurse assistants were trained locally. The Japanese did not seem to place much importance on nurse assistants so most likely they were trained locally in the islands rather than in Japan. One author wrote: “When the war interrupted a scheme was near completion to train natives in the hospital in Jaluit and distribute them among the islands. They were to give emergency treatment for accidents and to furnish instruction in hygiene, as a preventive of infectious disease.”<sup>482</sup>

#### **VI.A.4.b. TREATMENT OF NURSE ASSISTANTS**

##### **VI.A.4.b.i. Compensation**

The information on Japanese labor practices regarding compensation of nurse assistants is scant. The literature indicates that nurse assistants were compensated

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<sup>481</sup> Alteration in the Organization of the South Seas Bureau Hospitals, Imperial Ordinance No. 109, promulgated on May 10 of the 2<sup>nd</sup> year of Showa (1927), SOUTH SEA ISLANDS (1927), *supra* note 38, at 2.

<sup>482</sup> Junius Boyd Wood, *Japan's Mandate in the Pacific*, 21 no. 9 ASIA 747, 751 (1921).

in some form, and at least that they were not forced to work against their will. Evidence exists that they received compensation on some islands, but no compensation on other islands.<sup>483</sup> For example, one author wrote: “[b]y 1938, 8 native medical practitioners, trained locally, were on government rolls.”<sup>484</sup> Another author wrote: “... the ten brightest girls in each graduating class from the local schools were trained in basic principles of public health and returned to their villages. Although they received no compensation and had no official positions they functioned as district nurses in improving health practices on the local level.”<sup>485</sup>

#### **VI.A.4.b.ii. Ill-treatment**

No information exists concerning any incidence of ill-treatment, primarily because the number of nurse assistants were few. Most likely, they received a privileged status in the society. This is because they had a higher level of speaking, reading, and writing ability of the Japanese language than the majority of the other Micronesians in the islands, primarily because in order to qualify to become a nurse assistant, one had to complete the six years of public schooling.

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<sup>483</sup> King, *supra* note 408, at 39; Allen J. Greenberger, Japan as a Colonial Power: the Micronesian Example 153 (1974).

<sup>484</sup> King, *supra* note 408, at 39.

***VI.A.5. Public Works Labor by the Nanyocho***

The League of Nations Mandate prohibited Japan from utilizing forced labor.<sup>486</sup> It could, however, utilize Micronesian labor to perform public works and services. This provision was embodied in Article 3 of the mandate, which read: “[t]he Mandatory shall see that the slave trade is prohibited and that no forced labor is permitted, **except for public works and services, and then for adequate remuneration.**”<sup>487</sup>

In the Annual Reports to the League of Nations, the Nanyocho took careful pains to describe the condition of its public works labor. In the reports from 1922 through 1934, the Nanyocho vehemently denied any use of Micronesian labor for public works. In the 1924 Annual Report to the League of Nations, Japan stated that “though there is no special provision for ensuring the prohibition of compulsory labour except for necessary public work or services, in practice no persons have ever been compulsorily required to engage in labor.”<sup>488</sup> By 1934, however, the description in the League of Nations Reports changed.<sup>489</sup>

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<sup>485</sup> Greenberger, *supra* note 483, at 153, 165 (citing PRICE, *supra* note 10, at 165).

<sup>486</sup> CLYDE, *supra* note 11, at 37.

<sup>487</sup> *Id.* at 37.

<sup>488</sup> SOUTH SEA ISLANDS (1924), *supra* note 38, at 45.

<sup>489</sup> *Id.* (1934).

#### VI.A.5.a. USE OF MICRONESIAN LABOR FOR PUBLIC WORKS

Some authors have said that part of public works labor included clearing roads. “Grading the little pathways what suffice for roads is, at present, the chief native activity. This service is required of them by the government...[t]he Mandate terms specify that they shall be paid for their work, but their wants are few and the money is of small value to them.”<sup>490</sup>

By at least 1934, Micronesians had been employed for public works labor. The 1934 Annual Report to the League of Nations indicated that the Nanyocho was employing native labor for public works, but did not specify how or where such labor was employed: “if native labour was requisitioned for public works, it was accepted as part of the mandate principles.”<sup>491</sup> The mid 1930’s was also about the time when some Micronesians indicated they were conscripted to build facilities.<sup>492</sup> The evidence indicates that in 1934, the Saipan airfield was built by conscripted workers. In 1936, the Annual Report to the League of Nations stated: “Sometimes civil engineering works or other enterprises require a great number of labourers. These, however, are of temporary nature, and most of labour is supplied locally.”<sup>493</sup>

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<sup>490</sup> Wood, *supra* note 482, at 752.

<sup>491</sup> SOUTH SEA ISLANDS (1945), *supra* note 38, at 45.

<sup>492</sup> See chapter IV in this paper.

#### **VI.A.5.b. TREATMENT OF MICRONESIAN LABOR FOR PUBLIC WORKS**

The literature is unclear about when labor was used for public works and when that labor was actually used for some other purpose, such as to construct military facilities. These issues are discussed in depth in the section discussing Micronesian labor conscripted by the Japanese military to construct wartime facilities. (See Chapter IV).

#### ***VI.B. The Nanyo Boeki Company and the Copra Industry***

Copra was the third largest industry in the islands after sugar and mining. The copra industry was promoted by the Nanyo Boeki Kaisha (South Seas Trading Company, or “NBK”) which held over 70% of the trade in the 1930’s.<sup>494</sup> From 1922 to 1936, copra production almost quadrupled. By 1938, copra production remained about the same, but its export value increased significantly to almost 4 million yen.<sup>495</sup>

The NBK operations commenced in late 1891 under the name of the Koshinsha company. In 1914, the company was placed under the protective wing of the Navy Ministry of Japan until 1917. From 1917 to 1920, the company expanded its interests in Micronesia due to preferential treatment from the Japanese government. By

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<sup>493</sup> SOUTH SEA ISLANDS (1936), *supra* note 38.

<sup>494</sup> THE JAPANESE COLONIAL EMPIRE, *supra* note 10, at 193.

<sup>495</sup> King, *supra* note 408, at 36.

1920, the NBK had a monopoly on all trading operations in the mandate islands.<sup>496</sup> By 1933 the NBK maintained a network of 32 retail stores in the islands and had a complete monopoly on freight transportation.<sup>497</sup>

### ***VI.B.1. Use of Micronesian Labor in the Copra Industry***

#### **VI.B.1.a. TYPE OF WORK**

The evidence indicates that Micronesians were employed in the copra industry in at least three ways: (1) as coconut huskers; (2) as weed pullers; and (3) as stevedores or carriers. The majority of Micronesians employed in the copra industry worked as coconut huskers and were used to pull the husk from coconuts and tear out the meat inside, called copra. The copra was then used to make soap or margarine, while the outside husk was used for fuel.<sup>498</sup> Micronesians also worked as laborers to pull weeds and prepare the land for planting. For this task, they were often transported from island to island as the need arose.<sup>499</sup> In addition to natives who worked directly in the copra industry producing copra, natives were also employed as stevedores and carriers when the Japanese came to the atolls to unload foodstuffs in exchange for copra. This type of

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<sup>496</sup> David C. Purcell, *Japanese Entrepreneurs in the Mariana, Marshall, and Caroline Islands*, EAST ACROSS THE PACIFIC: HISTORICAL AND SOCIOLOGICAL STUDIES OF JAPANESE IMMIGRATION & ASSIMILATION 59-60 (F.H. Conrey ed.) (1972).

<sup>497</sup> PEATTIE, *supra* note 8, at 119-123.

<sup>498</sup> Personal communication, *supra* note 42.

<sup>499</sup> Purcell, *supra* note 28, at 198.

work simply entailed carrying the copra to the boats and unloading the exchanged foodstuffs.

#### **VI.B.1.b. PROCESS OF COLLECTING COPRA**

The process of collecting copra under the NBK remained predominantly the same as it had under the German era. Copra was first obtained from outlying atolls through an intermediary who would buy the coconuts by barter and bring them to the Japanese merchants at the collection stations. The Japanese merchants would then send the copra to brokers in Japan where it would be processed and turned into soap or margarine.<sup>500</sup> A good description of the process is stated in the following passage:

Japanese wholesalers would go by boat to an island and exchange copra for yen. Local producers received payment in Japanese goods, and [o]nce every 3 months, the ... steamer would drop anchor off the beach to unload a fresh supply of goods and pick up copra, dried bonito, trepang and tortoiseshell.<sup>501</sup>

#### **VI.B.1.c. NUMBER OF WORKERS**

In 1934, about 710 natives worked in the copra industry.<sup>502</sup> Of these 710 natives, 100 were in Saipan, 60 in Yap, 100 in Palau, 160 in Truk, 120 in Ponape, 50 in

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<sup>500</sup> Ronald Victor Courtenay Bodley, *Drama of the Pacific: Being a Treatise on the Immediate Problems which face Japan in the Pacific* 166 (1934).

<sup>501</sup> PEATTIE, *supra* note 8, at 122.

<sup>502</sup> Purcell, *supra* note 28, at 198.

Kusaie, and 120 in Marshalls.<sup>503</sup> The author also indicates that an additional 400 natives were employed at various colonization sites throughout the islands.<sup>504</sup> Aside from these numbers, no data exist to substantiate the number of natives working in the copra industry during most of the Japanese administrative period.

The attraction of working in the copra industry correlated with world prices as well as the influx of Japanese immigrants to the islands in the mid 1930's. When world prices for copra dropped, many natives in the copra industry opted to work in the Angaur phosphate mines instead of continue working in the copra industry.

#### **VI.B.2.        *Treatment of Micronesian Labor in the Copra Industry***

##### **VI.B.2.a.        COMPENSATION**

The international laws require equal pay for equal work.<sup>505</sup> The laws also state that food cannot be paid in lieu of wages.<sup>506</sup> The literature indicates, however, that the Micronesians working in the copra industry were compensated in two forms, either in monetary wages or in foodstuffs.<sup>507</sup> Micronesians compensated in monetary form were usually paid in cash plus three meals a day, with the wage scale varying between 50 sen

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<sup>503</sup> *Id.*

<sup>504</sup> *Id.*

<sup>505</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 485.

<sup>506</sup> *Id.* at 486.

<sup>507</sup> YANAIHARA, *supra* note 34, at 65-66.



and 1 yen per day.<sup>508</sup> Some natives received only food for their services while other natives opted to exchange copra for Japanese foodstuffs.<sup>509</sup> This was mainly because some of the collection sites for copra were located on outlying atolls where the need for foodstuffs was greater than the need for money due to the strong subsistence sector. Even as late as 1935, a money economy had not been entirely instituted in all the islands.<sup>510</sup> The literature, however, gives no clue as to whether or not such compensation was adequate for the type of work or the number of hours involved. The literature does indicate, though, that the money was not kept solely by those who did the labor. Instead, part of the money was given to chiefs by the workers as a “feudal tribute.”<sup>511</sup>

#### **VI.B.2.b. COPRA PAID IN LIEU OF THE POLL-TAX**

The literature indicates that at least in the early years of the mandate, copra was paid in lieu of taxes. “[T]he system of collecting taxes in copra instead of money is one handed down from the time when the islands were under German rule ... The tribal chief of each community is nominated as taxpayer and he is expected to pay a fixed quantity of copra for his community.”<sup>512</sup> Taxes in the form of copra or other natural product was a common practice in the Pacific Islands.<sup>513</sup> The Nanyocho had

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<sup>508</sup> Kodama, *supra* note 304, at 31.

<sup>509</sup> Purcell, *supra* note 28, at 199 (quoting YANAIHARA, *supra* note 17, at 117-118).

<sup>510</sup> Dolan, *supra* note 146, at 59-60.

<sup>511</sup> YANAIHARA, *supra* note 34, at 172-174.

<sup>512</sup> LEAGUE OF NATIONS, PERMANENT MANDATES COMMISSION. Letter dated July 21<sup>st</sup>, 1927, from the Japanese government forwarding information on various questions put by the Permanent Mandates Commission during its 10<sup>th</sup> Session 6 (1927).

<sup>513</sup> See, e.g., LABOUR IN THE SOUTH PACIFIC.

regulations regarding this issue. One source indicates that under the Japanese era, “[i]n the Marshall Islands, a poll tax could be paid using copra.”<sup>514</sup> As late as 1940, copra could also be paid in lieu of a tax in at least Ponape.<sup>515</sup>

The Nanyocho regulations required a poll-tax of all “[m]ale persons, who are natives of, and live in the South Sea Islands, and are above sixteen years of age.”<sup>516</sup> The Nanyocho, however, placed a limit on the amount of the tax, and stated that “[t]he poll-tax cannot exceed 10 yen in amount per year.”<sup>517</sup> The Nanyocho also recognized the need to utilize local customary practices such as the tribal chiefs. The Nanyocho stated that “[t]he Chief of the Branch Bureau determines the amount of the tax taking into consideration local conditions and old customs and after obtaining the approval of the Director of the South Seas Bureau.”<sup>518</sup>

The Nanyocho regulations additionally recognized limitations on who should pay the poll-tax. The regulations stated that “[n]o poll-tax is imposed on the following persons: 1. Those supporting five or more children of less than sixteen years of age. 2. Those who are decrepit or those who are unable to pay on account of bodily deformity or incurable disease.”<sup>519</sup> The laws further specified that the “Village Chiefs

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<sup>514</sup> Higuchi (1987), *supra* note 29, at 31.

<sup>515</sup> *Id.* at 45.

<sup>516</sup> XVI. Poll-Tax Regulations for the Natives of the South Sea Islands, South Seas Bureau Order, No. 16, Article I, promulgated on July 18 of the 11<sup>th</sup> year of Taisho (1922), and amended by South Seas Bureau Order No. 36, promulgated in December of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 200.

<sup>517</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>518</sup> XVI. Poll-Tax Regulations for the Natives of the South Sea Islands, South Seas Bureau Order, No. 16, Article II, promulgated on July 18 of the 11<sup>th</sup> year of Taisho (1922), and amended by South Seas Bureau Order No. 36, promulgated in December of the 11<sup>th</sup> year of Taisho (1922), SOUTH SEA ISLANDS (1925), *supra* note 38, at 200.

<sup>519</sup> *Id.* (quoting Article V).

shall collect the poll-tax from persons liable to the tax who are living within their jurisdiction and shall forward it to the Chief of the competent Branch Bureau.”<sup>520</sup>

#### **VI.B.2.c. ILL-TREATMENT**

The international laws prohibit “murder, extermination, enslavement, deportation, and **other inhumane acts committed against any civilian population**, before or during the war.”<sup>521</sup> The literature indicates that some natives were forced to grow more coconut trees according to how much the Japanese needed more copra. In such a situation, the chiefs were called together by the Japanese to decide how many more trees needed to be planted. The chiefs would then have to decide how many coconut trees each village should plant that year and carry out the wishes of the Japanese.<sup>522</sup> Unfortunately, no other information regarding this policy was located for this research.

#### **VI.B.2.d. FORCED RECRUITMENT OF LABOR**

The international laws state that “recruiting” includes “operations undertaken with the object of obtaining or supplying the labour of persons **who do not spontaneously offer their services at the place of employment** or at a public

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<sup>520</sup> *Id.* at 201 (quoting Article VIII).

<sup>521</sup> WOETZEL, *supra* note 129.

<sup>522</sup> Wood, *supra* note 482, at 748.

emigration or employment office or at an office conducted by an employers' organization and supervised by the competent authority."<sup>523</sup> The convention placed parameters on who could be recruited by stating that "[t]he recruiting of the head of a family **shall not be deemed to involve the recruiting of any member of his family.**"<sup>524</sup> The convention also explicitly stated that tribal chiefs cannot participate in the recruitment process, and that "[c]hiefs or other indigenous authorities **shall not – (a) act as recruiting agents; (b) exercise pressure upon possible recruits; or (c) receive from any source whatsoever any special remuneration** or other special inducement for assistance in recruiting."<sup>525</sup>

Despite these prohibitions, the literature indicates that some natives were forced to work in the copra industry against their will, much in the same way natives were compelled to work in the Angaur mines. For example, at least one account exists that the recruitment of natives appears to have been undertaken by a representative of the NBK making an agreement with a chief of a village to employ a set number of workers regardless of whether or not the natives willingly wanted to be employed.<sup>526</sup>

#### *VI.C. The Nanyo Kohatsu Kabushiki Kaisha and the Sugar Industry*

The Nanyo Kohatsu Kabushiki Kaisha (NKKK) was the largest employer in the Nanyocho, but the majority of the employees were not of Micronesian descent. The NKKK primarily profited from the sugar industry, although it had a number of other

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<sup>523</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 493-494.

<sup>524</sup> *Id.* at 495.

<sup>525</sup> *Id.* at 496.

small enterprises throughout the islands. It was formed circa 1919, but did not get underway until about 1922 when it received government financing. In Rota, sugarcane planting declined by 1939.<sup>527</sup> The NKKK was an employer to native Micronesian people in at least three ways: (1) as sugar mill factory workers; (2) as tenant farmers in the sugar industry; and (3) as nurse assistants.

#### *VI.C.1. Sugar Related Workers*

The sugar cane industry occurred only in the Mariana islands. The enterprise first started on the island of Saipan, and then later expanded to the islands of Rota and Tinian.<sup>528</sup> Although the primary commodity of the NKKK in the Marianas was sugar production, from 1926 the company started to engage in distilling alcohol from molasses as a by-product of sugar cane.<sup>529</sup>

The Japanese initially tried to employ Micronesians in the sugar industry, but found that they were unreliable as workers and would often walk away from the job or not work diligently.<sup>530</sup> Because of these problems, the NKKK imported labor from Okinawa and Taiwan. The only Micronesians who received compensation from the NKKK are described in this paper as “sugar related workers,” and worked as factory mill workers or tenant farmers.

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<sup>526</sup> Purcell, *supra* note 28, at 198.

<sup>527</sup> Higuchi (1987), *supra* note 29, at 73.

<sup>528</sup> See generally PEATTIE, *supra* note 8, at 123-132.

<sup>529</sup> CLYDE, *supra* note 11, at 134-135.

<sup>530</sup> YANAIHARA, *supra* note 34, at 7.

## **VI.C.1.a. USE OF SUGAR RELATED WORKERS**

### **VI.C.1.a.i. Type of Work**

Micronesians were employed directly in the sugar cane industry in two ways: 1) employment in the NKKK sugar cane factory; and 2) employment as tenant farmers by growing sugar cane and then selling it to the NKKK.<sup>531</sup> Although Micronesians in the second category were not on the payrolls of the NKKK, they were indeed compensated by the NKKK for growing sugar cane as tenant farmers. They also received subsidies from the Nanyocho.

### **VI.C.1.a.ii. Number of Workers**

The Annual Reports to the League of Nations indicate that at least 2 to 3 workers were employed in the sugar industry from 1922 up until 1937.<sup>532</sup> One source, however, indicates that at least 9 natives might have been working in the sugar factories.<sup>533</sup> Regarding description of work, the 2 or 3 natives on the payrolls appear to have done menial tasks such as secretarial or office work.<sup>534</sup>

In addition to those who were on the payrolls of the NKKK, some tenant farmers produced sugar cane on their land and sold the cane to the NKKK. The literature

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<sup>531</sup> SOUTH SEA ISLANDS (1930), *supra* note 38.

<sup>532</sup> *Id.* (1924) at 46; *Id.* (1927) at 101.

<sup>533</sup> YANAIHARA, *supra* note 34, at 54-55.

is not precise regarding the number of natives who worked in this capacity. One author reported that 32 native households worked as tenant farmers in 1932.<sup>535</sup> Another author reported 178 households in 1934, but does not specify how many of these households were native households.<sup>536</sup> The Annual Reports to the League of Nations indicate that 118 native households from 1922 through 1937 worked as tenant farmers. Yet another author reported that in 1933, about 900 people worked as tenant farmers, but the source does not indicate how many of these were native laborers.<sup>537</sup> Because of these discrepancies in the literature, more research is needed.

#### **VI.C.1.b. TREATMENT OF SUGAR RELATED WORKERS**

##### **VI.C.1.b.i. Compensation**

Japanese labor practices regarding compensation also appear to have gone above and beyond the labor standards of the time. The international laws require equal pay for equal work.<sup>538</sup> One source indicated that “[s]ince the advent of the Japanese the Chamorros as producers of agricultural products has advanced, particularly as producers of sugar cane which is supplied by the Nanyo Kohatsu Company. They have also increased their sources of income by letting their lands or houses and engaging in

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<sup>534</sup> *Id.*

<sup>535</sup> Greenberger, *supra* note 483, at 155 (citing YANAIHARA, *supra* note 34, at 61). *See also* Purcell, *supra* note 28, at 182.

<sup>536</sup> SOUTH SEA ISLANDS (1930), *supra* note 38.

<sup>537</sup> PAUWELS, *supra* note 340, at 108.

remunerative labour.”<sup>539</sup> The literature does not indicate the amount of the compensation for either the factory workers or for the tenant farmers. The Annual Reports do indicate, however, that the tenant farmers received subsidies for their work.<sup>540</sup> Furthermore, sugar cultivation did benefit the workers financially. For example, one source indicates that it brought ten times the profit of copra to Micronesians who worked as tenant farmers.<sup>541</sup>

#### **VI.C.2.        *Nurse Assistants***

The NKKK also employed Micronesians as Nurse Assistants.<sup>542</sup> These nurses were essentially used to translate and assist in the treatment of individuals who worked in the sugar industry, much in the same way as the nurse assistants employed by the Nanyocho. They were trained locally with remedial medical training to assist the Japanese doctors during treatment.

##### **VI.C.2.a.        USE OF NURSE ASSISTANTS**

The literature does not indicate when the NKKK began to employ nurse assistants, but it was probably around the mid 1920's when the Nanyocho employed nurse assistants and the sugar industry was in full swing. The literature does not indicate

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<sup>538</sup> BETTEN, *supra* note 115, at 65.

<sup>539</sup> YANAIHARA, *supra* note 34, at 63.

<sup>540</sup> SOUTH SEA ISLANDS, *supra* note 38.

<sup>541</sup> PRICE, *supra* note 10, at 235.



the number of nurse assistants employed by the NKKK, but it was likely around 1 or 2 per year, which is approximately the same number of nurse assistants employed by the Nanyocho.<sup>543</sup> Additionally, the literature indicates that some doctor assistants were local natives.<sup>544</sup> Although the literature indicates that some nurse assistants went to Japan for training, most of the literature indicates that they were only trained in the latter years when the Japanese presence in Micronesia escalated.<sup>545</sup>

#### **VI.C.2.b. TREATMENT OF NURSE ASSISTANTS**

Virtually no information has been found regarding the treatment of nurse assistants employed by the NKKK. All that can be said is perhaps to compare it with how the other workers under the NKKK were treated and/or how other nurse assistants under the Nanyocho were treated.

#### ***VI.D. Other***

The literature indicates that Micronesians were employed on a small-scale basis in several other enterprises. Such work includes labor as domestic servants, gathering oyster shells in Palau, and as stevedores and carriers, particularly in the Bonito

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<sup>542</sup> Personal communication, *supra* note 42. See also *Nanyocho Jyunenshi* [History of Nanyocho] 234-235 (1932).

<sup>543</sup> Personal communication, *supra* note 42.

<sup>544</sup> *Id.*

<sup>545</sup> *Id.*

industry in the Marshall Islands.<sup>546</sup> The literature also indicates that Micronesians were employed as carpenters, ordinary laborers, and farmers.<sup>547</sup> Unfortunately, however, this research could not uncover sufficient information regarding the employment or wages in these areas. Such issues need more research.

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<sup>546</sup> Bodley, *supra* note 500, at 131, 164; SOUTH SEA ISLANDS (1922), *supra* note 38, at 6.

<sup>547</sup> Dolan, *supra* note 146, at 60 (quoting *Nanyocho Shisei Jyunenshi*, *supra* note 542, at 4.

## CHAPTER VII

### CONCLUSION

#### *VII.A. Purpose and Objective*

The purpose of this paper was to analyze the use and treatment of Micronesian labor under the Japanese colonial period. The objective of the analysis was to answer the question – Did Japanese entities commit any labor abuses against the Micronesian people in violation of international law that would justify monetary compensation or an apology? This question was chosen because out of all the lawsuits filed against Japanese entities for wartime labor abuses, the experience of Micronesian workers has been overlooked.

In order to complete this objective, I first attempted to dissect and describe precisely where native labor was employed by Japanese entities. I then classified the occupations into three major groups according to the aggregate number of Micronesians employed in each occupation. I also tried to clarify discrepancies in the literature, such as whether or not the Japanese used forced labor or slave labor in their mining operations, or to what extent the Japanese Imperial Army conscripted Micronesians for labor. I subsequently applied international legal standards and norms to decipher whether or not Japanese labor practices were acceptable by the international community, or whether any violations of international laws occurred.

### *VII.B. Summary*

From Chapter IV, which discussed large-scale use of Micronesian labor for wartime purposes, the data can be summarized as follows. First, use of Micronesian labor during the war was undertaken primarily by the Japanese Army. In the early years of the war, Japanese Army personnel were relatively benign to the Micronesian people, and Micronesians wanted to support the Army and Japan. As the war dragged on and supplies became short, however, the Japanese Army became more desperate and brutal toward the Micronesian people. This brutality, however, did not in any way mirror the form and extent of brutality that occurred in some of Japan's other war-time possessions. No known massacres to the same extent that occurred in Nanking or during the Bataan Death March have been recorded in the Japanese Mandate Islands during the war. Second, Japanese entities used Micronesians as conscripted laborers to build fortifications as early as 1932. Although such construction was described to the world community as "public use" structures, the Nanyocho government was aware of Tokyo's militaristic rise and invasion of China in 1931, and the constructions most likely had a dual purpose -- to serve as public use, but also to serve as military installations should the need arise.

From Chapter V, which discussed medium-scale use of Micronesian labor in the Japanese mining operations, the data can be summarized as follows. First, prior to the war, Japanese mining operations did not employ any form of forced labor or slave labor which was akin to the type of forced or slave labor carried out by the Nazis during

World War II or by Soviet Russia in the 1930's. The Japanese mining entities did, however, carry out a practice of forced recruitment of labor. This policy was not completely disliked by the Micronesian people, primarily because the chiefs and villagers supported the practice since they received benefits by participating in the system.

Second, I was unable to uncover enough information about forced or slave labor during the war because virtually no information exists. For this reason, I cannot conclude whether or not any such practice occurred during the war. After the war, however, no evidence was uncovered indicating that Micronesians claimed abuse, although they had ample opportunity to make such claims during the war compensation gathering period.

Third, prior to the war, Japanese mining entities had a good record regarding adequate health standards of the workers. During the war, however, I found evidence to indicate that in some mining locations, workers received inadequate amounts of food primarily because Japanese ships were infrequent and the Japanese Army hoarded most food.

Fourth, Japanese mining entities had a questionable record regarding compensation of its employees prior to and during the war. Prior to the war, they discriminated in wages based on ethnic groups. One must remember, however, that the subsistence sector in the islands was strong and monetary compensation was not as important as it is today. The fact that a majority of the islanders relied primarily on the subsistence sector, however, does not justify low wages paid to Micronesians. Furthermore, although the evidence indicates that workers were paid during the war, other evidence indicates that such payment was put into postal savings accounts for Micronesians, and a number of Micronesians claimed they never received the money.

From Chapter VI, which discussed small-scale use of Micronesian labor, the data can be summarized as follows. First, Micronesians who were employed in the Nanyocho administrative government were treated very well and had a relatively privileged status in society, most likely because they were brighter and more educated than the majority of other Micronesians. Second, I could not locate enough information regarding the exact number of Micronesians working in the copra industry. Employment of Micronesians in this industry could have been in the hundreds or even thousands, yet the documented evidence indicates that the numbers were low. One reason is because of the reliance on the subsistence sector, and many Micronesians exchanged copra for foodstuffs rather than money, so there was a strong attraction to processing copra. Third, although only a few Micronesians were employed in the sugar factories, a number of Micronesians earned a living by tenant farming. Fourth, no evidence of mistreatment or abuse was located regarding most of the occupations described under small-scale use of Micronesian labor.

### ***VII.C. Violations of International Laws***

After analyzing the use and treatment of Micronesian labor, the evidence indicates that Japanese entities violated international laws that would justify compensation or an apology. The following is a list of some of the laws and a description of how they were violated.

***VII.C.1. Violations of the General Ban on Forced or Compulsory Labor***

Article 2 of the FLC states that forced or compulsory labour is “all work or service which is exacted from any person under the menace of any penalty, and for which the said person has not offered himself voluntarily.”<sup>548</sup> The evidence from this research shows that the Japanese Imperial Army conscripted Micronesians to construct buildings, to work as agricultural laborers, and to work as soldiers. (See sections IV.A.2.b.; IV.B.1.a.; and IV.C.1.B.). The evidence also shows that Japanese mining entities conscripted Micronesians against their will to work in the various mining operations on Angaur, Fais, Ebon, Sonsorol, Babelthuap, and Peleliu through the practice of forced recruitment of labor. (See section V.A.2.a.). Each of these acts constitute a violation of the general ban on forced or compulsory labor in the FLC.

***VII.C.2. Violations of the Ban on Using Indigenous Authorities as Recruiting Agents***

Article 10 of the RIWC states that chiefs can not “(a) act as recruiting agents; (b) exercise pressure upon possible recruits; or (c) receive from any source whatsoever any special remuneration or other special inducement for assistance in recruiting.”<sup>549</sup> Japanese mining enterprises violated this article by incorporating local chiefs to participate in the forced recruitment of Micronesian labor. (See section

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<sup>548</sup> INTERNATIONAL LABOUR OFFICE, *supra* note 99, at 479.

V.A.2.a.). The evidence from this research indicates that such practice occurred in the mining occupations as early as 1922, when the Nanyocho recruited Micronesians by force, and continued until the end of the war.

### ***VII.C.3. Violations of Age and Gender Limitations in Forced Labour***

Article 11 of the FLC states that “[o]nly adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour.”<sup>550</sup> The evidence from this research shows that women and children were conscripted during the war by the Japanese Imperial Army to work on the construction of military facilities and agricultural plots. (See sections IV.A.1.d.; and IV.B.1.a.). The evidence also shows that some women were also conscripted by the Japanese Imperial Army to labor as soldiers. (See section IV.C.1.c.). Such practice is a direct violation of the ban on age and gender limitations in the FLC.

### ***VII.C.4. Violations of the Limitations of Recruiting All Family Members***

Article 7 of the RIWC states that “[t]he recruiting of the head of a family shall not be deemed to involve the recruiting of any member of his family.”<sup>551</sup> The evidence from this research indicates that all able-bodied men were conscripted by the Japanese Imperial Army to construct military facilities and to work as soldiers during the

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<sup>549</sup> *Id.* at 496. See also BETTEN, *supra* note 115, at 33-42.

<sup>550</sup> *Id.* at 484.



war, which implies that both the head of a household and any males in that household were conscripted. (See section IV.A.1.d.). Such act was a direct violation of the RIWC on the limitation of recruiting all family members.

***VII.C.5. Violations of the Requirements of Adequate Food and Nutrition***

Article 17 of the FLC states that the employer shall make sure “that the sanitary conditions of the workplace, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory.”<sup>552</sup> The Convention additionally states that “[r]ecourse to forced or compulsory labour should be so regulated as not to imperil the food supply of the community concerned.”<sup>553</sup> The evidence from this research indicates that during the war, the Japanese Imperial Army conscripted workers to build military facilities and to work as agricultural laborers, but did not provide them with adequate food. The evidence also indicates that a number of Micronesians died of starvation or were on the verge of starvation. (See sections IV.A.2.e.; IV.B.2.a.; V.B.2.c.; and V.E.2.c.).

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<sup>551</sup> *Id.* at 495.

<sup>552</sup> *Id.* at 487.

<sup>553</sup> *Id.* at 491.

***VII.C.6. Violations of the Provisions Requiring Equality in Wages and Cash Payment***

Article 14 of the FLC states that “forced or compulsory labor of all kinds shall be remunerated in cash at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited, whichever may be higher.”<sup>554</sup> The evidence from this research indicates that the Japanese mining entities discriminated on wages according to ethnic groups. The evidence also shows that Japanese entities promised wages to Micronesians for their labor but kept the wages in postal savings accounts which many Micronesians said they never received. (See sections IV.A.2.d.; V.A.2.d.; V.B.2.a.; V.C.2.a.; V.D.2.b.; and V.E.2.d.).

***VII.C.7. Violations of the Nuremberg Principles***

The Nuremberg Principles define war crimes as “murder, ill-treatment, or deportation to slave labor or for any other purpose of civilian population of or in occupied territory.”<sup>555</sup> The Principles define crimes against humanity as “murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war.”<sup>556</sup> The evidence from this research

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<sup>554</sup> *Id.* at 485.

<sup>555</sup> WOETZEL, *supra* note 129.

<sup>556</sup> *Id.*

indicates that the Japanese Imperial Army personnel mistreated Micronesians who were conscripted to work as construction workers, agricultural workers, or soldiers. (See sections IV.A.2.a.; IV.A.2.c.; IV.B.2.a.; and IV.C.). Such acts are a direct violation of the Nuremberg Principles.

***VII.C.8.      Violations of the Ban on the Use of Forced Labour by Private  
Individuals or Companies***

Clause 1, Article 4 of the FLC states that “[t]he competent authority shall not impose or permit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.” The evidence from this research indicates that Japanese mining companies utilized the practice of forced recruitment of labor. (See section V.A.2.a.). Such practice is a direct violation of the ban on use of forced labor by private companies.

***VII.D. War Compensation Issues***

The previous section indicates that Japanese entities violated several international laws regarding labor during their control over the Micronesian islands. The next issue to be addressed is whether such violations warrant compensation and/or an apology. Before that issue can be addressed, however, it must first be noted that war claims compensation was previously given to Micronesians. The following passage

describes the background of previous war compensation legislation and an explanation as to why such legislation and compensation did not fully compensate Micronesians for the war-time violations committed by Japanese entities.

After the war, many Micronesians felt that they had been taken advantage of by both Japan and the United States.<sup>557</sup> One Micronesian stated that “[m]any of our people died of hunger, many were killed by Americans while they were searching for food, and many more were killed by Japanese soldiers as they attempted to go to our farms to get food that we had planted for our women and children.”<sup>558</sup> Although the United States felt that Japan violated the League of Nations Mandate Agreement and was clearly responsible for war damages, Japan felt otherwise.<sup>559</sup> From the Japanese perspective, “Micronesians, though not citizens of Japan, benefited by the rule of the Japanese Empire, and if, in the course of a war, [they] suffered as well, [we see] no pressing reason to compensate them.”<sup>560</sup> Japan also felt that “if there was to be a settlement of Micronesian claims against Japan, there must at the same time be a settlement of Japanese claims against Micronesians” when repatriated Japanese personnel left behind houses, land, personal property, and assets.<sup>561</sup>

Although both countries were at odds regarding war damages, they did manage to negotiate a treaty to settle the issue. On April 18, 1969, “the government of the United States and Japan had signed in Tokyo an agreement which would provide for

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<sup>557</sup> *Micronesian Claims: Hearings before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives*, 91<sup>st</sup> Cong. 2<sup>nd</sup> Sess. on H.J. Res. 1161, H.J. Res. 1258, and H.J. Res. 1265 (1971), *supra* note 39, at 21.

<sup>558</sup> *Id.* at 46.

<sup>559</sup> *Id.* at 21.

the settlement of the Micronesian war claims.”<sup>562</sup> Under the terms of the agreement, “Japan agreed to make a payment in commodities and services equivalent to \$5 million for the welfare of the inhabitants. The United States intended to convert this payment into cash for the settlement of claims.”<sup>563</sup>

After the Treaty with Japan was signed, a Micronesian Claims Act was passed by the United States Congress to look for claims that would be compensable as war damages. The Micronesian Claims Act subsequently set up the Micronesian Claims Commission (MCC).<sup>564</sup> The purpose of the MCC was to “receive, examine, adjudicate, and render final decisions with respect to claims of Micronesian inhabitants of the Trust Territory of the Pacific Islands resulting from the hostilities of the governments of the United States and Japan during World War II.”<sup>565</sup>

The MCC immediately set about looking for evidence. Claims were gathered by field representatives who traveled to every inhabited island in the Trust Territory to collect evidence before the filing deadline of October 15, 1973.<sup>566</sup> In cases where claimants did not have documentary evidence or proof of their losses, the Commission considered “secondary evidence [which included] statements of persons other than the claimant who [had] personal knowledge of the loss.”<sup>567</sup> All Micronesians

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<sup>560</sup> *Id.*

<sup>561</sup> *Id.* at 21-22.

<sup>562</sup> *Id.* at 85.

<sup>563</sup> *Id.*

<sup>564</sup> FOREIGN CLAIMS SETTLEMENT COMMISSION. REPORT TO THE CONGRESS, *supra* note 39, at 20.

<sup>565</sup> *Micronesian Claims: Hearings before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives*, 91<sup>st</sup> Cong. 2<sup>nd</sup> Sess. on H.J. Res. 1161, H.J. Res. 1258, and H.J. Res. 1265 (1971), *supra* note 39, at 2.

<sup>566</sup> FOREIGN CLAIMS SETTLEMENT COMMISSION. REPORT TO THE CONGRESS, *supra* note 39, at 64.

<sup>567</sup> *Id.*

were subsequently given the opportunity to file claims that fit under Title I or Title II.<sup>568</sup>

A breakdown of the claims by island group is as follows: Mariana Islands (195 claims); Marshall Islands (136 claims); Palau (51 claims); Ponape (263 claims); Truk (336 claims); and Yap (19 claims).<sup>569</sup>

Although the MCC made a thorough effort to collect and administer compensation for war damages, not all Micronesians felt they were adequately compensated for their losses. In 1994, Ms. Wakako Higuchi wrote a paper indicating that Japan had not fully compensated Micronesians for injuries sustained during the war.<sup>570</sup> “What Micronesian countries claim from the Japanese government individually today is, roughly, the difference between the Micronesian claims and the MCC’s awards.”<sup>571</sup> Although the Japanese government received requests for war reparation payments from Micronesians (including Guam) every year since the 1960’s,<sup>572</sup> the Japanese government consistently stated that “the issue has been settled completely and finally by means of the “Agreement Between Japan and the United States of America Concerning the Trust Territory of the Pacific Islands.”<sup>573</sup> According to Ms. Higuchi, however, “[t]he Agreement . . . does not provide compensation for war damages because the victimized people of Micronesia did not participate in the negotiations nor sign the Agreement.

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<sup>568</sup> *To Amend the Micronesian Claims Act of 1971: Hearing Before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives*, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. on H.R. 2008, *supra* note 5.

<sup>569</sup> FOREIGN CLAIMS SETTLEMENT COMMISSION. REPORT TO THE CONGRESS, *supra* note 39, at 64.

<sup>570</sup> Higuchi (1994), *supra* note 29, at 2.

<sup>571</sup> *Id.* at 5.

<sup>572</sup> *Id.* at 6.

<sup>573</sup> *Id.* at 7.

Japan's response was that the "Micronesians were comparable to Okinawa . . . [and] the Okinawan people could not claim damages against the Japanese government."<sup>574</sup>

In light of the number of lawsuits filed against Japanese and German entities for atrocities committed during the war, and in light of Ms. Higuchi's paper, this research has found at least three reasons why some claims may still be eligible for compensation. First, the war claims legislation and Title I compensation only compensated Micronesians from 1941 until the end of the war. A number of claims that occurred before 1941 have not been compensated. In fact, this research uncovered two pieces of legislation drafted by the Palauan legislature in 1973 seeking "pre-war" compensation.<sup>575</sup> Second, the 1969 United States-Japan treaty was negotiated between the United States and Japan, with only token representation by the Micronesians. Since the islands were not independent at that time, the people could not fully participate in the negotiations. Now that all the Micronesian islands are sovereign countries, the islanders can and should negotiate war claims compensation in their own right. Third, the war claims compensation sought to specifically address violations that occurred as a "direct result of the war time hostilities between the United States and Japan in Micronesia."<sup>576</sup> Although the legislation sought to compensate Micronesians for personal loss, personal injury, or death, the legislation did not recognize violations of human rights such as

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<sup>574</sup> *Id.* at 15.

<sup>575</sup> Department of Finance, *supra* note 40, at reel 534. See also Higuchi (1994), *supra* note 29, at 9.

<sup>576</sup> *To Amend the Micronesian Claims Act of 1971: Hearing Before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs, House of Representatives, 93<sup>rd</sup> Cong., 1<sup>st</sup> Sess. on H.R. 2008, supra* note 5.

starvation, ill treatment, or forced labor. The evidence from this research indicates that such violations did indeed occur.

Whether Japan would grant compensation and/or an apology is another issue. Although the November 30, 2000, article mentioned in the introduction to this paper indicates that a Japanese mining corporation offered settlement for victims of forced labor, the general record of Japan compensating victims or even providing an apology for war time acts has been poor. Japanese courts tend to dismiss war-related lawsuits by claiming either that the Plaintiffs have no legal right to pursue their cause of action, or that the issue has been resolved by a previous post-war treaty with Japan.<sup>577</sup>

If Micronesians want to pursue compensation and/or an apology for labor abuses committed by Japan during the war, they must realize that such a lawsuit most likely would not be successful in Japanese courts. However, such lawsuits in the past by other plaintiffs have been successful in raising international public awareness and alerting the world community that such atrocities were wrong and should not be committed again. For this reason alone, it might be worthwhile for Micronesians to pursue such a cause of action.

#### ***VII.E. Suggestions for More Research***

The following areas need more research: 1) whether or not the Nantaku Company utilized workers in the same age range as the Nanyocho, or whether they used

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<sup>577</sup> See generally IWASAWA, *supra* note 6.

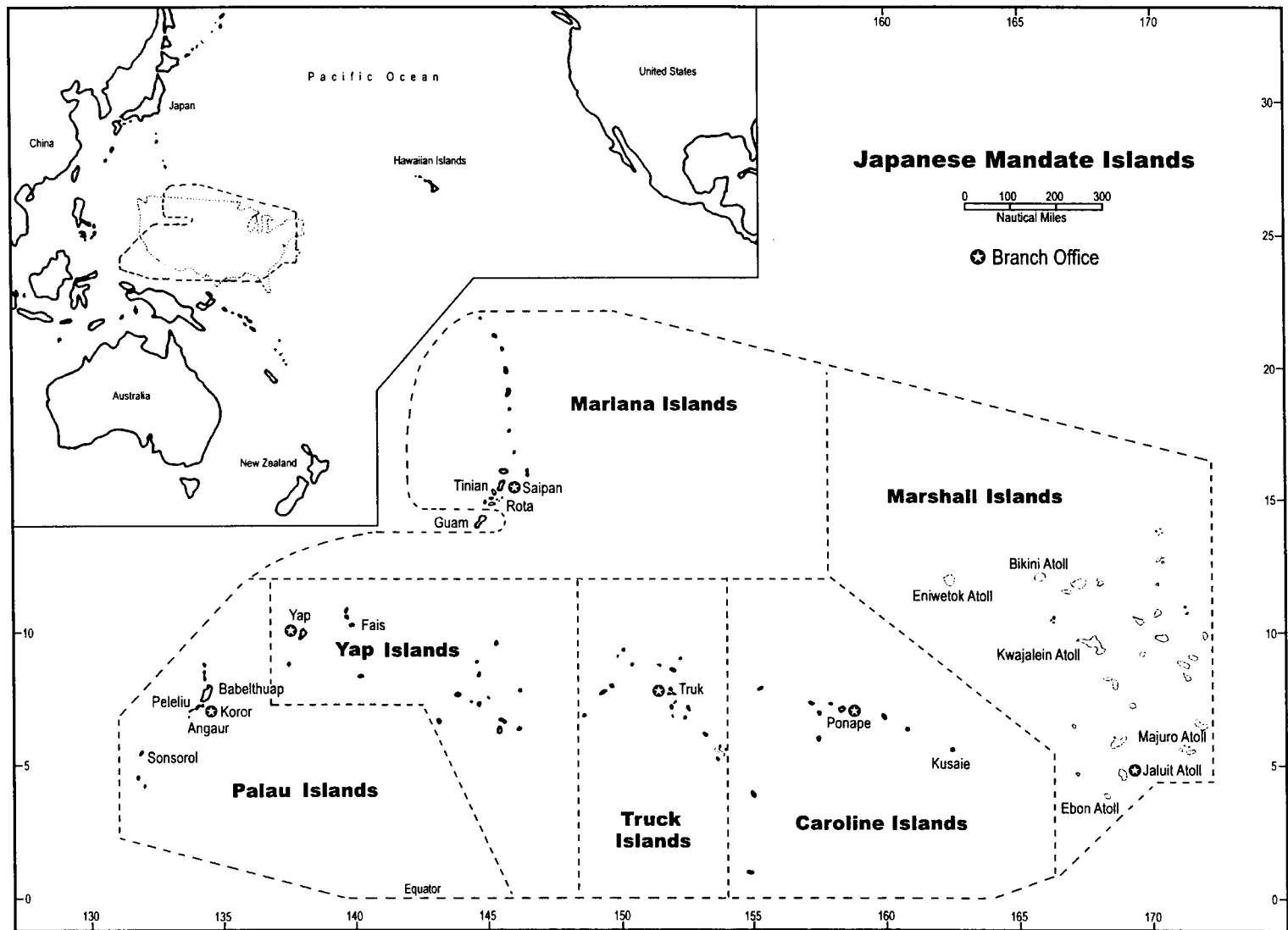


workers younger than age 16 and older than age 40; 2) precisely how many Micronesians were working in Angaur before the war and how many were repatriated to their home islands right before the war ended; 3) whether the Micronesian workers who were forced to work at Angaur under this policy worked for “less than one month” as required by the Nanyocho regulations, or whether they stayed longer such as 4 - 6 months (the average time for Truk workers), or 8 months - 1 year (the average time for Yap workers); 4) how many of the people who were forced to relocate were the people who worked in the Angaur mines, or how many were the inhabitants who simply lived on the island; 5) the health of the workers in the Angaur mines during the war; 6) how many of those natives were employed to work in the Fais mines, or how many were natives already living on the island prior to commencement of the mining operations; 7) how many of the natives who were forced to relocate were working in the Sonsorol mines; 8) how many of these people were employed in the Babelthuap mines; 9) information about the mining conditions in the Peleliu mines; 10) salaries paid to native assistant teachers; 11) employment and wages in other industries such as carpentry, blacksmith, one day laborer, etc.; 12) information about exact numbers working in the copra industry; 13) information about whether or not Micronesians received any compensation for employment or whether all “promised” money was put into postal savings accounts; and 14) exact number of Micronesian tenant farmers in the sugar industry.

# **APPENDIX**

## **A**

### Map of Japanese Mandate Islands



**Figure 1.** Map of the Japanese Mandate Islands showing islands mentioned in the text.

# **APPENDIX**

## **B**

Tables indicating employment of  
Micronesians from 1922 to 1945

**Table 1. Employment of Micronesians in 1922**

[illegible]

**Table 1. (Continued) Employment of Micronesians in 1922**

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Notes/Sources:

- \* Estimated figure
- a Pauwels (1936), p. 105.
- b South Sea Islands (1922).
- c King (1976), p. 22.
- d South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, says 900 native tenant farmers worked in Saipan.

**Table 2. Employment of Micronesians in 1923**

		Island or Island District														
Employer	Occupation	Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap	Subtotal	Total
<b>LARGE-SCALE</b>																0
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																366
Nanyocho:	Mining	366 <sup>a</sup>													366	
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																964
Nanyocho:	Chiefs														37 <sup>a</sup>	
	Police Assistants														18 <sup>a</sup>	
	Teacher Assistants															
	Woodworking school															
	Nurse Assistants															
NKKK:	Sugar Mill Workers										9 <sup>b</sup>				9	
	Tenant Farmers										900 <sup>c</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 2. (Continued) Employment of Micronesians in 1923**

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Notes/Sources:

\* Estimated figure

a South Sea Islands (1923).

b King (1976), p. 22.

c South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, says 900 native tenant farmers worked in Saipan.



**Table 3. Employment of Micronesians in 1924**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																<b>0</b>
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																<b>433</b>
Nanyocho:	Mining	433 <sup>a</sup>														433
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																<b>1083</b>
Nanyocho:	Chiefs						18 <sup>a</sup>	15 <sup>a</sup>		35 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>		117
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	9 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>		39
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		4 <sup>a</sup>	3 <sup>a</sup>		2 <sup>a</sup>	2 <sup>a</sup>		18
	Woodworking school															
	Nurse Assistants															
NKKK:	Sugar Mill Workers										9 <sup>b</sup>					9
	Tenant Farmers										900 <sup>c</sup>					900
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 3. (Continued) Employment of Micronesians in 1924**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1924).
- b King (1976), p. 22.
- c South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 4. Employment of Micronesians in 1925**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																0
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																450
Nanyocho:	Mining		450 <sup>a</sup>													450
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																1088
Nanyocho:	Chiefs						18 <sup>a</sup>	15 <sup>a</sup>		35 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>	117	
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	8 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>	38	
	Teacher Assistants						3 <sup>a</sup>	6 <sup>a</sup>		7 <sup>a</sup>	2 <sup>a</sup>		3 <sup>a</sup>	2 <sup>a</sup>	23	
	Woodworking school															
	Nurse Assistants															
NKKK:	Sugar Mill Workers										9 <sup>b</sup>				9	
	Tenant Farmers										900 <sup>c</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers								1 <sup>d</sup>						1	
Nantaku:	Office Workers															

**Table 4. (Continued) Employment of Micronesians in 1925**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1925).
- b King (1976), p. 22.
- c South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.
- d Higuchi (1986), interview with Fritz Rubash, p. 1.

**Table 5. Employment of Micronesians in 1926**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																0
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																396
Nanyocho:	Mining		396 <sup>a</sup>													396
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																1071
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		27 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>		105
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	8 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>		38
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		2 <sup>a</sup>	3 <sup>a</sup>		19
	Woodworking school															
	Nurse Assistants															
NKKK:	Sugar Mill Workers										9 <sup>b</sup>					9
	Tenant Farmers										900 <sup>c</sup>					900
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 5. (Continued) Employment of Micronesians in 1926**

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Notes/Sources:

\* Estimated figure

a South Sea Islands (1926).

b King (1976), p. 22.

c South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 6. Employment of Micronesians in 1927**

Employer	Occupation	Island or Island District													Subtotal	Total
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap		
<b>LARGE-SCALE</b>																
Army:	Construction															0
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																
Nanyocho:	Mining		473 <sup>a</sup>												473	473
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		27 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>	105	1081
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	7 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>	37	
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		3 <sup>a</sup>	3 <sup>a</sup>	20	
	Woodworking school							1 <sup>b</sup>							1	
	Nurse Assistants		2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>c</sup>				9	
	Tenant Farmers										900 <sup>e</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 6. (Continued) Employment of Micronesians in 1927**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1927).
- b Greenberger (1974), p. 163.
- c King (1976), p. 22.
- d King (1976), p. 33.
- e South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.



**Table 7. Employment of Micronesians in 1928**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																0
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																400
Nanyocho:	Mining		400 <sup>a</sup>													400
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																1081
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		26 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>	104	
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	8 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>	37	
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		4 <sup>a</sup>	3 <sup>a</sup>	21	
	Woodworking school							1 <sup>b</sup>							1	
	Nurse Assistants	2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>c</sup>				9	
	Tenant Farmers										900 <sup>e</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 7. (Continued) Employment of Micronesians in 1928**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1928).
- b Greenberger (1974), p. 163.
- c King (1976), p. 22.
- d King (1976), p. 33.
- e South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 8. Employment of Micronesians in 1929**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuaup	Ebon	Feis	Kusaie	Marshall's	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																<b>0</b>
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																<b>388</b>
Nanyocho:	Mining	388 <sup>a</sup>														388
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																<b>1080</b>
Nanyocho:	Chiefs						16 <sup>a</sup>	12 <sup>a</sup>		26 <sup>a</sup>	8 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>		102
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	8 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>		38
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		4 <sup>a</sup>	3 <sup>a</sup>		21
	Woodworking school							1 <sup>b</sup>								1
	Nurse Assistants	2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		9
NKKK:	Sugar Mill Workers										9 <sup>c</sup>					9
	Tenant Farmers										900 <sup>e</sup>					900
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 8. (Continued) Employment of Micronesians in 1929**

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Notes/Sources:

\* Estimated figure

a South Sea Islands (1929).

b Greenberger (1974), p. 163.

c King (1976), p. 22.

d King (1976), p. 33.

e South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 9. Employment of Micronesians in 1930**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
LARGE-SCALE																0
Army:	Construction															
	Agricultural															
	Soldiers															
MEDIUM-SCALE																373
Nanyocho:	Mining		373 <sup>a</sup>													373
Nantaku:	Mining															
N. Kohatsu:	Mining															
SMALL-SCALE																1085
Nanyocho:	Chiefs						16 <sup>a</sup>	12 <sup>a</sup>		26 <sup>a</sup>	8 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>	102	1085
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	11 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>	41	
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		5 <sup>a</sup>	3 <sup>a</sup>	22	
	Woodworking school							1 <sup>b</sup>							1	
	Nurse Assistants	2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>c</sup>				9	900 <sup>e</sup>
	Tenant Farmers										900 <sup>e</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 9. (Continued) Employment of Micronesians in 1930**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1930).
- b Greenberger (1974), p. 163.
- c King (1976), p. 22.
- d King (1976), p. 33.
- e South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 10. Employment of Micronesians in 1931**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																0
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																337
Nanyocho:	Mining		337 <sup>a</sup>													337
Nantaku:	Mining															
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																1086
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		26 <sup>a</sup>	8 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>		103
	Police Assistants						4 <sup>a</sup>	8 <sup>a</sup>		8 <sup>a</sup>	11 <sup>a</sup>		5 <sup>a</sup>	5 <sup>a</sup>		41
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		6 <sup>a</sup>	3 <sup>a</sup>		23
	Woodworking school							1 <sup>b</sup>								1
	Nurse Assistants	2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		9
NKKK:	Sugar Mill Workers										9 <sup>c</sup>					9
	Tenant Farmers										900 <sup>e</sup>					900
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 10. (Continued) Employment of Micronesians in 1931**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1931).
- b Greenberger (1974), p. 163.
- c King (1976), p. 22.
- d King (1976), p. 33.
- e South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.



**Table 11. Employment of Micronesians in 1932**

[illegible]

**Table 11. (Continued) Employment of Micronesians in 1932**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1932).
- b Greenberger (1974), p. 163.
- c King (1976), p. 22.
- d King (1976), p. 33.
- e South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 12. Employment of Micronesians in 1933**

[illegible]

**Table 12. (Continued) Employment of Micronesians in 1933**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1933).
- b Greenberger (1974), p. 163.
- c King (1976), p. 22.
- d King (1976), p. 33.
- e Yanaihara (1940), p. 61, states that 38 native households were involved in tenant farming in 1933. However, South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 13. Employment of Micronesians in 1934**

Employer	Occupation	Island or Island District													Subtotal	Total
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap		
<b>LARGE-SCALE</b>																
Army:	Construction															0
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																
Nanyocho:	Mining	340 <sup>a</sup>													340	440
Nantaku:	Mining															
N. Kohatsu:	Mining								100 <sup>b</sup>						100	
<b>SMALL-SCALE</b>																
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		26 <sup>a</sup>	8 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>	103	1094
	Police Assistants						6 <sup>a</sup>	10 <sup>a</sup>		8 <sup>a</sup>	12 <sup>a</sup>		7 <sup>a</sup>	6 <sup>a</sup>	49	
	Teacher Assistants						2 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		6 <sup>a</sup>	3 <sup>a</sup>	23	
	Woodworking school							1 <sup>c</sup>							1	
	Nurse Assistants	2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>e</sup>				9	
	Tenant Farmers										900 <sup>f</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 13. (Continued) Employment of Micronesians in 1934**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1934).
- b Higuchi (1986), interview with Ichiro Blesam, p. 1.
- c Greenberger (1974), p. 163.
- d King (1976), p. 33.
- e King (1976), p. 22.
- f South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.

**Table 14. Employment of Micronesians in 1935**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
LARGE-SCALE																0
Army:	Construction															
	Agricultural															
	Soldiers															
MEDIUM-SCALE																479
Nanyocho:	Mining	379 <sup>a</sup>														379
Nantaku:	Mining															
N. Kohatsu:	Mining								100 <sup>b</sup>							100
SMALL-SCALE																1097
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		26 <sup>a</sup>	8 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>		103
	Police Assistants						6 <sup>a</sup>	11 <sup>a</sup>		9 <sup>a</sup>	12 <sup>a</sup>		7 <sup>a</sup>	6 <sup>a</sup>		51
	Teacher Assistants						3 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		6 <sup>a</sup>	3 <sup>a</sup>		24
	Woodworking school									1 <sup>c</sup>						1
	Nurse Assistants	2 <sup>d*</sup>				1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>		9
NKKK:	Sugar Mill Workers										9 <sup>e</sup>					9
	Tenant Farmers										900 <sup>f</sup>					900
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 14. (Continued) Employment of Micronesians in 1935**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1935).
- b Higuchi (1986), interview with Ichiro Blesam, p. 1.
- c Greenberger (1974), p. 163.
- d King (1976), p. 33.
- e King (1976), p. 22.
- f South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.



**Table 15. Employment of Micronesians in 1936**

Employer	Occupation	Island or Island District													Subtotal	Total
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshallis	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap		
<b>LARGE-SCALE</b>																
Army:	Construction															0
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																
Nanyocho:	Mining	417 <sup>a</sup>													417	517
Nantaku:	Mining															
N. Kohatsu:	Mining								100 <sup>b</sup>					100		
<b>SMALL-SCALE</b>																
Nanyocho:	Chiefs						16 <sup>a</sup>	13 <sup>a</sup>		25 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	11 <sup>a</sup>	103	1100
	Police Assistants						6 <sup>a</sup>	12 <sup>a</sup>		10 <sup>a</sup>	12 <sup>a</sup>		7 <sup>a</sup>	6 <sup>a</sup>	53	
	Teacher Assistants						3 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		6 <sup>a</sup>	3 <sup>a</sup>	24	
	Woodworking school														1	
	Nurse Assistants	2 <sup>d*</sup>					1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>	1 <sup>d*</sup>		1 <sup>d*</sup>	1 <sup>d*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>e</sup>				9	
	Tenant Farmers										900 <sup>f</sup>				900	
	Nurses															
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers									1 <sup>g</sup>					1	
Nantaku:	Office Workers															

**Table 15. (Continued) Employment of Micronesians in 1936**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1936).
- b Higuchi (1986), interview with Ichiro Blesam, p. 1.
- c Greenberger (1974), p. 163.
- d King (1976), p. 33.
- e King (1976), p. 22.
- f South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.
- g Higuchi (1986), interview with Fancisco [sic] Morei, p. 1.

**Table 16. Employment of Micronesians in 1937**

Employer	Occupation	Island or Island District													Subtotal	Total
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall's	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap		
<b>LARGE-SCALE</b>																<b>0</b>
Army:	Construction															
	Agricultural															
	Soldiers															
<b>MEDIUM-SCALE</b>																<b>694</b>
Nanyocho:	Mining															
Nantaku:	Mining	394 <sup>a</sup>			200 <sup>b</sup>											594
N. Kohatsu:	Mining								100 <sup>c</sup>							100
<b>SMALL-SCALE</b>																<b>1108</b>
Nanyocho:	Chiefs						17 <sup>a</sup>	13 <sup>a</sup>		26 <sup>a</sup>	9 <sup>a</sup>		29 <sup>a</sup>	12 <sup>a</sup>		106
	Police Assistants						6 <sup>a</sup>	12 <sup>a</sup>		10 <sup>a</sup>	12 <sup>a</sup>		7 <sup>a</sup>	8 <sup>a</sup>		55
	Teacher Assistants						3 <sup>a</sup>	5 <sup>a</sup>		5 <sup>a</sup>	2 <sup>a</sup>		6 <sup>a</sup>	3 <sup>a</sup>		24
	Woodworking school									1 <sup>d</sup>						1
	Nurse Assistants	2 <sup>e*</sup>				1 <sup>e*</sup>	1 <sup>e*</sup>	1 <sup>e*</sup>		1 <sup>e*</sup>	1 <sup>e*</sup>		1 <sup>e*</sup>	1 <sup>e*</sup>		9
NKKK:	Sugar Mill Workers										9 <sup>f</sup>					9
	Tenant Farmers										900 <sup>g</sup>					900
	Nurses										2 <sup>e*</sup>					2
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers								2 <sup>h</sup>							2
Nantaku:	Office Workers															

**Table 16. (Continued) Employment of Micronesians in 1937**

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Notes/Sources:

- \* Estimated figure
- a South Sea Islands (1937).
- b Shimode (1982), pp. 143-148.
- c Higuchi (1986), interview with Ichiro Blesam, p. 1.
- d Greenberger (1974), p. 163.
- d King (1976), p. 33.
- e King (1976), p. 33.
- f King (1976), p. 22.
- g South Sea Islands (1930), states that 118 tenant farmers worked from 1922-1937, yet Pauwels (1936), p. 108, states that 900 native tenant farmers worked in Saipan.
- h Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.

**Table 17. Employment of Micronesians in 1938**

Employer	Occupation	Island or Island District												Subtotal	Total
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall's	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk		
<b>LARGE-SCALE</b>															<b>0</b>
Army:	Construction														
	Agricultural														
	Soldiers														
<b>MEDIUM-SCALE</b>															<b>694</b>
Nanyocho:	Mining														
Nantaku:	Mining	394 <sup>a*</sup>			200 <sup>b</sup>										594
N. Kohatsu:	Mining							100 <sup>c</sup>							100
<b>SMALL-SCALE</b>															<b>208</b>
Nanyocho:	Chiefs						17 <sup>a*</sup>	13 <sup>a*</sup>		26 <sup>a*</sup>	9 <sup>a*</sup>		29 <sup>a*</sup>	12 <sup>a*</sup>	106
	Police Assistants						6 <sup>a*</sup>	12 <sup>a*</sup>		10 <sup>a*</sup>	12 <sup>a*</sup>		7 <sup>a*</sup>	8 <sup>a*</sup>	55
	Teacher Assistants						3 <sup>a*</sup>	5 <sup>a*</sup>		5 <sup>a*</sup>	2 <sup>a*</sup>		6 <sup>a*</sup>	3 <sup>a*</sup>	24
	Woodworking school							1 <sup>d</sup>							1
	Nurse Assistants	2 <sup>e*</sup>				1 <sup>e*</sup>	1 <sup>e*</sup>	1 <sup>e*</sup>		1 <sup>e*</sup>	1 <sup>e*</sup>		1 <sup>e*</sup>	1 <sup>e*</sup>	9
NKKK:	Sugar Mill Workers										9 <sup>f</sup>				9
	Tenant Farmers														
	Nurses										2 <sup>e*</sup>				2
NBK:	Huskers														
	Stevedores														
	Tree Planters														
	Collection Site Workers														
	Office Workers														2
Nantaku:	Office Workers							2 <sup>g</sup>							

**Table 17. (Continued) Employment of Micronesians in 1938**

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Notes/Sources:

- \* Estimated figure
- a Japan submitted League of Nations reports only up to 1937. These numbers are estimated based on the 1937 report.
- b Shimode (1982), pp. 143-148.
- c Higuchi (1986), interview with Ichiro Blesam, p. 1.
- d Greenberger (1974), p. 163.
- e King (1976), p. 33.
- f King (1976), p. 22.
- g Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.

**Table 18. Employment of Micronesians in 1939**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall's	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
LARGE-SCALE																400
Army:	Construction						100 <sup>a*</sup>						200 <sup>b*</sup>		300	
	Agricultural Soldiers												100 <sup>b*</sup>		100	
MEDIUM-SCALE																754
Nanyocho:	Mining															
Nantaku:	Mining	394 <sup>c*</sup>		60 <sup>d</sup>	200 <sup>d</sup>										654	
N. Kohatsu:	Mining								100 <sup>e</sup>						100	
SMALL-SCALE																208
Nanyocho:	Chiefs						17 <sup>c*</sup>	13 <sup>c*</sup>		26 <sup>c*</sup>	9 <sup>c*</sup>		29 <sup>c*</sup>	12 <sup>c*</sup>	106	
	Police Assistants						6 <sup>c*</sup>	12 <sup>c*</sup>		10 <sup>c*</sup>	12 <sup>c*</sup>		7 <sup>c*</sup>	8 <sup>c*</sup>	55	
	Teacher Assistants						3 <sup>c*</sup>	5 <sup>c*</sup>		5 <sup>c*</sup>	2 <sup>c*</sup>		6 <sup>c*</sup>	3 <sup>c*</sup>	24	
	Woodworking school							1 <sup>f</sup>							1	
	Nurse Assistants	2 <sup>g*</sup>				1 <sup>g*</sup>	1 <sup>g*</sup>	1 <sup>g*</sup>		1 <sup>g*</sup>	1 <sup>g*</sup>		1 <sup>g*</sup>	1 <sup>g*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>c</sup>				9	
	Tenant Farmers															
	Nurses										2 <sup>g*</sup>				2	
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers							2 <sup>j</sup>							2	
Nantaku:	Office Workers															

**Table 18. (Continued) Employment of Micronesians in 1939**

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Notes/Sources:

- \* Estimated figure
- a Carucci (1989), pp. 74-75.
- b Higuchi (1987), pp. 106-107.
- c Japan submitted League of Nations reports only up to 1937. These numbers are estimated based on the 1937 report.
- d Shimode (1982), pp. 143-148.
- e Higuchi (1986), interview with Ichiro Blesam, p. 1.
- f Greenberger (1974), p. 163.
- g King (1976), p. 33.
- h King (1976), p. 22.
- j Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.



**Table 19. Employment of Micronesians in 1940**

[illegible]

**Table 19. (Continued) Employment of Micronesians in 1940**

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Notes/Sources:

- \* Estimated figure
- a Carucci (1989), pp. 74-75.
- b Higuchi (1987), pp. 106-107.
- c Higuchi (1986), interview with Intelbang Luii [Shimeichi, Nicolas], p. 3.
- d Japan submitted League of Nations reports only up to 1937. This number is estimated based on the 1937 report.
- e Based on letter from Allied International Company, Washington, D.C., to Mr. William Yaomans, dated April 26, 1956, regarding reopening the Babelthuap mines. The Engineers were 20 Japanese and 10 Natives. Office clerks were 10 Japanese and 10 natives." It seems they are making their estimate on pre-war conditions.
- f Shimode (1982), pp. 143-148.
- g Higuchi (1986), interview with Ichiro Blesam, p. 1.
- h Greenberger (1974), p. 163.
- j King (1976), p. 33.
- k King (1976), p. 22.
- l Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1. statement in the letter is confusing because it mixes past tense and present tense: "Local labourers will be employed. Approximately 700-800.

**Table 20. Employment of Micronesians in 1941**

Employer	Occupation	Island or Island District													Subtotal	Total
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall's	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap		
<b>LARGE-SCALE</b>																<b>1225</b>
Army:	Construction						100 <sup>a*</sup>	700 <sup>b</sup>					200 <sup>c*</sup>	125 <sup>d*</sup>	1125	
	Agricultural Soldiers												100 <sup>c*</sup>		100	
<b>MEDIUM-SCALE</b>																<b>1614</b>
Nanyocho:	Mining															
Nantaku:	Mining	394 <sup>e*</sup>	800 <sup>f</sup>	60 <sup>g</sup>	200 <sup>g</sup>							60 <sup>g</sup>			1514	
N. Kohatsu:	Mining							100 <sup>h</sup>							100	
<b>SMALL-SCALE</b>																<b>208</b>
Nanyocho:	Chiefs						17 <sup>e*</sup>	13 <sup>e*</sup>		26 <sup>e*</sup>	9 <sup>e*</sup>		29 <sup>e*</sup>	12 <sup>e*</sup>	106	
	Police Assistants						6 <sup>e*</sup>	12 <sup>e*</sup>		10 <sup>e*</sup>	12 <sup>e*</sup>		7 <sup>e*</sup>	8 <sup>e*</sup>	55	
	Teacher Assistants						3 <sup>e*</sup>	5 <sup>e*</sup>		5 <sup>e*</sup>	2 <sup>e*</sup>		6 <sup>e*</sup>	3 <sup>e*</sup>	24	
	Woodworking school							1 <sup>j</sup>							1	
	Nurse Assistants	2 <sup>k*</sup>				1 <sup>k*</sup>	1 <sup>k*</sup>	1 <sup>k*</sup>		1 <sup>k*</sup>	1 <sup>k*</sup>		1 <sup>k*</sup>	1 <sup>k*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>l</sup>				9	
	Tenant Farmers															
	Nurses										2 <sup>k*</sup>				2	
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers							2 <sup>m</sup>							2	
Nantaku:	Office Workers															

**Table 20. (Continued) Employment of Micronesians in 1941**

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Notes/Sources:

- \* Estimated figure
- a Carucci (1989), pp. 74-75.
- b Higuchi (1986), interview with Termeteet Eusevio, p. 2.
- c Higuchi (1987), pp. 106-107.
- d Hunter-Anderson (1995), p. 272.
- e Japan submitted League of Nations reports only up to 1937. This number is estimated based on the 1937 report.
- f Based on letter from Allied International Company, Washington, D.C., to Mr. William Yaomans, dated April 26, 1956, regarding reopening the Babelthuap mines. The statement in the letter is confusing because it mixes past tense and present tense: "Local labourers will be employed. Approximately 700-800. Engineers were 20 Japanese and 10 Natives. Office clerks were 10 Japanese and 10 natives." It seems they are making their estimate on pre-war conditions.
- g Shimode (1982), pp. 143-148.
- h Higuchi (1986), interview with Ichiro Blesam, p. 1.
- j Greenberger (1974), p. 163.
- k King (1976), p. 33.
- l King (1976), p. 22.
- m Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.

**Table 21. Employment of Micronesians in 1942**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshall	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
LARGE-SCALE																1834
Army:	Construction						129 <sup>a*</sup>	1000 <sup>b*</sup>	100 <sup>c</sup>				200 <sup>d*</sup>	125 <sup>e*</sup>	1554	
	Agricultural												100 <sup>d*</sup>		100	
	Soldiers							160 <sup>f</sup>		20 <sup>g</sup>					180	
MEDIUM-SCALE																1614
Nanyocho:	Mining															
Nantaku:	Mining	394 <sup>h*</sup>	800 <sup>j</sup>	60 <sup>k</sup>	200 <sup>k</sup>							60 <sup>k</sup>			1514	
N. Kohatsu:	Mining								100 <sup>l</sup>						100	
SMALL-SCALE																208
Nanyocho:	Chiefs						17 <sup>h*</sup>	13 <sup>h*</sup>		26 <sup>h*</sup>	9 <sup>h*</sup>		29 <sup>h*</sup>	12 <sup>h*</sup>	106	
	Police Assistants						6 <sup>h*</sup>	12 <sup>h*</sup>		10 <sup>h*</sup>	12 <sup>h*</sup>		7 <sup>h*</sup>	8 <sup>h*</sup>	55	
	Teacher Assistants						3 <sup>h*</sup>	5 <sup>h*</sup>		5 <sup>h*</sup>	2 <sup>h*</sup>		6 <sup>h*</sup>	3 <sup>h*</sup>	24	
	Woodworking school							1 <sup>m</sup>							1	
	Nurse Assistants		2 <sup>n*</sup>				1 <sup>n*</sup>	1 <sup>n*</sup>	1 <sup>n*</sup>		1 <sup>n*</sup>	1 <sup>n*</sup>		1 <sup>n*</sup>	1 <sup>n*</sup>	9
NKKK:	Sugar Mill Workers											9 <sup>o</sup>			9	
	Tenant Farmers															
	Nurses											2 <sup>n*</sup>			2	
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers								2 <sup>p</sup>						2	
Nantaku:	Office Workers															

**Table 21. (Continued) Employment of Micronesians in 1942**

Notes/Sources:

- \* Estimated figure
- a Carucci (1989), p. 74-75; Heine (1991), p. 114.
- b Higuchi (1986), interview with Termeteet Eusevio, p. 2; interview with Thomas Tellei, p. 1.
- c Higuchi (1986), interview with Meltel Kodong, p. 1.
- d Higuchi (1987), pp. 106-107.
- e Hunter-Anderson (1995), p. 272.
- f Higuchi (1986), interview with Thomas Tellei, p. 1; interview with Elibosang Eungel, p. 1.
- g Reported in Falgout (1991), p. 124, quoting Higuchi (1984).
- h Japan submitted League of Nations reports only up to 1937. This number is estimated based on the 1937 report.
- j Based on letter from Allied International Company, Washington, D.C., to Mr. William Yaomans, dated April 26, 1956, regarding reopening the Babelthuap mines. The statement in the letter is confusing because it mixes past tense and present tense: "Local labourers will be employed. Approximately 700-800. Engineers were 20 Japanese and 10 Natives. Office clerks were 10 Japanese and 10 natives." It seems they are making their estimate on pre-war conditions.
- k Shimode (1982), pp. 143-148.
- l Higuchi (1986), interview with Ichiro Blesam, p. 1.
- m Greenberger (1974), p. 163.
- n King (1976), p. 33.
- o King (1976), p. 22.
- p Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.

Table 22. Employment of Micronesians in 1943

		Island or Island District														
Employer	Occupation	Angaur	Babelthuap	Ebon	Fels	Kusaie	Marshallis	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk	Yap	Subtotal	Total
LARGE-SCALE																2677
Army:	Construction					50 <sup>a*</sup>	129 <sup>b*</sup>	1020 <sup>c*</sup>	100 <sup>d</sup>	500 <sup>e*</sup>			200 <sup>f*</sup>	125 <sup>g*</sup>	2124	
	Agricultural												100 <sup>f*</sup>	150 <sup>h*</sup>	250	
	Soldiers							273 <sup>i*</sup>		20 <sup>k</sup>				10 <sup>l*</sup>	303	
MEDIUM-SCALE																1704
Nanyocho:	Mining															
Nantaku:	Mining	394 <sup>m*</sup>	800 <sup>n</sup>	60 <sup>o</sup>	200 <sup>o</sup>							150 <sup>p</sup>			1604	
N. Kohatsu:	Mining														100	
SMALL-SCALE																304
Nanyocho:	Chiefs						17 <sup>m*</sup>	13 <sup>m*</sup>		26 <sup>m*</sup>	9 <sup>m*</sup>		29 <sup>m*</sup>	12 <sup>m*</sup>	106	
	Police Assistants						6 <sup>m*</sup>	12 <sup>m*</sup>		10 <sup>m*</sup>	12 <sup>m*</sup>		7 <sup>m*</sup>	8 <sup>m*</sup>	55	
	Teacher Assistants															
	Woodworking school							1 <sup>q</sup>							1	
	Nurse Assistants	2 <sup>r*</sup>				1 <sup>r*</sup>	1 <sup>r*</sup>	1 <sup>r*</sup>		1 <sup>r*</sup>	1 <sup>r*</sup>		1 <sup>r*</sup>	1 <sup>r*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>c</sup>				9	
	Tenant Farmers															
	Nurses										2 <sup>r*</sup>				2	
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers							2 <sup>t</sup>							2	
Nantaku:	Office Workers												120 <sup>u</sup>		120	

**Table 22. (Continued) Employment of Micronesians in 1943**

Notes/Sources:

- \* Estimated figure
- a Falgout (1989), p. 287.
- b Carucci (1989), pp. 74-75; Heine (1991), p. 114.
- c Higuchi (1986), interview with Termeteet Eusevio, p. 2; interview with Thomas Tellei, p. 1; interview with Fancisco (sic) Morei, p. 3.
- d Higuchi (1986), interview with Meltel Kodong, p. 1.
- e Poyer (1991), p. 85; Falgout (1991), p. 124, quoting Higuchi (1984).
- f Higuchi (1987), pp. 106-107.
- g Hunter-Anderson (1995), p. 272.
- h Poyer (1995), pp. 234-235.
- j Higuchi (1986), interview with Thomas Tellei, p.1; interview with Elibosang Eungel, p.1, 3; interview with Simon Ramariu, p.1; interview with Yano Mariul, p.3; interview with Fancisco (sic) Morei, p.3; interview with Ichiro Blesam, p.3; Higuchi (1987), pp. 101-102; Tellei (1991), p. 157.
- k Higuchi (1987), p. 49, p. 55 n. 12.
- l Poyer (1995), p. 243, 252 n. 4.
- m Japan submitted League of Nations reports only up to 1937. This number is estimated based on the 1937 report.
- n Based on letter from Allied International Company, Washington, D.C., to Mr. William Yaomans, dated April 26, 1956, regarding reopening the Babelthuap mines. The statement in the letter is confusing because it mixes past tense and present tense: "Local labourers will be employed. Approximately 700-800. Engineers were 20 Japanese and 10 Natives. Office clerks were 10 Japanese and 10 natives." It seems they are making their estimate on pre-war conditions.
- o Shimode (1982), pp. 143-148.
- p Embree (1946), p. 95
- q Greenberger (1974), p. 163.
- r King (1976), p. 33.
- s King (1976), p. 22.
- t Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.
- u Dolan (1974), pp. 70-71.



**Table 23. Employment of Micronesians in 1944**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuaap	Ebon	Feis	Kusaie	Marshallis	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																<b>3253</b>
Army:	Construction						229 <sup>a*</sup>	1094 <sup>b</sup>	400 <sup>c</sup>	500 <sup>d*</sup>	112 <sup>e</sup>		200 <sup>f</sup>	228 <sup>g</sup>	2763	
	Agricultural							20 <sup>h*</sup>					100 <sup>f*</sup>	150 <sup>j*</sup>	270	
	Soldiers							200 <sup>k</sup>		20 <sup>l</sup>					220	
<b>MEDIUM-SCALE</b>																<b>1604</b>
Nanyocho:	Mining															
Nantaku:	Mining	394 <sup>m*</sup>	800 <sup>n</sup>	60 <sup>o</sup>	200 <sup>o</sup>							150 <sup>p</sup>			1604	
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																<b>303</b>
Nanyocho:	Chiefs						17 <sup>m*</sup>	13 <sup>m*</sup>		26 <sup>m*</sup>	9 <sup>m*</sup>		29 <sup>m*</sup>	12 <sup>m*</sup>	106	
	Police Assistants						6 <sup>m*</sup>	12 <sup>m*</sup>		10 <sup>m*</sup>	12 <sup>m*</sup>		7 <sup>m*</sup>	8 <sup>m*</sup>	55	
	Teacher Assistants															
	Woodworking school															
	Nurse Assistants	2 <sup>e*</sup>				1 <sup>e*</sup>	1 <sup>e*</sup>	1 <sup>e*</sup>		1 <sup>e*</sup>	1 <sup>e*</sup>		1 <sup>e*</sup>	1 <sup>e*</sup>	9	
NKKK:	Sugar Mill Workers										9 <sup>q*</sup>				9	
	Tenant Farmers															
	Nurses										2 <sup>r*</sup>				2	
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers							2 <sup>s</sup>							2	
Nantaku:	Office Workers												120 <sup>t</sup>		120	

**Table 23. (Continued) Employment of Micronesians in 1944**

Notes/Sources:

- \* Estimated figure
- a Carucci (1989), pp. 74-75; Heine (1991), p. 114; Richard (1957), pp. 344-345.
- b Higuchi (1986), interview with Termeteet Eusevio, p. 2; interview with Thomas Tellei, p. 1; interview with Fancisco (sic) Morei, p. 3; interview with Makino Tariu, p.3, 5; interview with Andres Demei, p.3.
- c Higuchi (1986), interview with Meltel Kodong, p. 1; interview with Timarong Adelbert, p. 1; interview with Makino Tariu, p.3.
- d Poyer (1991), p. 85; Falgout (1991), p. 124, quoting Higuchi (1984).
- e Higuchi (1986), interview with Joselph Tellei, p. 4-5.
- f Higuchi (1987), pp. 106-107.
- g Hunter-Anderson (1995), p. 272; Higuchi (1986), interview with Joseph Tellei, pp. 4-5; Poyer (1995), p. 235, 252.
- h Higuchi (1986), interview with Tadashi Ichikawa, p.4.
- j Poyer (1995), pp. 234-235.
- k Higuchi (1986), interview with Thomas Tellei, p.1; interview with Elibosang Eungel, p.1, 3; interview with Simon Ramariu, p.1; interview with Yano Mariul, p.3; interview with Fancisco (sic) Morei, p.3; interview with Ichiro Blesam, p.3; Higuchi (1987), pp. 101-102; Tellei (1991), p. 157; Hiugchi (1985), p. 32; Higuchi (1987), p. 163.
- l Higuchi (1987), p. 49, p. 55 n. 12.
- m Japan submitted League of Nations reports only up to 1937. This number is estimated based on the 1937 report.
- n Based on letter from Allied International Company, Washington, D.C., to Mr. William Yaomans, dated April 26, 1956, regarding reopening the Babelthuap mines. The statement in the letter is confusing because it mixes past tense and present tense: "Local labourers will be employed. Approximately 700-800. Engineers were 20 Japanese and 10 Natives. Office clerks were 10 Japanese and 10 natives." It seems they are making their estimate on pre-war conditions.
- o Shimode (1982), pp. 143-148.
- p Embree (1946), p. 95.
- q King (1976), p. 22.
- r King (1976), p. 33.
- s Higuchi (1986), interview with Fancisco [sic] Morei, p. 1; interview with Tadashi Ichikawa, p. 1.
- t Dolan (1974), pp. 70-71.

**Table 24. Employment of Micronesians in 1945**

Employer	Occupation	Island or Island District												Subtotal	Total	
		Angaur	Babelthuap	Ebon	Feis	Kusaie	Marshallis	Palau	Peleliu	Ponape	Saipan	Sonsorol	Truk			Yap
<b>LARGE-SCALE</b>																<b>100</b>
Army:	Construction															
	Agricultural															
	Soldiers							80 <sup>a</sup>		20 <sup>b</sup>						100
<b>MEDIUM-SCALE</b>																<b>895</b>
Nanyocho:	Mining															
Nantaku:	Mining	485 <sup>c</sup>		60 <sup>d</sup>	200 <sup>d</sup>							150 <sup>e</sup>				895
N. Kohatsu:	Mining															
<b>SMALL-SCALE</b>																<b>181</b>
Nanyocho:	Chiefs						17 <sup>f*</sup>	13 <sup>f*</sup>		26 <sup>f*</sup>	9 <sup>f*</sup>		29 <sup>f*</sup>	12 <sup>f*</sup>		106
	Police Assistants						6 <sup>f*</sup>	12 <sup>f*</sup>		10 <sup>f*</sup>	12 <sup>f*</sup>		7 <sup>f*</sup>	8 <sup>f*</sup>		55
	Teacher Assistants															
	Woodworking school															
	Nurse Assistants	2 <sup>g*</sup>				1 <sup>g*</sup>	1 <sup>g*</sup>	1 <sup>g*</sup>		1 <sup>g*</sup>	1 <sup>g*</sup>		1 <sup>g*</sup>	1 <sup>g*</sup>		9
NKKK:	Sugar Mill Workers										9 <sup>h</sup>					9
	Tenant Farmers															
	Nurses										2 <sup>g*</sup>					2
NBK:	Huskers															
	Stevedores															
	Tree Planters															
	Collection Site Workers															
	Office Workers															
Nantaku:	Office Workers															

**Table 24. (Continued) Employment of Micronesians in 1945**

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Notes/Sources:

\* Estimated figure

a Higuchi (1985), p. 32; Higuchi (1987), p. 163.

b Reported in Greenberger (1974), p. 163.

c Embree (1946), p. 101.

d Shimode (1982), pp. 143-148.

e Embree (1946), p. 95

f Japan submitted League of Nations reports only up to 1937. This number is estimated based on the 1937 report.

g King (1976), p. 33.

h King (1976), p. 22.

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