



# **Comparative Analysis of the Language Interpretation at the Nuremberg and Tokyo Trials following the Second World War**

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## **Chapter One: Introduction and Research Objectives**

### **1. Introduction**

Historically, international military tribunals have been created to establish and enforce international standards for the conduct of war and for the prevention and deterrence of human atrocities such as genocide, war crimes, and torture (Snyder & Vinjamuri, 2003, p. 5). The international military tribunals and trials in the aftermath of World War II were designed to carry out justice and therefore, the post war trials later took place. Similar trials occurred after Balkan conflict and the Rwandan genocide. In the war of the Balkans, the Slobodan Milošević army killed hundreds of Albanians. The majority of human rights violations were committed between 1998 and 1999 by the Yugoslavian Army. These violations also included abuse at the hands of the Kosovo Liberation army. Crimes against humanity and violation of human rights were committed, ethnic cleansing, rape, the looting of schools and healthcare facilities, organ theft, and there were rampant executions. The post Rwanda trials and the war tribunal were set into motion by virtue of a UN resolution and the International Criminal Tribunal for Rwanda digitized all the video recordings of the trials in three languages – French, English and Kinyarwanda.

The Nuremberg Trials and the Tokyo trials set a precedent for the subsequent language interpretation services provided in post criminal war trials such as the ones in Rwanda and the Balkans. However, the Nuremberg and Tokyo trials differed in their historical context, participants, and interpretation services offered. The author of this study therefore deems that comparing the two trials is an area of research that merits study. This research study looks directly into the post-World War II tribunals against key participants of the Second World War. An analysis of the interpretation process in both trials can provide some insight into the historical context of each trial and through a linguistic approach, give the reader a better understanding as to why each trial was carried out in a determined way. This research study will therefore carry out a comparative analysis of the language interpretations that took place in the Nuremberg and Tokyo military trials after the Second World War.

The International Military Tribunal in Nuremberg (IMTN) at the Nuremberg trials represented the first trial of civilians, military, and government officials for war time crimes under international law (Korn, 2017, p. 731). The linguistic aspects of the Nuremberg Trials have been widely studied academically and are seen as a landmark in the field of professional court and conference interpreting. However, the International Military Tribunal for the Far East (IMTFE), also referred to as the Tokyo Tribunal, which was established after the IMTN, has not received as much academic attention in academic literature compared to the IMTN (Kaufman, 2010, p. 753). In addition to providing some insight into the language interpretation mechanism used at the Nuremberg and Tokyo trials, this research study will elaborate and give a more analytical perspective into the Tokyo Trials.

The German and Tokyo military tribunals, which led to the trying of numerous military officials, have sparked significant interest in the study of war crimes. The words and deeds of those officials placed on trial have been captured in literature and tend to provide narratives of the human atrocities committed and depict perpetrators who seem to have felt justified in their cruelty. This research study moves away from the conventional dramatization of the human element and focuses instead on a factual lay out of the interpretation processes at Nuremberg and Tokyo. This lay out seeks to evaluate the language interpretation conducted and compare the two interpretation mechanisms put in place in order to conduct an academic comparison of two of the most important military trials in history. Therefore, this study looks at the treatment, qualifications, training, and work of the interpreters.

### **1.1 Purpose Statement**

The military war tribunals in Nuremberg and Tokyo were respectively, multilingual and bilingual proceedings and as such the interpretations and role of the interpreter deserves attention. As Nartowska (2015) explained, the interpreter's role in bilingual proceedings is significant because the interpreter becomes an active participant in the trial and influences standard trial procedure. Moreover, the interpreter changes how the parties interact while at the same time facilitating communication between them. The official public record, by way of their interventions, is also primarily in the hands of the

court interpreter; so consequently, the courtroom interpretation mechanism utilized is vital for the subsequent precedential value of trial. The language interpretation of a trial likewise has a significant impact on the way in which the parties understand trial proceedings and outcomes, is reported by news media, and subsequently received by the public.

The time period following the Second World War has been extensively studied and academic works from the era have been of great benefit for the writing of this thesis. This comparative study aims to highlight and evaluate the differences between the language interpretations and the language interpretation system used in the two most important war crime trials of the last century immediately following the Second World War carried out by The International Military Tribunal for the Far East (also known as The Tokyo Trial or the Tokyo War Crimes Tribunal) and the International Military Tribunal in Nuremberg (IMTN). Only more recently have criminal justice and war crime researchers delved deeper into the interpretation aspects of the Tokyo and the Nuremberg Trials.

## **1.2 Motivation**

The primary motivation for the writing of this thesis stems from the author's own professional experience as a court interpreter as well as a keen interest in the history of interpretation. Moreover, a study of this type in which the interpretation process of two of the most significant war crimes trial in history are compared is very difficult to find in literature. The paucity of studies on this subject was therefore another motivating factor for the undertaking of this thesis.

However, this academic work is constrained by its limited parameters, and while a more complete study of the history of court interpretation would produce more comprehensive results, such study would limit the attention that the author can give to the key areas of this work. Consequently, the author has decided to limit his research and focus exclusively on the interpretation mechanisms put into place at Nuremberg and Tokyo.

### **1.3 Aim and Objectives**

The aim of this thesis is to carry out a comparative study of the interpretation procedures implemented in the Tokyo War Crimes Tribunal and in the Nuremberg Trials. In order to achieve this aim, the following objectives will be put forth:

- Identifying the ethical issues surrounding the interpretation processes of the military trials in Tokyo and Nuremberg.
- Identifying what resources were available to and used by both international military courts.
- Identifying the mode of interpretation used by the international military tribunals in Tokyo and Nuremberg.
- Identifying the different interpreter profiles in both military tribunals.

### **1.4 Research Questions**

In order to achieve the foregoing objectives, the following research questions will be investigated in this research study:

- What were the ethical implications in both trials being that they were held in a post-war era?
- How did each trial differ in each setting?
- Based on their regional context and international importance, what technical resources did each trial have available?
- How did these resources affect interpretation and trial procedure? Were simultaneous or consecutive used in each trial?
- What were the motivations behind the use of these two modes of interpretation?
- What were the professional consequences of each of the trials in the field of interpretation?
- What criteria were used and why in each trial to select the interpreters?

## Chapter Two: Research Methodology

### 2. Research Methods

This research uses a library-based, desktop method. This method involves the collection and analysis of secondary data by another author of perhaps a different area of study, but certain aspects of said research are relevant to this one. The aforementioned research methods involve the collection of said secondary data from conventional libraries and/or online databases.

The secondary data used for the writing of this thesis consist of textbooks, journal articles, and other archived material that establishes facts, background information, theories and ideas relevant to the implementation of the tribunals, their functions, history, process and more importantly, interpretation procedures and methods.

All relevant data was sorted and analyzed by the author in order to answer the previously stated research questions. The author then separated the information into four categories: ethical considerations, interpreter profile, technical resources available at each trial, and mode of interpretation. Next, comparative tables were made to organize and compare the data categorically. Afterwards, based on the data collected, the author formulated his own opinion on the subject matter.

#### 2.1. Data Collection

Relevant data was collected by entering key words such as “Nuremberg Trials” and “Tokyo Trials” into online search engines and academic journals where databases for secondary sources could be found. These databases included Google scholar, JSTOR, Taylor and Francis, Google books, Google, Jum, *The Translator*, Semantic Scholar, and SpringerLink. Each search gave links to articles containing the entered key words. The author read summaries and abstracts and weighed relevance in accordance with a predetermined inclusion and exclusion criteria. Thus, any material that was of value to answer the research questions and meeting the objectives of this research was to be included in the study.

The author then checked the material for research methods, dates, and publication reputation. Only the latest publications with the most reliable research methods and

reputable publications have been included in this study. Altogether the researcher identified at least 30 usable works and proceeded from there.

### **Chapter Three: Literature Review**

#### **3. Background – Interpretation**

Interpreting facilitates communication across different cultures and languages. In a bilingual or multilingual courtroom process, the communication of information for evidential purposes takes on a higher level of importance. This is because communication is not merely for the exchange of emotions, feelings, ideas and information, but in a courtroom setting, communication is more about the documenting of facts and observations from the perspective of the speaker who is usually sworn to tell the truth. This is why in a courtroom there are essentially two types of language intervention. First, there is the neutral, robotic translation of words and secondly, there is the action of the interpreter who interprets and decodes what the interpreter understands the speaker to be saying or intending to say (Morris, 1995, p. 25).

Interpretation in the courtroom is extremely important for ensuring that access to justice is not denied to some. For example, in an English language courtroom, the failure to provide interpretation for non-English litigants is tantamount to a denial of access to justice (Gonzalez; Vasquez & Mikkelson, 2012, p. viii). Therefore, language interpretation is essential in any bilingual or multilingual case. It is therefore hardly surprising that some states have issued interpretation guidelines and rules for interpreters to follow when carrying out interpreter's duties in a courtroom (Professional Ethics and the Role of the Court Interpreter, n.d.) and the emphasis appears to be on the interpreter's accuracy (Liu & Hale, 2018, p. 299).

The reliance on the accuracy of the interpreter is very important and can be very tenuous in any professional setting. As Drugan (2017) points out, interpretation and translating services are “unregulated activities in most countries” although “interpreters and translators perform challenging work in sensitive domains such as the law, medicine and social work” (p. 126). Other professionals usually have a referential code of ethics for guiding their behavior. Interpreters and translators do not usually have this kind of

assistance (Drugan, 2017, p. 126). In other words, the interpreter is left to his or her own devices in terms of determining how to behave ethically.

In a courtroom setting the code of ethics may not be of the utmost importance. This is because one expects that the solemnity of the proceedings together with penalty of perjury would ensure that witnesses and interpreters behave ethically. It may depend on whether an interpreter is sworn in and this is a matter of practice for each court. Most courts do in fact, swear their interpreters in. For example, the Administrative Office of Pennsylvania Courts devised the following for the swearing in of interpreters:

Do you solemnly swear or affirm that you will make an accurate, complete and impartial interpretation from the English language into the [target language], and vice-versa, of all communication during this proceeding using your best skill, judgment and ability and that you will abide by the Rules of Professional Conduct for Judiciary Interpreters, and so you do swear or affirm? (Administrative Office of Pennsylvania Courts, n.d.).

It is important to note that by swearing in, the interpreter is bound to a code of ethics applicable to that particular judicial system in Pennsylvania. If there is no code of ethics in the specific jurisdiction, the court cannot bind the interpreter to a code of ethics, which will resolve most ethical dilemmas albeit. Secondly, the oath cited above indicates that accuracy and impartiality are important ethical issues. Thus, the oath and a code of ethics are important tools to motivate the interpreter to remain neutral, honest, and accurate in the interpretation and of a speaker, particularly a key witness in any proceedings before a court of law.

It is therefore a trite assumption that the stakes are high in the interpretation of evidential testimony in a courtroom setting. An interpreter's interpretation of witness testimony can have a significant influence on the outcome of a trial. Therefore, ethical regulations are important and necessary. The court needs to be in a position where it can ensure that the interpreter is impartial, skilled, and capable of accurately translating and interpreting a witness's testimony. A code of ethics provides the ethical framework that is essential in a courtroom.

Interpreter neutrality at both the Nuremberg and Tokyo trials is very important for discussing ethical considerations. In addition to the trauma of war there were also conflicting allegiances. For instance, some of the soldier witnesses called to the witness stand at the Tokyo trials were giving sworn testimony against their superior officers. At the Nuremberg trials, some of the interpreters and witnesses were victims of the Holocaust. In both cases there was undeniably a risk of conflict of interest for interpreters who may have been moved in favor of or against the witness with the potential for intentional or accidental interpretation errors.

Prior to the Nuremberg Trials, there were only two options open to courts in multilingual or bilingual trials: whispering and consecutive modes of interpretation. However, neither mode was efficient and significantly slowed down the proceedings. Whispered interpretation was flawed because “although whispered, the interpreter’s voice interfered with the voice of the speaker” (Gaiba, 1998, p. 29). Consecutive interpretation was quite slow “because every sentence had to be repeated in every other working language” and as a result, delays were commonplace (Gaiba, 1998, p. 29).

Francesco Gaiba provides sufficient details of interpreters to facilitate a working knowledge of the status of interpreters that participated in the Nuremberg Trials. With the above background information, the paper will discuss major definitions and terms before discussing the theoretical framework of interpretation carried out in the Nuremberg Trials.

Translation: the terms "translation" is often used in a similar sense with interpretation yet, they are two different professions and activities that are related. The work of a translator is to rewrite the meaning of a text in a different language. The translators read a text until that gain a complete understanding of it and then express the ideas in the target language. Ultimately, translation refers to the written language transfer and interpretation refers to the oral transfer of one language to another.

Interpretation: Interpreters address the spoken language. Their work is to mediate communication between people who speak different languages. Although the interpreter is required to have good linguistic and cultural skills, the interpreter needs to have “outstanding cognitive processing skills” (Cerezo, 2015, p. 313). An interpreter listens to the message in the source language, then understands and processes the message, then

reformulates the message into the target language. An interpreter must be accurate and precise. It is necessary that the interpreter retains the expression, tone, and choice of words of the speaker. In the courtroom, depending on the interaction, a certain type of interpretation method will be used.

**Simultaneous interpretation:** In this mode, the interpreters transfer the information into the target language immediately as they understand each unit of the meaning. In this method, the interpreters understand part of the information before they translate it into the target language. The lag between the original and the transferred information is called *décalage*. The *décalage* varies according to the interpreter and or the particularities of the speaker and can be from six to eight seconds. The speakers and the interpreters both talk into microphones while the listener wears earphones. With the interpretation happening simultaneously there is no need to wait for a partial rendition of the interpretation.

Whispered interpreting or interpretation without equipment is similar to simultaneous interpretation, but without headphones and microphones. The interpreters sit adjacent to those who do not understand the language being spoken and then whisper the interpretation into their ear. Court interpreters use this method mainly when interpreting for defendants. Whispered interpretation however is considered “marginal.” This is due to the fact that although it is an accepted mode of interpreting in professional and institutional settings, it is rarely covered in academic literature (Baxter, 2015, p. 59).

**Consecutive interpretation:** In this mode the interpreters render the message in the target language after the speaker finishes a section of their discourse. The interpreter takes notes while the original message is being spoken. Then the interpreter interprets the speech with the aid of their notes. When it comes to accuracy, this system is better as it gives time for the interpreter to understand the context before beginning their interpretation. This method however, becomes inefficient when multiple languages are involved. The time doubles with every additional language, but it is however the less expensive method and the most common method for the cross-examination of witnesses. It is also worth noting that by increasing the total time of the proceedings, the overall cost of the trial increases.

The language interpretation at the Nuremberg trials was unique because it was the first time any court carried out simultaneous interpretation in an international courtroom.

This mode of interpretation was utilized in order to conduct a multilingual trial (Gaiba, 1998, pp. 19-20). Since simultaneous interpretation is when one language is continuously spoken and the target language is being produced at the same time, the individual being interpreted speaks while the interpreter speaks at the same time facilitating immediate understanding of the person being interpreted (National Association of Judiciary Interpreters & Translators, 2006).

### **3.1. Background Theory, Nuremberg Trials**

With the above-discussed literature, this research study will first delve into the understanding of the theoretical framework of the Nuremberg Trials. The IMTN and the IMTFE were organized to punish the war crimes committed during World War II. They both took place at roughly the same time. The Nuremberg trials were from November 1945 to August 1946 and the Tokyo trials were held from May 1946 to November 1948. The interpreters at both trials were "chance interpreters," meaning that they became interpreters due to circumstance and not because that was their profession. Many were untrained and they went through a phase of experimental training procedures of trial and error. Gaiba (1998) describes the preparation, the interpretation system, the influence of the proceedings, and the lives of these interpreters outside of the courtroom through the use of archival documents, transcripts, interviews, microfilms, and the interpreters themselves.

While planning and preparing for the trials at Nuremberg, "the need for spontaneous, immediate multilingual interpretation became obvious" (Karton, 2008, p. 19). Organizers and national officials therefore needed to respond to the difficulties anticipated in setting up and the implementation of simultaneous interpretation (Karton, 2008, p. 19). As the chief US prosecutor, Supreme Court Justice Robert Jackson pointed out:

I think that there is no problem that has given me as much trouble and as much discouragement as this problem of trying to conduct a trial in four languages...Unless this problem is solved, the trial will be such a confusion of tongues that it will be ridiculous, and I fear ridicule much more than hate (Karton, 2008, p. 20).

US Colonel Leon Dostert who served as General Eisenhower's interpreter during the Second World War, felt that the "Filene-Findlay equipment" (the simultaneous interpretation equipment named after its US and American producers) could be modified and used at the Nuremberg trials for the "spontaneous and immediate interpretation of the proceedings (Karton, 2008, p. 20). Dostert directed the process, and while doing so he became the Nuremberg trials' first chief interpreter. Today's courtroom interpretations are a "direct descendant of the Nuremberg system" (Karton, 2008, p. 20).

The account from Gaiba (1998) about the interpreter team is very apt and clear and through her work one can easily understand the electronic interpretation system. The biggest difference between interpretation arrangements in the Tokyo Trial and the Nuremberg trial is the presence of consecutive interpretation in the Tokyo Trials and that of simultaneous interpretation in the Nuremberg Trials. The Nuremberg trials as well as Tokyo also used system monitors to ensure a smooth interpreting operation.

To ascertain that the electronic systems at Nuremberg worked properly, steps were taken to ensure that the volume levels going in and out of the interpreters' booth were appropriate. A sound monitor sat behind a glass cage near the press gallery and was responsible for the on-off microphones. The sound monitor controlled noise level because it was crucial for interpreter to clearly hear the speaker at all times (Gaiba, 1998, p. 68). This person ensured that the speaker was speaking at a recognizable and audible pace. The stress and fatigue level of the interpreters were also a concern for the interpreter monitors. These monitors were assigned to an interpreter team and were the liaison between the interpreters and the court. Additionally, they were in charge of interpreter replacement and would even replace a fatigued interpreter if they had the right language combination (p. 82). It is clear in Gaiba's (1998) record that the monitors were intended primarily for protecting and ensuring the integrity of the interpretations (p.78). Moreover, Gaiba (1998) explains the existence of a recording system to make sure that the interpretations are accurate (p.78). The recording system included stenographic recording, electrical recording, printing, and reviewing trial transcripts. The interpreters themselves were involved in the reviewing of these transcripts and in the correction or improvement of any previous interpretation that may have resulted in a misunderstanding. After the Nuremberg trials, there were significant developments in the

fields of interpreter training, conference interpreting, and interpretation during real time in courtroom settings.

Matasov (2018) describes a comprehensive interpretation system at Nuremberg. The interpretation team consisted of 36 simultaneous interpreters: 12 consecutive interpreters who were skilled in languages that were different from the four languages of the allies such as Czech, Hungarian, Yiddish, and Polish; 20-25 translators with 15-18 preparing “raw translations” and the “remaining 8 later editing and proofreading the translated material;” and 10 typists for each team.

The quantity of simultaneous interpreters was consistent for the duration of the Nuremberg trials. There were three teams: A, B, and C. Twelve interpreters were assigned to each team and they worked in shifts. Team C would be the team resting on a particular day while team A would work in the aquarium (booth) for 85 minutes each morning. Three interpreters occupied each booth with an assigned language to interpret. The interpreters in the booth took turns interpreting (Matasov, 2018).

In the meantime, team B remained on standby in Room 606, which was nearby. This other team in Room 606 followed the proceedings via headphones. This team was prepared to replace any interpreter who could not continue the interpretation, or “made serious mistakes in their interpretation” (Matasov, 2018). This team also created glossaries of words gathered from the working simultaneous interpreters. These glossaries “ensured that all the teams used the same terminology and provided continuity in the interpretation” (Matasov, 2018). The team that was resting would proofread the reports, aid translators and interpret the closing proceedings.

For the duration of trial, two auxiliary interpreters were positioned behind the judges. The judges looked to the auxiliary interpreters behind them to facilitate urgent communications between them. These two interpreters were capable of speaking Russian, English, and French. The head team interpreter sat in the middle of the English booth and the court officers. The head interpreters were responsible for ensuring that the equipment and the interpreters performed well. The head interpreter also mediated between the judges and interpreters in the booths. They had a switch that set off a yellow or red light when clicked. The yellow light informed the judge that the speaker spoke too quickly.

The red light was used to inform the judge that there was a serious issue such as an uncontrollable cough by one of the interpreters.

One of the primary difficulties was the recruitment and selection of interpreters. Among the interpreters the only experienced simultaneous interpreter was André Kaminker, a senior French interpreter; and while there did exist The Geneva School of Interpreters that was recognized worldwide, it did not offer simultaneous interpretation training at the time. Therefore, the recruitment process was complicated and experimental. Recruitment took place in two phases. First the deputy chief interpreters in one of the cities of an ally country would test the candidates' listening and interpreting capabilities. When a candidate passed the first phase, he or she was then sent to Nuremberg to undergo the second phase of testing. This subsequent test was to determine whether the candidate was "suitable for the task" (Matasov, 2018).

According to Patricia van der Elst, a French interpreter who translated from French to English in the Nuremberg trials, her training experience was as follows:

A test was organized at the Geneva University School of Interpreters, which, to my surprise, I passed. We had learnt consecutive interpretation only and to find myself speaking into a microphone at the same time that I was listening to a disembodied voice through earphones was thoroughly disconcerting (Matasov, 2018).

In addition to what appears to be an experimental implementation of simultaneous interpretations, the interpreters had to demonstrate their aptness for the job to both the prosecution and the defense (Matasov, 2018).

Gaiba's work (1998) is the best source for identifying the differences between the process of interpretation in the IMFTE and the Nuremberg trials. In the next section, the work will discuss the theoretical framework of the Tokyo trials before going to the methodology and delving into the analysis and discussion section.

### **3.2 Background Theory, Tokyo Trials**

Although similar to the Nuremberg trials, there is a disparity in the amount of published academic study on the language interpretation of the Nuremberg trials and the

Tokyo trials with the latter having less material available. Moreover, there were differences in the interpretation system between the two and in their use of language arbiters and monitors. The interpreting process also had a significant impact on the proceedings but was necessary to the Tokyo trial in order to make sure that the defendant had a fair trial under Section 3, Article 9, Charter of the International Tribunal for the Far East (IMTFE).

The Tokyo Trial had twenty-seven Japanese people who were appointed as interpreters. They were selected if they had good English language skills. There were four monitors that the Allied powers hired in order to supervise the interpreters and ensure accuracy of the English interpretation. The monitors were second generation Japanese who had lived in the United States and served the Allied Power Translation and Interpretation Unit (ATIS) during World War II and it was assumed that they had good knowledge of English, Japanese, and Japanese culture and history. The main requirement for being an interpreter at the Tokyo trial was English proficiency. In the analysis and discussion section, this work will discuss the way the interpretation was carried out during the trial and will compare it with the language interpretation at the Nuremberg trials. The training, mode, and other structural aspects of the trial will help in the understanding as to how the interpretation actually took place.

At the Tokyo Trials, interpretation booths were installed and fitted with the same IBM system that had been used at the Nuremberg trials (Watanabe, 2009, p. 59). The IBM system had “proved so effective and efficient that it was incorporated into the design of the courtroom for the Tokyo Trial” (Watanabe, 2009, p. 59). Through the IBM system “whenever possible a simultaneous translation into English or Japanese was given” (Watanabe, 2009, p. 59). In the meantime, “cross-examination and extempore argument on objections and other incidental proceedings” were “translated in the ordinary way as they proceeded,” that is consecutively (Watanabe, 2009, pp. 59-60).

Although the official languages of the Tokyo Trial were English and Japanese, France’s prosecution only spoke French; therefore French was added to the language interpretation requirements of the Tokyo Trial. Other language additions were Chinese, Russian and Dutch into Japanese as needed (Watanabe, 2009, p. 60). It is important to

note that the Tokyo Trial did use simultaneous interpretation for the Russian language but English and Japanese were the two official languages.

Watanabe (2009) reports that the Japanese interpreters used at the Tokyo Trial had no previous experience as “professional interpreters” (p. 61). At the time, it was problematic finding and employing interpreters with a good command of both the English and Japanese languages and with a working knowledge of key legal words and phrases. Testing took place via mock trials about two months ahead of the start of the Tokyo trials. The participants were asked to interpret a judge’s statement, a prosecution, or a defense attorney’s statement (Watanabe, 2009, p. 61).

If the interpreter’s interpretation of the statements was adequate, the Language Division of the International Military Tribunal for the Far East hired them. For the initial three months of the Tokyo trial, the interpreters went through a trial process and at times more skilled interpreters replaced interpreters who had already been hired. Among the interpreters hired there were “former consul and officials from the Japanese Ministry of Foreign Affairs and a reporter from a news agency” (Watanabe, 2009, p. 62). The interpreters had not been trained previously nor had they prepared for the trial. They were only provided with “technical information about the courtroom” (Watanabe, 2014, p. 62).

The interpreters translated between English and Japanese and were stationed in an interpreter’s booth. Each booth had two interpreters, one to go into English, and one to go into Japanese. “If an interpreter had a problem, the other could take over and interpret in the opposition direction. Each interpreter worked consecutively for about 30 minutes” (Watanabe, 2014, p. 62).

The allies were concerned about ethics, impartiality, and their image being that many of the interpreters hired were Japanese nationals. They did not want it to look like the Japanese, the defeated nation, was running the trial. Therefore, Nisei (American born to Japanese immigrants) were hired as monitors. These monitors were officials from the Language Division of the International Military Tribunal for the Far East. Altogether there were four monitors who were “second generation Japanese residents of the US who were born in America but raised and educated in Japan” and who had been repatriated back to the US prior to the Second World War (Watanabe, 2014, 63). These monitors were used whenever possible and their duties included reading out important prepared

documents such as the official Japanese-translated arraignments and judgments (Takeda, 2010, p. 73).

In a case study of the cross-examination of one witness at the Tokyo trial, Watanabe (2014) identified 172 incidents in which the monitors intervened in Japanese interpretation and 88 times in the English interpretations (p. 72). What can be observed is that there were “nearly twice as many interventions in Japanese interpretations” (Watanabe, 2014, p. 73). Watanabe (2014) argues that this disparity in the interventions by the monitors may have been “caused by a lack of familiarity with English words and expressions specific to pre-war Japan” and the “legal terminology among Japanese interpreters” (Watanabe, 2014, p. 73). Among the interpreters were those who originated from bilingual backgrounds or had resided in the US. As a result, it may have been easier for them “to translate Japanese into English” (Watanabe, 2014, p. 73).

### **3.3. Interpreter Profiles**

Due to the fact that the linguistic necessities for the Nuremberg trials were quite different from those of the Tokyo Trials, the interpreter profiles of one trial when compared to the other contained some notable differences. In the following section, the author has chosen the core interpreter team for the Tokyo trials and as for the Nuremberg interpreter profiles; the author limits himself to choosing one interpreter for each of the four official languages to demonstrate the differences between each group of interpreters. The interpreters chosen were André Kaminker and Léon Dostert, two prominent French interpreters (among others), that the author deemed essential in the writing of this section, as well as a victim of Nazi discrimination, a common occurrence at Nuremberg.

First, there will be a brief personal/professional profile description of the interpreters at Tokyo followed by the interpreters at Nuremberg. Following said descriptions, the differences will be evaluated by the author and certain conclusions will be made.

Shimanouchi, who was used the most during the Tokyo trials, was born in Japan in 1909 and subsequently moved to the US in 1912. His father published a newspaper in Japanese until he died in an internment camp. After graduating from a US college, Shimanouchi was forced to return to Japan because he was unable to find work due to his

inability to qualify for American citizenship. Back in Japan, Shimanouchi worked for the Ministry of Foreign Affairs during the Second World War. His career with the Ministry was quite successful and he was assigned to Japanese Consul General in Los Angeles as well as the Ambassador to Norway (Takeda, 2007, p. 70).

Kazumasa Eric Shimada, who served 323 sessions of the Tokyo trials, had a Japanese mother and a German father. Although Shimada went to Japanese schools he was exposed to multiple languages in Japan. He studied English as a university preparatory course and he also learned to speak English at an American missionary in Japan. While enrolled in university, Shimada began working for a French newspaper and studied French in Japan. While working for that French newspaper he also learned to write French. He was drafted to serve Japan when the country began losing the war. However, Shimada never experienced combat and was used as an interpreter among other duties. Shimada also worked as an interpreter in the trial of 93 Japanese officials in Australia in 1946 (Takeda, 2007, p. 71).

Takashi Oka who served 289 sessions of the Tokyo trial was born in 1924 and was a student at Rikkyo University in Tokyo during the trials. His mother was the daughter of a diplomat and lived in the US and Canada between the ages of 12 and 20. Oka's father was employed by an American company and Oka attended an American school in Japan from first grade to sixth grade. During the war, he did not have much time for studying because students were required to help with the war effort by taking up work manufacturing weapons and working in agriculture. When the war ended, Oka was hired as a translator for the IPS in preparation of the Tokyo trials (Takeda, 2007, p. 72).

There was a discernible pattern. The interpreters used at the Tokyo trials had some English language background in terms of their family and upbringing and for the most part, the interpreters were bilingual or multilingual and or had worked for Japanese ministries. These Japanese interpreters had the most experience with the English language and therefore, were used the most frequently in the Tokyo trials.

André Kaminker, a Nuremberg interpreter, was a prominent French interpreter born to an Austrian mother and Polish father. He studied Law and Philosophy at the Free University of Brussels and served in the French military. He then stayed in the occupied German Rhineland after World War One. He did have professional conference

interpreting experience prior to the Nuremberg trials with The League of Nations, The International Chamber of Commerce and on the radio, *The Paris Post Office*. Kaminker did have simultaneous interpretation experience prior to Nuremberg as a radio interpreter and had interpreted simultaneously one of Hitler's speeches at Nuremberg in 1934 (Widlund-Fantini, 2017).

As for the Nuremberg trials, Léon Dostert, chief interpreter and head of the Translation Division, was born in 1904 in France and "studied German and English at an early age" (Gaiba, 1998, p. 133). Dostert was an interpreter for the German and American Armies during the First World War. In 1921, Dostert moved to the US and ended up at Georgetown University in Washington, D.C. There he taught French and after graduating with a Ph.D, he became a French professor and chairman of the French department. In 1941, Dostert became a US citizen and joined the US army and was deployed during the Second World War. There he became General Dwight Eisenhower's first interpreter (Gaiba, 1998, p. 134).

Richard W. Sonnenfeldt was a German-born Jew who fled Nazi Germany at age 15. During the war, Mr. Sonnenfeldt was an American Army private that helped in the liberation of the concentration camp Dachau. Due to his native German and strong command of English, at the Nuremberg trials he became the chief interpreter for American Prosecutors and had interpreted various interrogations of high level German officials such as the Nazi Foreign Minister, Joachim von Ribbentrop (Sulzberger, 2009).

Boris Bogoslowksi, was an American with a Russian background and only served as an interpreter for a short period of time. However, Bogoslowksi was described as a "highly educated linguist" (Gaiba, 1998, p.135). Thomas Brown was a college lecturer and an American citizen and was hired to interpret from German to English. Prior to the trials he had engaged in some propaganda exercise in German for the Office of War information (Gaiba, 1998, p. 136).

Among the Japanese interpreters, their only common characteristic is that each one had experience with the English language. Japanese was a language extremely different culturally and linguistically from English and therefore, the use of Japanese nationals at the Tokyo trials became inevitable and the main requirement was just experience with the English language. The official interpreters only needed to have

English as a working language and that was the only requisite. All of the interpreters came from a variety of professional backgrounds and had not interpreted professionally prior to the trials.

However, unlike the Japanese interpreters, where there was no real pattern among the interpreters' profile, most of the Nuremberg interpreters appeared to be highly qualified, educated, had ample experience with a foreign language, and many had a background in linguistics. This is partly due to the strict selection criteria that was utilized to recruit interpreters and the fact that Léon Dosert, a professional interpreter, was in charge of the selection process. Along with Dostert, André Kaminker had professional interpreting experience and was also essential in the training of other interpreters. It can therefore be said that in general, the Nuremberg interpreters were more specialized in their field and had more interpreting experience than their Japanese counterparts.

#### **Chapter 4: Results, Analysis, and Discussion**

In this section, the results of the comparison of the two trials will first be organized and analyzed by way of a comparative table. The table is divided into the four following topics: mode of interpretation, resources at each trial, interpreter profile, and ethical implications. Subsequently, in the following subsections, conclusions will be made based on the results.

##### **4. Comparative Table**

<b>Objective</b>	<b>Tokyo</b>	<b>Nuremberg</b>	<b>Discussion</b>
<b>Interpretation Mode</b>	The consecutive mode of interpretation was used. It was decided that simultaneous interpretation between English and Japanese was not possible. There was also simultaneous reading of pre-translated documents. Much longer trial.	Was a multilingual trial therefore, simultaneous interpretation was deemed necessary for efficiency and effectiveness. Had experienced interpreters to implement mechanism.	The trials at Nuremberg were much more efficient when compared to Tokyo. This had mostly to do with the mode of interpretation selected, but also with the amount of qualified personnel.

<b>Resources</b>	Had use of IBM electronic equipment, but did not use it for simultaneous interpretation. Built interpreter booths and used a light system to control the speaker. There were interpretation teams, but there was not an even rotation and some interpreters were used much more than others. Reading of translated documents was important, but lack of qualified personnel.	Had electronic equipment and used system of channel and lights, but on a larger scale than Tokyo. Glass booths were also built. Teams of interpreters were larger and a more organized rotation was implemented.	Tokyo trials were modeled after Nuremberg, but on a much smaller scale. Harder to find qualified interpreters with Japanese, English combination. Also, Nuremberg disposed of interpreters with professional experience, such as Léon Dostert who organized the trials. The Tokyo trials did not have such a luxury.
<b>Interpreter Profile</b>	Most interpreters were from Japanese ministries or the military. The only requirement of Japanese nationals was that they had experience with English language and did not have to be completely proficient. Many did not have much professional interpreting experience	Many interpreters did have professional experience. Recruited highly educated professionals with ample knowledge of working languages. Recruitment process was more strict than Tokyo.	In general, Nuremberg had more qualified, educated interpreters compared to Tokyo. Recruitment process was stricter, but both trials went through many interpreters at the beginning.
<b>Ethics</b>	Many interpreters had served in the military and had to interpret for their superiors. There is no evidence that the interpreters were bound to a code of ethics.	No evidence that the interpreters were sworn in. Victims of Nazi oppression were hired as interpreters.	Difficult to find interpreters that were not involved at all in the war. These ethical implications were almost inevitable.

#### 4.1 Mode of Interpretation

Regarding the mode of interpretation, trials at Tokyo and Nuremberg each had different linguistic necessities. At the Nuremberg trials there was a need for special attention to the linguistic services as four official languages were involved while at the Tokyo trials there were only two official languages. Usually when a witness gives testimony, they speak into the ear of the interpreter who would then listen and interpret

into the microphone consecutively. However, at the Nuremberg trials, the process needed to be able to include four languages. There was not just one person but whole groups of people who spoke different languages. Therefore, the organizers, namely Léon Dostert, decided that simultaneous interpretation was the only viable option. However, in the Tokyo Trials, it was decided that English and Japanese were so culturally and syntactically different, that simultaneous interpretation, while appropriate at Nuremberg, its use would be inappropriate at Tokyo and therefore, it was decided that consecutive interpretation was the only viable option. However, there was simultaneous interpretation into Russian at Tokyo, but it was just a courtesy to the Russian delegation (Takeda, 2010, p. 16), and it did not form part of the official court record.

According to the Nuremberg trial charter, it was necessary for the trial to be carried out in an expeditious manner so that the time and cost were manageable and to keep the attention of the media, but at the same time, the defendants had the right to have a fair trial. It was thus necessary that all the proceedings were in a language that was understandable to the defendants, German. If the traditional consecutive interpretation method were to be used it would require four times as much time, being that there were four official languages

That being said however, although the Nuremberg trial had more official languages and interested parties, the trials at Tokyo did take longer than Nuremberg. Even though an immense effort was made to prepare speeches that would be read simultaneously, the Tokyo trials took significantly longer than Nuremberg (Nuremberg took less than one year while Tokyo took more than two) This was due mostly to the use of consecutive interpretation, which required much slower speech, under qualified personal, and a less efficient interpreting mechanism.

## **4.2 Resources**

The technical resources at both trials were relatively similar. Both trials had available the use of electronic equipment from IBM and glass interpreter booths were eventually installed with the Tokyo system being molded after its counterpart at Nuremberg. The main notable differences were in the interpreting mechanisms for each trial.

The equipment used at Nuremberg and Tokyo was the Filene Finlay system. Everyone during the trials wore earphones and spoke into microphones. It was possible for the listener, judge, lawyer and press personnel to choose their language including the original speech (verbatim). This was made possible as there were different channels available. Channel one was verbatim speech, channel 2 was for English, channel 3 was for Russian, channel four was for French and channel five was for German. For example, when anyone spoke German, the German desk was silent and the verbatim speech came through channel one. At all the other desks, only the interpreters that had German in their language combination spoke. The proper use of the channel switch was a bit complicated when it came to a witness examination. For example, when the Russian prosecutor cross examined a German witness, he would ask the question in Russian, the Russian desk would not speak and have their microphones off. The interpreters who knew Russian would listen to the original while the others heard the interpreted version through the other channels. When the witness would begin to reply in German, the Germans would quickly switch to channel five while at the French and the English desk the microphones remained on. More complications came when the French prosecutor needed to intervene to ask a question.

Similarly, the electronic equipment at Tokyo was similar just done on a much smaller scale. The same electronic equipment from IBM was installed and a similar channel system was used with small differences to accommodate the different linguistic needs of the Tokyo trials. The Japanese documents that were read simultaneous and Russian simultaneous interpretation were on the extreme right and channel 1 was for English while channel 2 was for Japanese.

A similar system of lights was used to control the speakers in each trial with one notable difference. A red and yellow light system was used by the monitors on behalf of the interpreters at Nuremberg and whenever the yellow light flashed, the speaker would be required to slow down; and if a red light flashed, then the speaker would have stop due to some sort of complication with the interpreter or because the speaker had ignored prior warnings. At the Tokyo trials, a red light system was also used to indicate when the speaker should start and stop speaking. The difference in light systems between the two trials had mostly to do with the mode of interpretation being used; and even though all of

the technical resources were available for simultaneous interpretation, it was decided that it was not possible between English and Japanese.

There were also notable differences in the interpreting mechanism. After accepting the idea of simultaneous interpretation at Nuremberg, a plan was laid out for carrying out this interpretation process in trial. It was necessary to have an interpreting, translating, and reporting unit. The plan called for thirty-six interpreters. There were three teams of twelve interpreters and two teams would alternate at the microphone while the other had the day off. There was a need for an administrative official in each interpreting unit. There was a requirement of twelve translators and nine stenographers for each of the languages. Before the beginning of the trial, all of the stenographers, interpreters, and translators were interrogated; also they were required to translate German documents that had been seized.

According to Takeda (2010), there were 27 Japanese-English interpreters used at the Tokyo trials and only 11 were used somewhat regularly, but there was no organized rotation (69). There would be two to four interpreters for each session of the day, am and pm. Each team would work for two days then have a day off so would work four days a week.

Since an effort was made to translate as many documents and speeches prior to court, the translation team was vital to the trial proceedings. There were thirty-thousand 30,000 pages of admitted evidence and a huge shortage of resources (Takeda, 2010, p. 42). Chief prosecutor Joseph Keenan asked for more translators, but ended up being Japanese nationals due to lack of qualified Anglo- personal. The translation team was under heavy security and was not allowed to leave the premises when it was time to pronounce sentences. It is also worth noting that there would be corrections and translation delays lasting up to one year, further slowing down the trial (Takeda, 2010, pp. 45-48).

Although both trials had at their disposition the same electronic equipment. The Nuremberg interpretation mechanism appears to have been far more organized and efficient than its counterpart in Tokyo. This is demonstrated mainly by the fact that the Tokyo trials took more than twice as a long as Nuremberg. This could possibly be due to that there were experienced interpreters at Nuremberg organizing the trials. Furthermore,

perhaps due to geographic proximity, there seemed to be more qualified people with European/Russian language combinations. The work cycle of the interpreters at Nuremberg was organized quite well indicating that the interpreters had spent a significant amount of time creating and maintaining a system that would ultimately keep up with the complex and time consuming trial forum while at Tokyo, it could be argued that the system was not as efficient and or effective due to its prolonged duration.

### **4.3 Interpreter Profile**

In both trials, the recruitment of competent interpreters was difficult. In both cases there was a significant revolving door at the beginning of each trial and more qualified interpreters would replace less qualified ones. The desired interpreter profile at Nuremberg was someone highly educated, good voice, clear enunciation, good mental agility, and of course, ample experience with the foreign language. Later on however, criteria was relaxed do to difficulty finding interpreters.

The recruitment of the interpreters for the Nuremberg trials was a two way process. Ads were placed in newspapers and the news of the interpreter positions circulated by way of Truman's executive order. The candidates were tested for a language in their home country then the selected and approved candidates were dispatched then to Nuremberg. Dostert then tested them for simultaneous interpreting and the training program lasted two months. Native German speakers however, were hard to find which led to the hiring of German-born Jews that had been victims of Nazi discrimination such as Richard W. Sonnenfeldt. This had ethical implications which will be discussed in the next section. The difficulty of the tasks made the selection criteria quite strict however, since Dostert, a qualified interpreter headed the operation, Nuremberg ended up with a bigger pool of qualified interpreters than in Tokyo where the three core interpreters (Oka, Shimada, and Shimanouchi), were used much more than the others due to their knowledge of English and Japanese.

The criteria for the recruitment process for the Tokyo trials however, were not as strict as Nuremberg. Due to a lack of personnel with extensive Japanese, English knowledge, interpreters for Tokyo were mainly Japanese nationals recruited from

Japanese ministries and military because there were not enough Japanese-Americans with enough knowledge of the Japanese language to have only American interpreters.

#### **4.4 Ethical implications**

Due to the linguistic nature of both trials, the hiring of interpreters that had been involved in the Second World War in some way was inevitable. In the Tokyo trials, as in the case of Shimouchi and Shimada, one had worked for years for the Japanese Foreign ministry and the other had served in the military representing a clear conflict of interest by modern day standards. At Nuremberg, Richard W. Sonnenfeldt, a Jew who had fled Nazi oppression and later became chief interpreter for the American prosecution team, represented another.

Moreover and perhaps most importantly, there is no evidence to suggest that either set of interpreters were bound by codes of ethics or professional codes. There is also no evidence suggesting that the court interpreters attached to either of the two courts were required to be sworn in. It is therefore worthwhile considering where the interpreters in either Tokyo or Nuremberg would have turned to had they confronted a moral or ethical dilemma. Since this is not known, the only conclusion at this point is that the interpreters had to make choices based on their personal values and tastes. Furthermore, if there had been a system to deal with ethical considerations during trial, that would have created a disturbance in the interpretation mechanism at both trials.

At the end of the day, the safest conclusion one can make is that both the interpretation processes in the Tokyo and Nuremberg trials were flawed, but due to the nature of the time period and that the war had affected all parties involved, these ethical implications were almost unavoidable.

## **Chapter Five: Conclusion**

### **5. Summary of Research and Research Findings**

This section of the final chapter summarizes the research carried out in this study and provides a summary of its findings. In particular, the research aims, objectives, and

research questions are set out here along side the results of said research aims, objectives, and questions.

The aim of this research study was to carry out a comparative study of the interpretation procedures used by the Tokyo War Crimes Tribunal and those used at the Nuremberg Trials. Ultimately, the research study set out to identify the interpretation procedures of the Tokyo War Crimes Tribunal and The International Military Tribunal in Nuremberg to then compare the two with the aim of identifying their differences and similarities

Ultimately, the research findings indicate that the Tokyo trials and the Nuremberg trials were similar in terms of the ethical implications of hiring interpreters that were not aligned with nor bound to a code of ethics. Both war crimes trials did not have rigorous recruitment and training criteria for interpreters being that such a task had never been undertaken before therefore, a system for the training of interpreters had to be improvised. In fact, between the two tribunals there was only one individual, André Kaminker, who had experience in simultaneous interpretation and Mr. Kaminker served in the Nuremberg trials. It was also determined that the Nuremberg trial used simultaneous interpretation and while the Tokyo trial did have a booth, it was only used for the oral simultaneous translation of pre-translated texts and for simultaneous Russian interpretation.

The differences between the two tribunals are related to structure, size and organization. The Nuremberg trial was a multilingual event while the Tokyo trial was mainly a bilingual one. The Nuremberg interpreters were far greater in size and much better organized with more resources allocated to it. The Tokyo trials, which received less international attention, were carried out on a much smaller scale.

In order to achieve the aim of this study the following objectives were put forth:

- Identification of the ethical issues surrounding the interpretation processes of the military trials in Tokyo and Nuremberg.

The only identifiable ethical issues in both the Nuremberg and Tokyo trials were associated with the lack of a code of ethics and therefore the danger of bias against the host state, or the allies. Interpretation bias however was more likely to occur in

the Japanese court where all of the interpreters had some connection to Japan. There is also no evidence that the list of candidates were sworn in prior to the proceedings so it is uncertain whether the interpreters were bound by a code of ethics or to standards that one might expect in a court of law. The potential bias of interpreters against the allies especially in Tokyo are not dealt with even though Takeda states that there are no known intentional manipulations carried out by the interpreters.

- An identification of the resources available to be used by both international military courts.

This study found that the resources used in both international military courts were virtually the same. It is obvious that the allies participated in both courts. Therefore, one can conclude that the resources available in one court are expected to be the same as in the other.

- Identification of the mode of interpretation used by the international military tribunals in Tokyo and Nuremberg.

Both the Tokyo and Nuremberg trials purported to have used simultaneous interpretation modes. The Nuremberg trial used several different other techniques including consecutive, and auxiliary interpretation. Although in the Tokyo trials simultaneous interpretation was used, it was not to interpret the official languages of the trial, English and Japanese and vice-versa. Therefore, the consecutive mode of interpretation was the main mode utilized.

- Identification of the interpreter profiles in both military tribunals.

The profiles of the interpreters in the Nuremberg trials are detailed by Gaiba (1998). Other than this author's attention to the specific profiles of the interpreters, there is a lack of literature on the profiles of the interpreters. At the Tokyo trials, the interpreters were described as individuals who happened to be fluent in both Japanese and English but turned out to be somewhat limited in their abilities to interpret from one language to another.

In order to achieve the foregoing objectives, the following research questions were investigated in this research study:

- What were the ethical implications in both trials being they were held in a post-war era?

It was not possible to state concretely that the ethical implications for both trials arose because the trials were held in the post-war era. Perhaps because the trials were held in a post-war era very close to the end of the war, emotions were raw on both sides and there was possibly an over-eagerness to prosecute and punish war crime offenders. While this is quite possible, there is nothing in the literature indicating that this as the case. What can be stated however is that the interpreters were not officially bound to comply with a code of ethics. As a result, the interpreters going into these trials were not affiliated with or bound to ethical policies and practices. It is therefore unknown whether the interpreters were sworn in or otherwise held to certain standards of honesty and professional objectivity. This is concerning in Japan where interpreters may have been expected to have a bias against the allies. After all, the allies were trying the military superiors of some of the interpreters for war crimes when the allies arguably committed the worse war crime against Japanese civilians by dropping the atomic bomb twice.

As for Nuremberg, victims of Nazi oppression were also used as interpreters and some even could not continue interpreting because they would relive a traumatic experience while interpreting for a German Defendant (Gaiba, 1998, p. 77). This by modern day standards would represent a clear conflict of interest, but was almost unavoidable because the war affected all parties involved one way or another.

Therefore, the extent to which the interpreters confronted and resolved ethical or moral conflicts is unknown. Perhaps the interpreters referred their concerns, if they had any, to the chief interpreter or to a member of the judicial branch. Or it is also possible that the interpreters were objective throughout and did not encounter

any ethical issues that they could not deal with appropriately. Still, the fact that the interpreters were not bound by a code of ethics or otherwise is concerning.

- How did each trial differ in each setting?

The arrangement and structuring of the interpreters in Nuremberg were very organized and ran more and more efficiently as the trial went on. The interpretation mechanism set up in Nuremberg was such that there were checks and balances to ensure accuracy. At the Tokyo hearings, what is known is that there were monitors that significantly slowed down the process by intervening, sometimes unnecessarily, in the interpretations. In other words, the Tokyo trials did not run as smoothly as the Nuremberg trials.

- Based on their regional context and international importance, what technical resources did each trial have available?

The Nuremberg trials used the simultaneous interpretation electronic equipment (IBM), booths, and other relevant equipment to facilitate the interpretation process. At the Tokyo trials, booths were eventually set up to facilitate the simultaneous reading of pre-translated documents and consecutive interpretation. One can only conclude that both courts had the resources necessary in order to conduct the language interpretation required. We do know that resources were constrained because the parties conducted post-war trials. This means that resources were in general given the time period and cost was always an issue. The Nuremberg trials used electronic equipment for simultaneous interpretation and this significantly sped up the trial process. In the Tokyo trials however, while the same equipment was at their disposition, the court officials did not use it in the same way as in Nuremberg.

- How did these resources affect interpretation and trial procedure? Were simultaneous or consecutive used in each trial?

The mode of interpretation at the Nuremberg trials was exclusively simultaneous while the Tokyo trials were both simultaneous and consecutive. The equipment in each trial allowed for interpretations to take place and gave the interpreters some

physical distance from the rest of the court proceedings. The main effect however was the amount of time it took to complete each trial. Due to language complications and the mode of interpretation used, the Tokyo trials lasted much longer than Nuremberg.

- What were the motivations behind the use of these two modes of interpretation?

The motivations for using conventional and simultaneous were different for each trial. While consecutive interpreting was a well-known interpreting technique, the multi-lingual character of the Nuremberg trials made this mode extremely impractical. Therefore, the simultaneous mode was if not cost and trial duration would have increased exponentially. At the trials, the equipment to carry out simultaneous interpreting was put into place but due to the linguistic nature of the Japanese language, it was decided that simultaneous interpreting would be ineffective and that consecutive was the more viable option. Moreover, this led to many more prepared speeches with their corresponding translation.

- What were the professional consequences of each of the trials in the field of interpretation?

The Nuremberg trials, even though they took place in a court setting, are seen as an example of conference interpreting being that it was a multilingual event and was highly published. The simultaneous interpretation mode was fully realized at Nuremberg and the interpreters there proved that such a method was possible and the most efficient in international, multilingual setting. Currently, this mode is used in almost all international conferences and is taught in universities all over the world. Moreover, some of the interpreters continued interpreting professionally for international organizations such as the United Nations.

Many of the interpreters from the Tokyo trials on the other hand, went back to their regular jobs after the trials and did not become involved in the professionalization of the field of conference interpreting in Japan.

- What criteria were used and why in each trial to select the interpreters?

The selection process was a trial and error process in both cases. In both Tokyo and Nuremberg, the interpreters were tested for their ability to interpret and for their overall language capacity. In Nuremberg, they looked for interpreters with ample experience in the foreign language as well as high levels of education in order to be able to interpret a wide range of subjects. Furthermore, they preferred bilingual people instead of multi-linguals and very few passed the selection process. However, due to a lack of highly qualified interpreters, some of these criteria were relaxed. The selection process at Tokyo was even more constrained by lack of qualified interpreters. The requirements therefore were not quite as demanding as Nuremberg and little interpreting experience was required. In fact, according to Takeda (2010), the interpreters “did not need to speak English well (p. 29).” Recruiting was mostly done through the International Prosecution Section, the Translator and interpreter service, and Japanese Ministry of foreign affairs.

### **5.1 Conclusion**

There were differences and at the same time similarities between the interpretation system at the Tokyo and Nuremberg trials. The main differences were related to the structure of the court interpretation systems. Undoubtedly, Nuremberg dealt with a much larger number of interpreters compared to the Tokyo trials and received much more international media attention. Moreover, the interpreters at the Nuremberg trial appeared to be quite a bit more qualified compared to those who worked the Tokyo trials and there was an experienced interpreter training the candidates at Nuremberg. Nuremberg dealt with four official languages and Tokyo dealt with only two official languages even though other languages were present in both trials. While both trials used simultaneous interpretation, Tokyo only used it as a courtesy for the Russian delegation and did not use it to interpret the two official trial languages relying instead on the consecutive mode of interpretation.

Despite formal differences the Nuremberg and Tokyo trials, they were similar in their recruitment and training techniques and strategies and both sets of interpreters faced the same ethical deficits. Neither set of interpreters were bound on to a professional code

of ethics moreover; there is no indication in the literature that the interpreters were required to take an oath before the proceedings began.

While there may be differences and similarities between the interpreters, one thing is certain, all of the interpreters played fundamental roles in the documenting of precedent-setting military tribunals and our understanding of the war crimes committed and how they were prosecuted after the Second World War. The interpreters also paved the way for progress in the field of court and conference interpreting. The court interpretation mechanism in both the Tokyo and Nuremberg trials were flawed due to the unavoidable ethical implications. However, the proceedings left historians with points to consider in the creation of a more efficient and effective simultaneous court interpretation process.

## **5.2 Areas for Further Research**

In order to truly study the interpretation of the Nuremberg and Tokyo trials it would be necessary to obtain and read the court records. A review of the records would reveal a great deal more about the proceedings and the extent to which the interpreter exhibited any bias at all. Any stylistic changes could be analyzed and by comparing the transcripts from Nuremberg and Tokyo, one could gain more in-depth analyses of the effects of the interpretation procedure on the actual interpretation.

A review of the literature revealed that there is a lack of research on the Tokyo trials when compared to the research done on Nuremberg. More in-depth studies on the Tokyo trials would assist us in improving our understanding of the Tokyo conflict with the West and how that conflict was ultimately formed and resolved. Essentially, there is a need for further research on the trials that took place in the aftermath of World War II in Tokyo. Compared to the coverage of the Nuremberg Trials, the Tokyo trials have been neglected. If we are going to gain full insight into the purpose and impact of the Nuremberg and Tokyo trials it is best that we are put in a position to academically compare and contrast the trials and their internal processes. In order to conduct such a study, more knowledge of the Tokyo trials would be required.

## References

- Administrative Office of Pennsylvania Courts. (n.d.). Retrieved from:  
<http://www.pacourts.us/assets/files/setting-3008/file-6226.pdf?cb=5bee50>
- Baxter, R.N. (2016). A Discussion of Chuchotage and Boothless Simultaneous as Marginal and Unorthodox Interpreting Modes. *The Translator*, 22(1), 59-71.
- Cerezo, L. (2015). Interpreting. In M. Lacorte, (Ed.). *The Routledge Handbook of Hispanic Applied Linguistics*. New York, NY: Routledge. Ch. 18, p. 313.
- Chan, S.-W. (2018). *An Encyclopedia of Practical Translation and Interpreting*. Hong Kong: The Chinese University Press.
- Drugan, J. (2017). Ethics and Social Responsibility in Practice: Interpreters and Translators Engaging with and Beyond the Professions. *The Translator*, 23, 126-142.
- Fleischer, H. (1965). *Short Handbook of Communist Ideology*. Switzerland: Springer.
- Gaiba, F. (1998). *The Origins of Simultaneous Interpretation: The Nuremberg Trial*. Ottawa: University of Ottawa Press.
- Gonzalez, R.D.; Vasquez, V.F. & Mikkelson, H. (2012). *Fundamentals of Court Interpretation: Theory, Policy, and Practice*. Durham, NC: Carolina Academic Press.
- Hamon, O.; Fugen, C.; Mostefa, D.; Arranz, V.; Kolss, M.; Waibel, A. & Choukri, K. (2009). End-to-End Evaluation in Simultaneous Translation. *Proceedings of the 12<sup>th</sup> Conference of the European Chapter of the ACL*, 345-353.

- Karton, J. (January 2008). Lost in Translation: International Criminal Tribunals and the Legal Implications of Interpreted Testimony. *Vanderbilt Journal of Transnational Law*, 41(1), 1-54.
- Kaufman, Z.D. (2010). The Nuremberg Tribunal V. The Tokyo Tribunal: Designs, Staffs, and Operations. *The John Marshall Law Review*, 43, 753-768.
- Kautsky, J.H. & Meyer, R. (1988). *The Materialistic Conception of History*. New Haven: Yale University Press, pp. 116-246.
- Korn, H. (2017). International Military Tribunals' Genesis, WWII Experience and Future Relevance. *Utah Law Review* 4, 731-746.
- Lin X. & Hale, S. (2018). Achieving Accuracy in a Bilingual Courtroom: The Effectiveness of Specialized Legal Interpreter Training. *The Interpreter and Translator Trainer*, 12 (3), 299-321.
- Matzov, R.A. (2018). Nuremberg: The Trial of Six Million Words. AIIC World. Retrieved from: <https://aiic.net/page/7943/>
- Morris, R. (1995). The Moral Dilemmas of Court Interpreting. *The Translator*, 1(1), 25-46.
- Nartowska, K. (2015). The Role of the Court Interpreter: A Powerless or Powerful Participant in Criminal Proceedings? *Interpreters Newsletter*, 20(20), 9-32.
- National Association of Judiciary Interpreters & Translators. (2006). Modes of Interpreting: Simultaneous, Consecutive, & Sight Translation. *NAJIT POSITION PAPER*. Retrieved from: <https://public.courts.alaska.gov/web/language/docs/modes-interpreting.pdf>

Professional Ethics and the Role of the Court Interpreter (n.d.). Retrieved from:

[https://www.nccourts.gov/assets/inline-files/04\\_Professional\\_Ethics\\_and\\_the\\_Role\\_of\\_the\\_Court\\_Interpreter.pdf?DVRfzHi1QEdTPijD3W7oOnB5tq\\_0xVVZ](https://www.nccourts.gov/assets/inline-files/04_Professional_Ethics_and_the_Role_of_the_Court_Interpreter.pdf?DVRfzHi1QEdTPijD3W7oOnB5tq_0xVVZ)

Snyder, J. & Vinjamuri, L. (2003). Trials and Errors: Principle and Pragmatism in Strategies of International Justice. *International Security*, 28(3), 5-44.

Sulzberger, A. G. (2009, October 13). Richard W. Sonnenfeldt, Nuremberg Interrogator, Is Dead at 86. Retrieved from

<https://www.nytimes.com/2009/10/13/nyregion/13sonnenfeldt.html>

Takeda, K. (2010). Interpreting the Tokyo War Crimes Tribunal: A Sociopolitical Analysis. Ottawa: University of Ottawa Press.

Watanabe, T. (2009). Interpretation at the Tokyo War Crimes Tribunal: An Overview and Tojo's Cross-Examination. *La Traduction au Japon*, 22(1), 57-91.

Widlund-Fantini, A. (2017, March 16). André Kaminker: Une courte biographie.

Retrieved from: <https://aiic.net/page/7915/andre-kaminker-une-courte-biographie/lang/2>