

RETHINKING THE POWER OF THE VOICELESS: THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE BIRTH OF POPULAR HUMAN RIGHTS ACTIVISM IN OCCUPIED OKINAWA

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This paper rethinks the power of the voiceless by interrogating Okinawans' resistance to extraterritorial American military justice in the mid-1950s. Despite the long history of, and continuing public attention to, the issue of American military legal immunity from local jurisdiction, historians have not yet traced the genealogy of protest movements against it in U.S.-occupied and post-reversion Okinawa. This paper sheds new light on the islanders' 1955 protest against the murder of a local girl by a U.S. military service member by defining it as a pivotal moment for the rise of popular human rights activism in contemporary Okinawa. This case study attests that the Universal Declaration of Human Rights (1948) empowered the locals, whose legal status was reduced to being treated as the "voiceless" under the San Francisco System, by allowing them to demand the occupied people's equal status as the peoples of sovereign nations and the protection of their human rights.

Keywords: contemporary Okinawa-Japan-U.S. relations, Cold War history, extra-territoriality, human rights, social activism

1. Introduction

This chapter interrogates the power of the voiceless by visiting mid-1950s occupied Okinawa (1945–1972). Here the rape and murder of a local five-year-old girl by a U.S. service member crystallized a dramatic transformation in the islanders' articulation of rights and resistance to the U.S. occupation. At the heart of the empirical analysis is the formation of a local popular uprising against U.S. military injustices that unfolded against the backdrop of the emergence of the Third World as an international force. Whereas the First Afro-Asian Conference (Bandung Confer-

ence) of April 1955 advocated self-determination, sovereign equality, and colored populations' cooperation in the face of a transwar imperial order dictated by new hegemonies, occupied Okinawans seized on the 1948 Universal Declaration of Human Rights (UDHR) to seek legal justice and compensation even under military rule. In Okinawa, I assert, the UDHR served as the rationale for demanding the "free world" hegemony's respect for egalitarianism, that is, occupied Okinawans' equal status as peoples of sovereign nations.

This historical study builds on the existing literature on occupied Okinawa and recent interdisciplinary scholarship on the history of international human rights. Scholars have recognized Okinawans' outrage about the 1955 rape incident, the so-called Yumiko-chan Incident, as a critical event leading up to an island-wide uprising against the systemic land seizure by the military in 1956.¹ Nevertheless, no single historical study has traced, empirically, the large story of the American military's criminal jurisdiction policy in Okinawa, which had to contend with serious local resistance from the 1950s all the way to today. My work on what I call the politics of extraterritoriality in post-occupation Japan and U.S.-occupied Okinawa (1952–1972) shows that Okinawans' protest movement against postwar U.S. "extraterritoriality" was distinct from the Japanese counterpart in that human rights, not national sovereignty, served as its collective appeal (Inoue 2021).²

Witnessing occupied Okinawans' cry for "human rights," that is, the right to life and safety and equality before the law, in the mid-1950s, challenges extant scholarship of the history of human rights. According to Samuel Moyn, what we know as human rights – a concept understood as the *international* protection of individual rights – did not exert any substantial influence on international civil society until the late 1970s because much of human rights advocacy before then had been couched in struggles for national self-determination. This was despite the United Nations' landmark adoption of the UDHR and anti-colonial movements' use of human rights language at the 1955 Bandung Conference and thereafter (Moyn 2010). In the Japanese context, sociologist Kiyoteru Tsutsui dates the surge

¹ For major works on contemporary Okinawa referring to the Yumiko-chan Incident, see Arasaki (1976), Arasaki and Nakano (2005), Sakurazawa (2015), and Tanji (2006). Except for my research project, journalist Sasaki Ryūzō's book chapter, published in 1976, has offered the most detailed account of local responses to the incident based on newspapers and his interview with the victim's mother. See Sasaki (1976, 189–211). For a feminist inquiry into the Yumiko-chan Incident, see Takauchi (2015). There is also a brief mention on the incident's impact on U.S. military families in Alvah (2007, 177–178). For a journalistic inquiry into the racial politics of military justice that arose from the Yumiko-chan Incident with a focus on the aftermath, see Serrano (2019).

² My dissertation offers a comparative analysis of the trajectories of local responses to postwar U.S. military criminal jurisdiction policy in post-occupation Japan and U.S.-occupied Okinawa. For the chapters on Okinawa, see Inoue (2021, 172–242, 300–353).

of human rights advocacy among minority groups in Japan from the 1970s, when the Japanese government ratified major human rights treaties (Tsutsui 2018).³ But this trajectory can only be upheld by excluding occupied Okinawa. A closer examination of the triangular relationship between post-occupation Japan, occupied Okinawa, and the U.S. military regime of extraterritoriality changes that picture.

This chapter demonstrates how the Okinawan human rights advocacy took shape as a product of Okinawa's geopolitical position and the conjuncture of local and global contexts specific to that time. It offers a three-fold analysis by, first, laying out occupied Okinawa's legal and political architecture, second, clarifying the connection between Okinawans' struggles against the occupation/military justice and their early human rights advocacy, and third, illuminating the formation of the protest movement against the Yumiko-chan Incident on the basis of declassified U.S. papers, newspapers, a court-martial record, and legislative records. Of primary importance here is the tension between Okinawans' articulations of universal rights and the occupiers' exceptionalist positioning toward civilization.

Because the islanders lacked both legal and political subjecthood in the mid-1950s to launch an island-wide movement for reversion or autonomous rule, they employed the UDHR as a collective means to expand their rights.

2. The "legal" architecture of occupied Okinawa

The ambiguity of Okinawa's legal status resulted from the San Francisco System that blurred Okinawa's national belonging. For decades, scholars have tried to capture this situation by terms, such as "the vacuum of the rule of law" (Ushiomori and Ōno 1959), "legal monster" (*Ryūkyū Shimpō*, April 27, 1961), "liminality in law" (Onishi 2012), and "alegal" (Shimabuku 2019), to describe the American military occupation authorized by Article 3 of the 1952 San Francisco Peace Treaty. To be sure, Okinawa's intricate legal architecture was a product of U.S. policy elites' careful creation of political power that relied upon the premise of international law. With a parliamentary approval of the Peace Treaty, Japan authorized the United States' "right to exercise all and any powers of administration, legislation and jurisdiction" over a chain of islands, known as the Ryukyus, the largest of which is the Island of Okinawa, until the U.S. proposes to place them under the UN trusteeship system. U.S. policy elites knew that a trusteeship would be neither feasible nor desirable due to the exacerbating rivalry with Soviet Russia. The Treaty was therefore written in such a way as to avoid pronouncing contradictions with the Allied powers' non-expansionist principles declared in documents such as the

³ Tsutsui Kiyoteru provided sociological case studies of Burakumin (a former outcaste), Zainichi (Koreans who remained in Japan after the end of World War II), and the Ainu (an indigenous people in northernmost Japan). See Tsutsui (2018).

Atlantic Charter and Cairo Declaration. Regarding Okinawa's sovereign status, the U.S. recognized Japan's "residual sovereignty" over the Ryukyu Islands (Onishi 2012, 753–756; Koseki and Toyoshita 2018, 42–66).⁴ The U.S. occupation policy on Okinawa, called the "blue-skies" position originating from the architect of the Peace Treaty, John Foster Dulles's 1953 speech, declared Washington's intention to maintain the American military presence as long as "conditions of threat and tension" remained in Asia (Kōno 1994, 93–94; Swenson-Wright 2005, 118; Koseki and Toyoshita 2018, 98–100).

Under the San Francisco System, the occupation regime introduced a dual-administrative system dividing functions between the United States Civil Administration of the Ryukyu Islands (USCAR) and the Government of the Ryukyu Islands (GRI). Even though the USCAR allowed the GRI to maintain three branches of power, its autonomous rule was prohibited: the former secured the right to appoint a chief executive of the latter (until 1968) and veto any legislation. The military's proclamations, ordinances, and directives functioned as fundamental law (Hagino 1973, 43–44; Rabson 1989, 14–16; Iwagaki 2018, 1–23). Further, USCAR Ordinance No. 68 Provisions of the GRI (February 29, 1952) virtually denied individual rights as natural rights as it read:

All of the people shall be respected as individuals and hold equal under the law. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be supreme consideration in legislation and in other governmental affairs.

The newly adopted Japanese constitution (1947) also contained provisions concerning "public welfare." But it recognized respect for fundamental human rights, popular sovereignty, and pacificism as three pillars of constitutional values. In short, Okinawa was susceptible to the U.S. national security state's definition of "public welfare" much more than Japan, whose constitution reflected New Dealers' democratic values.⁵

The judicial structure of occupied Okinawa, which would eventually provoke the 1955 uprising, was built on a mixed-court system, thereby dividing jurisdiction between the military, USCAR, and GRI. Although GRI ran its own courts, the rigid hierarchy between the occupier and the occupied perpetuated their unequal relationship, as with the legislative and executive branches. Proclamation No. 12 Ryukyuan Court Systems (1952), Ordinance No. 144 Code of Penal Law and Procedure (1955), and Presidential Executive Order 10713 (1957) denied Okinawans'

⁴ For recent in-depth analyses of the legal and political structure of Article 3 of the San Francisco Peace Treaty, see Onishi (2012, 753–756), and Koseki (2018, 42–66).

⁵ For a classic study on the origins of the postwar U.S. national security state, see Hogan (1998). For a recent study on U.S. Cold War policy on Japan, see Miller (2019).

jurisdiction over cases involving persons of allied powers. Moreover, USCAR held the right to transfer any cases involving Okinawans and Americans from GRI courts to either USCAR or military courts as the occupation authorities deemed it necessary for postwar America's national security. The GRI Police was authorized to arrest military personnel only at the scene of a crime and in the absence of the military police (MP) (see "Courts in the Ryukyu Islands: Jurisdiction of Courts in the Ryukyu Islands," undated; Hagino 1973, 105–111; Aketagawa 2017, 162–164).⁶ Unlike in the case of sovereign nations hosting the permanent American military presence, "extraterritorial" practices were *de jure* permitted in Okinawa.⁷

Although still nascent in the early postwar period, the global human rights regime stood in stark contrast to the undemocratic U.S. military rule in Okinawa. In the aftermath of intense international discussions over the definition of "universal" human rights, with varied emphases on political, civil, economic, social, and cultural rights, the UN General Assembly adopted the 1948 UDHR, declaring the inherent equality of all peoples: "the right to life, liberty and security" (Article 3) and "the right to equal protection of the law" (Article 7). The text incorporated civil, political, social, economic, and cultural rights into the preamble and 30 articles. The text and the question of legal enforcement were contested among U.S. elites, best illustrated by the tension between Franklin D. Roosevelt's widow Eleanor Roosevelt, who served as Chair of the UN Commission on Human Rights and represented New Dealers' social democratic values, and John Foster Dulles, who resisted calls for racial equality, economic redistribution, as well as the legal enforcement of the UDHR (Glendon 2001, 21–34, 205; Moyn 2010, 76, 125; Barsalou 2015, 362–380; Simpson 2014, 261–263).

Although the UDHR was not legally binding, it became a useful tool for occupied Okinawans to combat their marginalized legal status under the San Francisco Peace System. The U.S.' involvement in the making of the UDHR and its ambivalence toward "universal" human rights, including political liberties, is key to understanding this history.

⁶ The records are available at the National Archives and Records Administration (hereafter cited as NARA), College Park, Maryland, U.S.A.

⁷ Since the 1950s, the U.S. Defense Department has institutionalized the policy of maximizing U.S. jurisdiction over all—both on-duty and off-duty—criminal cases committed against locals by its service members stationed abroad—not only in the non-western world but also in Europe. Yet, due to local protests, the Defense Department has often relied on the State Department's assistance in securing the host nations' arrangements via informal means. See Inoue (2021, 56–80).

3. Background of the 1955 uprising

The birth of popular human rights activism in occupied Okinawa requires a brief overview of its pre-1955 trajectory. By “popular,” I mean the mobilization of masses with the support of all major political parties, executive/municipal institutions, and a wide range of grassroots organizations, either partisan or suprapartisan. Indeed, Okinawans’ 1955 popular protest was never a natural occurrence, given their political divisions shaped before and after the U.S. arrival. In 1945, American military elites recognized the strategic value of identifying locals as a people liberated from Japanese imperialism for the long-term garrisoning of the islands. They, therefore, began implementing inclusionary and humanitarian policymaking amidst the Battle of Okinawa (Short 2020, 31–44).

Seizing on this unique momentum, some Okinawans advocated the Ryukyu Islands’ independence from Japan, which had incorporated them into its prefectural system through annexation in the late 19th century. However, the military’s ad-hoc orders, its impunity from criminal cases committed against locals, and punitive measures against dissents generated widespread discontent by the late 1940s. From 1947 onward, Okinawans created new political parties under the influence of returnees from Japan familiar with the U.S.-led democratization. The leftist-inspired Okinawan People’s Party (OPP) became the most vocal opponent of the occupation. Those who advocated independence from Japan and Okinawa’s direct alliance with the capitalist bloc, even under the temporal condition of trusteeship, formed the Ryukyu Democratic Party (RDP). The centrist Okinawa Socialist Mass Party (OSMP) collaborated with the OPP on numerous fronts but cautiously maintained its distance to avoid being labeled communist by the occupiers. The state of the Ryukyus-U.S. relationship on the eve of Japan’s independence was such that over eighty percent of the locals signed petitions demanding immediate reversion to Japan. But the Japanese Diet neglected Okinawans’ plea in favor of institutionalizing the San Francisco System. USCAR appointed the first GRI chief executive from the RDP in 1952 (Sakurazawa 2012, 39–64; Sakurazawa 2015, 12, 48–49).

In this highly charged political climate, the high rate of criminal cases committed by military personnel and the lack of official compensation became a pressing agenda for the GRI. Official records (OPA: Chief Executive of Governor 1952) show that a total of 473 criminal cases committed by U.S. military personnel against locals were reported during the period between 1946 and 1952: 24 murders, 5 assaults resulting in death, 102 rapes, 1 burglary and rape case, 18 arsons, 9 burglary and assaults, 313 assaults and batteries, and 1 accidental homicide. Indeed, the real number was much higher. As a *Time Magazine* article put it in November 1949, “Okinawa has become a dumping ground for Army misfits and rejects from more comfortable posts.”

In April 1952, Charles N. Spinks, a high-ranking U.S. civilian official in Tokyo, received a letter from “a close personal friend” residing in Okinawa. Spinks forwarded the letter to Kenneth Young, his civilian colleague in Washington. Withholding the author’s name, Spinks wrote: “you will be interested in the very frank observations expressed therein [...]” (NARA: Letter to Counselor of Mission 1952). This anonymous letter recounted a grotesquely racialized crime against locals and the state of military injustices in Okinawa:

I have been told directly of an instance in which a number of GI’s decided to “go out and shoot ‘em a few gooks” five years after the end of the war [in 1950]. So they took carbines [rifle] and went up on a ridge [...]. They got seven Okinawans working in the fields below. These included a child of four, an old man, and others. Two died. One – a woman – was shot through the back of the head and paralyzed for the rest of her life. What happened? A desultory investigation, then pressure to drop it. When the civilian in charge of Public Safety (my host and informant) went to the top general and threatened to blow the whole thing wide open, the case was revived and the GIs brought to court-martial. One was tried for the death of one “gook.” He was acquitted – and so were the rest. The court-martial was unable to find any means of determining who had shot which bullet which killed which person [...]. My informant has been torn between blowing the case publicly or silence. (NARA: Letter to Counselor of Mission 1952)

The letter questioned the qualification of judges working for the military government, many of whom had come from the police. Further, even when a case ended with a conviction, the sentence was often suspended (Nakano 2011, 80). The author also warned that the disclosure of such information could cause far-reaching policy consequences by empowering “reds” especially after Japan’s recovery of independence:

It is my belief [...] that the Peace Treaty will be a signal for the Japanese to throw all this at us at some appropriate time. Records of the severe prosecutions and punishments being meted out to Okinawans over six years, presented with the record of acquittals of American Army personnel who have committed every form of arson, rape, and violence upon Okinawans, are on the books. If the Army doesn’t arrange for a convenient fire to destroy all Okinawan records at the governor’s office or the Police Department, they may turn up in Japan someday, and from there go into the UN or other international body.

The letter proposed a demilitarization and democratization policy on Okinawa, because the occupation, “unrestrained by any public opinion at home and by no very visible authority in the civil government at Washington,” was “an enormously

complex American disaster" (NARA: Letter to Counselor of Mission 1952). Despite the urgent warning from the "forgotten" island, the State Department would not initiate the proactive assistance and reformation of the Army-run U.S. policy on Okinawa until 1955.

Under the military legal regime of exception, the islanders resorted to various means to receive compensation – individual pleas, executive and legislative representatives' petitions, and communal rallies, in vain. In December 1952, Higa Shūhei, the first GRI Chief Executive appointed for his early career as an English teacher, petitioned Civil Administrator Vonna F. Burger to install an official compensation program as follows:

It is understood that there have been many cases including the offenses [...] committed by U.S. military personnel and its civilian employees against the Ryukyuan inhabitants since the end of the War, which cases have brought heavy casualties toward the lives and properties of the inhabitants. Among the cases, some of the persons concerned lost their sole children, bring them desperateness in their future lives, and others were robbed of their sole supporters, bring them miserable livelihood therefrom.

According to Higa's letter, written in English, although Okinawan authorities "tirelessly worked [...] pleading to the U.S. Authority for the compensation," the military officials repeatedly responded that they "cannot practice the compensation due to the fact that there [wa]s no such regulation concerning compensation" and there was "no available budget." Having received such dire responses, Higa asked the Civil Administrator to recall an earlier statement that "a 'Compensation Committee' might be established" upon the adoption of the Peace Treaty. No announcement had been made on that matter, nevertheless, even after Japan's independence (OPA: Chief Executive of Governor 1952).

Nascent human rights advocacy emerged in occupied Okinawa in this climate. The newly established GRI Legislature unanimously adopted a brief appeal entitled "On the Protection of Ryukyuan's Fundamental Human Rights" in November 1952. The statement, proposed by the OPP, squarely criticized rampant military-related cases and the absence of official compensation: "From the standpoint of protecting life, liberties, and safety of the Ryukyuan grounded in the spirit of the UDHR, we demand the eradication of misconducts and proper compensation for victims" (*Ryūkyū Shimpō*, November 16, 1952). The move stemmed from legislators' growing attention to the spirit of the UDHR to cope with this urgent issue, securing a suprapartisan front three years before the uprising. Yet the actual utility of "fundamental" human rights – an ill-defined concept in occupied Okinawa – was questioned at that time, as a local newspaper's editorial cynically contrasted the

islands with Japan with constitutional definitions (*Ryūkyū Shimpō*, November 7, 1952).

In the following years, the U.S. military's sweeping, uncompensated confiscation of native land galvanized popular resistance, consolidating the GRI branches and municipal/grassroots organizations. In 1954, the GRI Legislature declared the famous "Four Principles for the Protection of Land" for its suprapartisan resistance. Then, approximately 800 Okinawan prisoners launched a revolt at the Okinawa Central Prison to protest the poor prison conditions and violent treatment by guards. At that time, not only regular convicts but also a growing number of political activists were imprisoned, including Senaga Kamejirō, who proposed the 1952 GRI Legislature statement on Okinawans' human rights. Enlisting Senaga's advice, the prisoners declared their collective demand as the protection of prisoners' "fundamental human rights." USCAR blamed Senaga for having instigated the revolt without concrete evidence. But prison conditions did improve, proving that human rights advocacy could work (*Ryūkyū Shimpō*, November 13, 1954).

The critical push needed to get Okinawa's resistance into higher gear came from Japan. On January 13, the *Asahi Shimbun* reported on the Japan Civil Liberties Union's (JCLU) publication entitled "Human Rights Problems in Okinawa." Based on a ten-months investigation conducted by JCLU-affiliated legal professionals, the report problematized the legal structure of the occupation, the racialized unequal wage difference between Okinawan base workers and others with Japanese or Filipino nationality, the land seizure, the undemocratic handling of courts-martial involving locals, and the high rate of military-related incidents. It argued that the Japanese public must acknowledge the violation of fundamental human rights in Okinawa as their problem with attention to Articles 73 and 74, Chapter XI of the UN Charter (Declaration regarding Non-Self-Governing Territories). The *Asahi Shimbun* followed up with a month-long special coverage of Okinawa, which invoked not only parliamentary debates and Prime Minister Hatoyama Ichirō's pledge to protest the U.S. government upon ascertaining evidence (*Okinawa Times*, January 26, 1955) but also public awakening to the plight of people living under military rule.⁸ The Far East Command responded to the outcry by dismissing it as a communist conspiracy (NARA: Department of the Army Staff Communications Office 1955).

Behind the scene, nascent transnational grassroots networks played a vital role in this cascade of events. In January 1954, Baptist Reverend Otis W. Bell residing in Okinawa condemned a forced land seizure he had witnessed through his article "Play Fair with Okinawans!" published in *The Christian Century* (Bell 1954). The article vividly recounted the violent crackdown and refuted the USCAR's labeling

⁸ For a detailed analysis of the subject, see Inoue (2021, 172–242; 2022).

of the local resistance as a “communist” conspiracy. Then, Roger Nash Baldwin, a co-founder of the American Civil Liberties Union (ACLU), having come across Bell’s article, wrote to the President of the JCLU Unno Shinkichi inquiring about the issue:

Protests by Okinawans are said to be answered by American military authorities with charges of communism. We have no correspondent in Okinawa, but I suppose you do. Can you get the facts which perhaps the Japanese has published, and let us have your judgment? (SGMML: Chairman Baldwin 1954).

About a year later, Baldwin would be surprised to learn about the JCLU report during his stay in Egypt. Further, Tokyo University Assistant Professor Ushitomi Toshitaka, who compiled the report, presented it at the Conference of Asian Lawyers amidst the controversy created in Japan. This international conference held in India on January 25–31 adopted a resolution calling for an international investigation on Okinawa (Ushitomi 1955, 59).

Okinawan newspapers seized upon this unprecedented opportunity to exercise freedom of speech. In a stream of articles referring to the Japanese and international press coverage of Okinawa, they closely monitored the development of international solidarity activism. And yet, the locals were highly cautious of being labeled as “anti-American” and “communist” much more so than mainland Japanese. The Mayor of Naha Tōma Jūgō found it “utterly regrettable” that the JCLU report appeared to be “anti-American” (*Ryūkyū Shimpō*, evening edition, January 14, 1955). Chief Executive Higa called the JCLU allegations “one-sided” (*Ryūkyū Shimpō*, January 16, 1955), and insisted after meeting with Deputy Governor Ogden that “confrontation with the military must be avoided to demonstrate Okinawans’ ability for an autonomous rule” (*Ryūkyū Shimpō*, January 19, 1955). Opposition parties, however, welcomed Japanese residents’ criticism of the authoritarian military rule. The OSMP legislator Ōyama Chōjyō told the press that he was “overjoyed” by Japanese civil society’s increasing familiarity with Okinawans’ “persistent efforts to solve the land problem.” He believed it would lead to the Japanese government taking this issue seriously (*Okinawa Times*, January 15, 1955).

The JCLU report triggered further discussions on human rights in Okinawa, soliciting decolonization advocates’ solidary messages simultaneously. In January, the *Okinawa Times* published an excerpt of a Japanese magazine article titled “The Promise of the UDHR—Also Declared in the Provisions of the GRI” authored by Japanese legal scholar Iriye Keishirō. He argued that despite the legal constraints posed by the Peace Treaty, the UDHR declared that peoples residing in territories of the UN member states were entitled to be protected by it. The UDHR’s promises were often ensured by “civilized nations’ constitutions,” Iriye asserted (*Okinawa Times*, January 27, 1955). In April, Kamiyama Seiryō, a leading Okinawan intellec-

tual based in Japan, attended the Conference of Asian Countries in New Delhi and met with Indian Premier Jawarharlal Nehru's daughter. Kamiyama was surprised at her knowledge of Okinawa and conveyed her father's message that Okinawans "must not lose courage" (*Okinawa Times*, April 19, 1955).

Okinawans' uprising emerged in a transnational context, linking Okinawan desire for the international recognition of their equality with those with an unambiguous national status, Japanese antagonism toward subordinate independence, and an emergent Third World resistance to U.S. and Soviet hegemony in Asia. But the Okinawan struggle was also a product of local outrages against the occupation: nothing would galvanize the local resistance as decisively as the rape and murder of a five-year-old girl.

4. The Yumiko-chan incident

On September 4, 1955 Nagayama Yumiko went missing. The residents of her hometown Ishikawa were enjoying a summer festival. The streets were busier than usual, filled with young people performing *eisā*, a famous folk dance inviting back the spirit of their ancestors each summer. With sugar *tempuras* in her hands, Yumiko was watching *eisā* dancers passing by her parents' Nagayama Photo Studio (Sasaki 1976, 191–193). From there, the dancers were headed to a local school where a movie was to be screened open-air. Little Yumiko went missing at around 8 P.M., but local construction workers found her body on the eastern shore of Kadena Village, roughly 12 miles away from Ishikawa City, the next morning. When the local police arrived, U.S. Criminal Investigation Command officers were already present. They shouted at the Okinawans, "No touch!" Yumiko's corpse lay on U.S. military property (*Okinawa Times*, September 5, 1955). An investigation found evidence of rape before her murder. Even though the local press reported her age as six, a court-martial record of U.S. Army Sergeant Isaac J. Hurt, who would be found guilty of this crime later in the year, states that she was five years old:

At about 0730 hours 4 September 1955, in Okinawa, the dead body of five-year old Yumiko Nagayama was discovered [...]. Deducing from the state of rigor mortis, death had occurred about 22.00 hours on the night of 3 September 1955 with a possible variation of two hours either way. The cause of death was suffocation and could have been caused by the fingers of an adult on the neck obstructing the windpipe. Bruises about the chest indicated an attempt to revive the victim with artificial respiration [...]. (United States v. Isaac J. Hurt 1956)

In the next two months, this gruesome sexual violence committed against the local girl would mobilize a popular movement against the American military legal regime of exception. It began with local legal enforcement authorities publicly ex-

pressing indignation at the crime, extraterritorial realities, and their determination to find a suspect who appeared to be a military service member. Chief of the GRI Department of Prosecutors Hirata told the press: "This is a heinous crime unprecedented in the history of [...] the Ryukyus. To dispel parents' fears, we will arrest [the suspect] at any cost." Chief of the GRI Police Nakamura commented: "I myself as a parent cannot help but feel infuriated. The problem with this case is that we do not have the right to investigation [...]. We, therefore, beg for the military's cooperation" (*Okinawa Times*, evening edition, September 5, 1955). Given such responses, the MP authorized the GRI Police to collaborate in finding the suspect (*Okinawa Times*, September 6, 1955). One hundred Okinawan police officers were mobilized to conduct round-the-clock investigations (*Okinawa Times*, September 14, 1955). The MP arrested Hurt within three days (*Okinawa Times*, September 7, 1955). Further, as part of their unprecedented joint efforts, a local doctor conducted an autopsy at an army hospital under the supervision of U.S. physicians (*Okinawa Times*, September 12, 1955).

The local media also contributed to the quick arrest by providing extensive coverage of Yumiko's death. On September 5, the press reported on "curled brown hairs" found in Yumiko's private parts and a nine-year-old local boy's testimony of Yumiko's abduction by an American with "red hair." Following the details of investigations, the *Okinawa Times* ran sensational headlines: "How can we protect children from such crimes exposing the ugly aspects of human nature?;" "The unhesitating girl: 'Why on earth did she end up like this?' Parents broke down crying" (*Okinawa Times*, September 5, 1955). The more conservative *Ryūkyū Shimpō* also provided day-to-day updates on the repercussions of the incident.

Among grassroots actors, educators were the first to translate their despair into concrete political actions. The Okinawa Teachers Association (OTA) was one of the two main drivers of social movements in 1950s-Okinawa with the highest ratio of female teachers in primary school (Sakurazawa 2012, 65–109). They immediately organized a protest movement on the grassroots level. A local primary school principal commented:

I was very shocked at the newspapers' reports. Because these crimes arise from military bases, we must expand the Okinawa Association for the Protection of Children's (OAPC) activities. Our school will consult with the OTA and the PTA to implement preventive measures. (*Okinawa Times*, evening edition, September 5, 1955)

The OAPC scheduled a board meeting to collaborate with other grassroots organizations, including the Okinawa Youth Confederation (OYC), Okinawa Women's Association (OWA), and the PTA. It announced to conduct thorough investigations, demand an open trial, and request the disclosure of judicial proceedings of the accused (*Okinawa Times*, evening edition, September 5, 1955).

But women, as well as men, were far from united on who or what was principally to blame for this tragedy. An Ishikawa Women Organization representative pointed a finger at parents' neglecting to supervise their children properly (*Okinawa Times*, September 9, 1955). Outraged, the OTA board contended that incriminating parents implicitly exonerated the criminals themselves, namely military service members. Instead, they demanded the harshest sentence and the disclosure of court proceedings if a court-martial was held (*Okinawa Times*, September 8, 1955). Another rape incident scarcely a week after Yumiko's death brought public anger to a boiling point. The nine-year-old victim's father told the local press that he was unable to prevent his young daughter's violent rape by a GI intruder at night (*Okinawa Times*, September 11, 1955). Soon, the case came to be referred to as the "S-ko-chan Incident."

The OTA protested the military's racialized "extraterritoriality" and demanded the protection of Okinawans' human rights. At its general assembly, the teachers agreed that "[n]othing will change whether we adopt a statement or we feel infuriated about it [...]. This time, really, we have to tell the United States without fail that we Okinawans are also humans." The assembly voted unanimously to organize a rally against GI crimes and adopted the following statement under the spirit of "human equality and human rights" (*Okinawa Times*, September 12, 1955):

[The Yumiko-chan Incident] terrorized 800,000 Okinawan residents [...]. We, as 5,000 teachers and parents responsible for the education and lives of 180,000 small children, cannot repress our grief and indignation. Before this horrifying reality, we [...] have united with the OAPC to protect children's lives from sins and prevent such calamities from happening again [...]. We [...] demand the U.S. military to reflect on these cases seriously and the GRI to rise up. Punish the criminal regardless of race and nationality [...]. Authorize Okinawan legal authorities to attend courts-martial as judges. The root cause of these endless crimes lies in the extraterritorial realities and [the U.S. policy of] withholding information on such cases. Further, it must be recognized that it is an indication of American military service members' colonialist, discriminatory sentiment. (*Okinawa Times*, September 14, 1955)

Notably, the statement challenged the military's positioning as a supposedly democratic force: "Regrettably, the crime was committed by a member of U.S. forces proud to have the tradition of justice, humanity, liberty, and democracy."

After the S-ko-chan Incident, more diverse individuals and grassroots organizations joined this public outcry. Chairman of the OWA Takano asserted, "They [the military] are insulting Okinawan people. We want to organize the locals' rallies and appeal to people in mainland Japan and the United States." A college student studying education commented, "[Recognizing that] all these unprecedented-

ed heinous crimes recently committed resulted from Okinawa's status as a base society [...] makes me filled with sorrows [...]." The chairman of the OYA called for solidarity activism, stating,

We want to address this base-related problem from the standpoint of protecting Okinawans' human rights [...] from now on, the military must investigate such cases [involving GIs and Okinawans] thoroughly, hold fair trials, and give criminals sentences that everyone can accept [...]. We demand a letter of apology from a supreme leader of the military. (*Okinawa Times*, September 12, 1955)

In this political climate, Okinawan legal professionals called attention to the link between rampant GI violence and the structural barriers against legal justice that perpetuated it. The Naha Police argued, "The reason why crimes are endlessly committed by foreigners is that the Okinawan police cannot arrest them unless we witness the scene of the crime. We can only ask the military [to prevent crimes] but cannot do anything to prevent them" (*Okinawa Times*, evening edition, September 8, 1955). Lawyer Nakaima contended:

the military must show the evidence that they are protecting human rights and humanity in every process while trials are being held and the results are implemented. Given all the previous classified cases, I would like to see the most rigorous legal enforcement [on this case]. (*Okinawa Times*, September 12, 1955)

GRI judge Matsushima demanded a death sentence for Hurt, considering the military's petition for an Okinawan boy's death sentence for his murder of a U.S. service member. A GRI prosecutor refused to be satisfied with the disclosure of courts-martial: "We would have no way to find out if the sentences were implemented. When the criminal returns to the United States, it will be over" (*Okinawa Times*, September 12, 1955).

Before the rapid rise of the massive protest against GI crimes, the GRI Legislature unanimously adopted the "Statement of Petition for An Open Trial of the Murder, Violence, and Abduction Committed Against a Young Girl and the Disclosure of the Results of Previous Court-Martial Cases." It stated that "a crime worse than that of demons" had been committed by a military service member of the U.S. as a "civilized nation" administering the islands. The legislators asserted that the military's systemic refusal to disclose court-martial records to the victims "[...] made Okinawans' lives treated as if being killed for nothing, being kicked for nothing, being raped for nothing." The utter disregard of Okinawan lives, further demonstrated by the secretive proceedings of GI cases, violated "Okinawans' human rights and contradicted the spirit of the UDHR" (September 13, 1955).

This unusually strong language of protest put the USCAR authorities on the defensive side. In their effort to implement counter-measures, John M. Steeves, a U.S. State Department official serving as Foreign Relations Consultant to USCAR since May, played an integral role in assisting the inexperienced military elites' operation of civilian affairs. His assignment reflected the State Department's policy change facilitated by the Japanese awakening to the "Okinawa problem" earlier in the year. Upon his arrival in Okinawa, Steeves advised against the additional deployment of the Marines, given the gravity of the land problem (OPA: Telegram from Steeves 1955). Yet he observed that

[m]y first impression is that the sentiment for reversion is much stronger in Japan than it is here. The attention of those Ryukyuans that I have met is so completely absorbed in the local land problem that they have little time to think about the broader aspects of reversion. (OPA: John M. Steeves, American Consul General 1955)

In the wake of the Yumiko-chan Incident, Steeves warned the U.S. Embassy in Tokyo that the military command wanted to "place entire island[s] off limits (1) to facilitate control forces personnel and (2) to punish populace for anti-American outburst and wholesale criticism of forces personnel by depriving them of economic benefits resulting from forces personnel patronage." These high-handed measures resulted from the military's frustration with "heavy adverse press comment; resolutions by number[s] [of] private organizations and somewhat provocative letter from Chief Executive [to] USCAR urging immediate actions." Foreseeing adverse political consequences, Steeves "urged command to calm and moderate and not to respond to intemperance on peoples' part by being rash ourselves" (OPA: Telegram 19 1955).

The military's proposal of making the "entire island off-limit" to U.S. service members and dependents had been on the table since the early 1950s as a means to quash Okinawans' protests against the occupation; it was a ban on their entry into those areas where Okinawans made a living by providing reactionary services (*Okinawa Times* 1983a, 614).

At the USCAR's meeting, Steeves asserted that "off limits order would accentuate cleavage, would intensify mistrust and animosity and that no good could result from blanket punitive measures involving innocent as well as guilty." Besides, he added that "it would give ammunition to extremists by admitting American [and] Okinawan populations cannot associate together normally on island which would be inimical [to] our long range interests." To prevent Okinawans' popular uprising, Steeves stressed the importance of conciliatory measures by "urg[ing] rather to ride out storm and continue emphasizing [the] fact that American sense of justice requires criminals be tried in due process of law and if guilty punished, but refuse to be panicked by public clamor." Other measures Steeves proposed

included “carry[ing] out intensive instructions service personnel on conduct and [...] hold[ing] General Moore’s press conference in the afternoon” (OPA: Telegram 19 1955).

Steeves’s advice convinced the military authorities. In the afternoon, a “Special Meeting” of the Ryukyuan–American Community Relations Advisory Council was held at the Ryukyus Command Headquarters, where prominent leaders of both sides attended.⁹ In the opening, Deputy Governor Moore explained that the Council was

set up to provide a friendly medium of liaison, discussion and consultation for the purpose of [...] [e]xchanging information of mutual interest [...] [and] [f]urthering understanding and implementation of appropriate laws, decisions, directives and regulations.

In addition, as Steeves recommended, Moore stated that the U.S. Code of Military Justice treated rape cases more harshly than the Japanese Penal Code. He claimed,

To my knowledge, there never has been an attempt at whitewashing or covering up of any case. They are all tried impartially and the findings and sentence [sic] are based on the evidence in each instance. The rights of the accused to a fair trial are fully provided [...].

Added to the above reasons as to why the military held exclusive jurisdiction over GI cases was Okinawa’s international legal status:

Now, although we have by Treaty granted to some friendly sovereign powers the right to try military personnel for violations of local laws, it would hardly be proper to grant this right in the Ryukyu Islands, since the United States exercises the power of sovereignty here.

Instead, Moore encouraged the Okinawan representatives to leave the protest movement:

I do want to point out to you thinking people that a situation of this kind provides a fertile field for agitators who are up to no good purpose and it is a situation made to order for Communist activities [...]. I can foresee irresponsible persons, Ryukyuan and Americans, taking matters into

⁹ The USCAR representatives include Major General James E. Moore (Deputy Governor of the Ryukyu Islands), Brigadier General Vonna F. Burger (Civil Administrator of the Ryukyu Islands), and nine other military officers. Okinawan representatives include Chief Executive Higa, Speaker of the Legislature Ohama, Chief Justice of the Ryukyu Islands Nakamatsu, President of University of the Ryukyus Asato, President of Bank of the Ryukyu Tomihara, President of Okinawa Women’s Association Takeno, President of the *Okinawa Times* Takamine, Managing Editor of the *Ryukyu Shinbun* Tamaki, and Managing Editor of the *Ryūkyū Shimpo* Takehara. U.S. newspaper *Morning Star* correspondent Robert Prosser was also present. The main organizers of the protest movement such as the OTA were not invited.

their own hands, acts of violence occurring, and a feeling of resentment developing between the two races which will not be good for the community.

Moore emphasized the harmony between “the two races” (NARA: Headquarters Ryukyus Command 1955).

Sitting before the USCAR representatives, most Okinawan representatives toned down their earlier criticisms spoken outside the room. Chief Executive Higa stated that

the objective of this meeting [...] should not lie in taking advantage of these instances to accomplish something else but in the re-examination of these matters to devise a means of preventing recurrence of incidents of this nature [...]. To tell the truth, I was rather shocked to hear that the Deputy Governor had proposed placing the entire island off limits. It [...] will bring destruction the economic life of the Okinawans [...].

GRI legislator Ōhama commented:

The statement that these trials will be open trials and that the sentences will be made public has pacified my feelings and no doubt a similar reaction can be expected from many other people. As for the Legislature, it will place trust in the spirit of democracy and America. The Americans who committed these incidents were probably ignorant or mentally ill.

Chief Justice Nakamatsu also backed away, stating, “I wholeheartedly concur with General Moore’s statement that trials should be held in courts and not in the newspapers.” He criticized the OTA’s protest statement, which made “a request pertaining to permission to have Okinawa legal experts sit on the bench as observers. Would it be possible for Okinawan judges to be in the military trials? [...] I do not think it is possible [...]” (NARA: Headquarters Ryukyus Command 1955).

Nevertheless, symbolic of the tenacity of the 1955 protest movement were a few local representatives’ attempts to express their protest even before the highest-ranking occupation authorities. As the only female participant, the President of the OWA Takeno resisted the tide of the discussion. She revealed the visceral impact the recent rape-murder had on her: “The Yumiko-chan incident was the most brutal I have ever heard of throughout the world [...] whenever I see children of that age I cannot help thinking of that incident.” Then, highlighting her feminine identity and Okinawa’s shared Confucianist roots with Japan, Takeno countered the occupiers’ definition of civility: “There are many stories in Japanese books and in dramas [that] place [...] virtue beyond life if women are sexually attacked even though it was through no fault of their own, they commit suicide. Women of Okinawa feel exactly the same way.” Takeno’s statement was nonetheless sexist and classist when she stated: “You might say that there are thousands of

women selling their bodies but these women are doing so because of their ignorance. Besides, they are not true Okinawans." Still, with her rhetorical employment of sexism and Confucianism, Takeno refused to give an unconditional pledge to the occupation. In concluding the meeting, Moore responded,

We all deplore these incidents. As a matter of fact, had we known that we had men wishing to enter the service who were capable of committing such acts, we never would have enlisted them in the first place. I can understand Mrs. Takeno's feeling with respect to the virtue of womanhood and I can assure her that Mrs. Moore and other women feel the same way. (NARA: Headquarters Ryukyus Command 1955)

Moore projected the image of delinquent GIs as the Other and homogenized women to depoliticize the incident.

While the State Department was urged to discuss, internally, how to intervene in the military's authoritarian handling of civilian affairs, local organizations held meeting after meeting. And more rallies were organized. In mid-September, more than a thousand residents of Ishikawa City held a rally for Yumiko. According to the local press, the participants, more than eighty percent of whom were mothers, shouted, "No more tragedies like this," and "Record and air the trial!" Their demands included the death sentence for the perpetrator, the abolition of extra-territoriality, and the military's rigorous implementation of disciplinary measures (*Okinawa Times*, September 17, 1955). Other districts adjacent to military bases also held communal rallies under the leadership of the OAPC (*Okinawa Times* 1983b, 784). Following the demonstration in Ishikawa, the OTA held its gathering. The *Okinawa Times* reported that at the OTA's rally "crowded participants exploded with indignation and listened to [speeches about] the rapes of the young children with tears." Two thousand and two hundred participants silently prayed for Yumiko and adopted a statement calling for the establishment of an association for the protection of human rights as well as the island-wide rally against GI crimes (*Okinawa Times*, September 18, 1955). The newspaper welcomed the OTA's entreaty to found a human rights association and regretted that its absence had made it "difficult for Okinawans to unify public opinions" (*Okinawa Times*, September 19, 1955).

The following month, Okinawans organized a historic one-of-a-kind rally. On October 22, "All Okinawan Residents' Rally for the Protection of Human Rights" was held in Naha, packed with approximately five thousand residents, including nineteen grassroots organizations. Giant banners were displayed behind the speakers' stage. Takeno stated: "The animals' world is ruled by the law of the jungle. The same phenomenon is happening to us because we are powerless and poor. We must never forget that we are a superb people." A teacher representative stated:

It is extremely regretful that we have to see American soldiers as demons and devils. I want to ask Americans if they think Ryukyuans are worthless humans. If their answer is no, and if they do not see [Okinawa] as their colony, I ask them to behave gently. I demand complete autonomy.

Other representatives asked the audiences to reflect on other human rights violations, such as poor working conditions, unregulated layoffs, the land problem, and the shooting of Okinawan fishermen by unidentified soldiers on the ocean. Japanese grassroots organizations and local organizations in remote areas sent solidarity messages endorsing the rally. However, some conservatives retreated from the protest movement as symbolized by the Chief Executive's absence; although Higa was expected to attend the rally, he did not appear (*Okinawa Times*, October 23, 1955).

This historic rally still demonstrated the islanders' collective acquisition of the power of human rights advocacy. A prominent politician from the RDP, Nagamine Akio conveyed an official solidarity message as Vice Chairman of the GRI Legislature, albeit without his attendance:

We cannot call it a civilized society when the majority of people have not heard of the language 'human rights' [...]. I will make every effort to protect human rights in Okinawa, thereby enhancing moral principles and defending the conscience and virtue of the Okinawan race.

Nagamine's protest signified a historical moment when Okinawans as a collective began countering not only the military legal regime of exception but the occupation itself with their appeal for universal human rights and articulation of "civilization" on their terms. The adopted declaration, albeit lengthy, is worth providing here to narrate the birth of popular human rights activism in occupied Okinawa:

A decade has passed since the end of the war, and four years have passed since the conclusion of the Peace Treaty. Although the world is turning brighter and moving towards peace, Okinawa is still placed in an abnormal position, and our lives are exposed to poor conditions both materially and spiritually. The fear stemming from frequent rapes makes people – albeit limited to particular areas – unable to sleep in peace at night and stay alone even during daytime. The seizure of land that gives life to people has reached the Ie island, Isahama [...] and the great threat posed by the grand-scale, new confiscation plan is befalling all across Okinawa [...]. Labor unions cannot perform expected functions, forcing workers to struggle with low wages, layoffs, and fear of unemployment and making their lives filled with hardships. Further, the agony brought by such conditions discourages us to speak freely [...]. Most victims endure the pain without compensation. Yet now we see people in the mother country, Japan, and other parts of the world showing us empathy

and hope for the protection of Okinawans' human rights. Just as any member of human society, we have inalienable rights to the inherent dignity and equality, which underpin liberty, justice, and equality. We declare that we will overcome this crisis incurring on the Okinawan race. Toward this end, we demand the livelihood and rights that allow us to live as humans and tighten our solidarity for the protection of peace and liberty regardless of the difference in our ways of thinking and status. (*Okinawa Times*, October 23, 1955)

At this gathering, Okinawans presented their collective demand in the realm of the struggle against military injustices as the disclosure of courts-martial. In response, the USCAR authorized the locals to attend courts-martial that held the two rapists accountable. The locals also saw the first application of the Foreign Claims Act, a U.S. federal law stipulating official compensation for cases committed by U.S. military personnel against foreigners. On December 6, 1955, Isaac J. Hurt received a death sentence at the court-martial held in Okinawa, allowing Yumiko's parents to receive 2,000 dollars for compensation (*Okinawa Times*, October 20, 1956; Sasaki 1976, 210).

5. Conclusion

An overly celebratory evaluation of the 1955 uprising no doubt blurs the tenacity of extraterritorial manifestations of U.S. military justice in Okinawa. In 1960, President Eisenhower reduced Hurt's sentence to forty-five years of hard labor in prison without parole (Sasaki 1976, 210; Serrano 2019, 98) after having confronted Okinawans' massive protest during his visit to the island (Arasaki and Nakano 2005, 119–120). In 1977, President Ford removed the prohibition against parole, which authorized Hurt to apply for parole and turn the decision over to the Parole Commission (The Lawton Constitution 1977). The U.S. presidential clemencies effectively ended Okinawans' fight for legal justice and equality before the law.

However, another retrospective reflection on the 1955 uprising reminds us of the power of the "voiceless," that is, how Okinawans accumulated transformative power through their collective use of the UDHR ever since. Human rights advocacy has underpinned Okinawans' ability to unite in popular struggles against various issues arising from the American military presence. The islanders' reliance on Japanese nationalism (i.e., affinity with the Japanese state), not just *interna-*

tionalist human rights activism, especially in the 1960s and 1970s, requires further research.¹⁰ So far, what is clear is the shared suprapartisan organizational platform between the 1955 uprising and the 1956 “island-wide struggle” (*shimagurumi tōsō*) against the U.S. confiscation of native land. This 1956 uprising, much greater in scale and more persistent than the 1955 protest, even prompted Chief Executive Higa to declare to join the masses shortly before his sudden death amidst the height of the struggle. Three years later, Roger Nash Baldwin’s visit to Okinawa inspired the locals to found the Okinawa Human Rights Association (*Okinawa jinken kyōkai*) in 1961. Within four years since the Yumiko-chan Incident, the Okinawa Prefecture Council for Reversion to the Home Country, established in 1960, placed the protection of human rights and the adoption of the Japanese constitution in Okinawa at the heart of the organization’s pleas while declaring its pledge to sustain a suprapartisan front (Sakurazawa 2012, 119–140; Sakurazawa 2015, 90–92). These organizations played a vital role in facilitating popular movements for reversion, which eventually materialized in 1972.

Over the past five decades, post-reversion Okinawa has faced the problem of how to resist the U.S. military’s permanent use of Okinawa as a borderland and base society, aided and abetted by the Japanese government. In Japan, the nationalist protest against postwar U.S. extraterritoriality in the 1950s failed to establish local jurisdiction over criminal cases committed by off-duty U.S. military personnel stationed in Japan. Instead, U.S. policy elites succeeded in appeasing the population via public relations campaigns to respect Japanese sovereignty over such crimes (Inoue 2021, 81–171). The Japanese outcry did not fundamentally reject the exceptionalist, racialized, and imperial rationale for extraterritoriality. In contrast, occupied Okinawans won substantial rights rather than nominal change by linking human rights with what they understood as “civilization.” The islanders’ continued employment of human rights activism in the twenty-first century in their recent “all-Okinawa” mobilization emerged in this historical context.

¹⁰ The author is currently working on a book manuscript that responds to the stated research question, i.e., how the fusion of and interactions between human rights activism and nationalist reversion movements shaped the political landscape of pre-reversion Okinawa. For in-depth and extensive discussions on Okinawans’ engagement with nationalism during the occupation period and beyond see: Oguma (2014) and Komatsu (2015).

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