

## Interpreters and War Crimes

by Kayoko Takeda, London & New York, 192 p. Routledge, 2021.

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### Book Review

Informed by Pym's (1998) principles of translation history which call for attention to people rather than texts and with close attention to the contextual factors, *Interpreters and War Crimes* (Takeda, 2021) deals with two extraordinary yet underexplored interpreting situations interpreters could tackle in their profession –interpreters as witnesses of war crimes and interpreters as war criminals. In this book, Takeda examines the cases of interpreter defendants and interpreters as witnesses of war crimes at British military trials against the Japanese in the aftermath of the Pacific War. In navigating their interpreting roles, willingly or unwillingly, these interpreters took the accountabilities of the Japanese military's crime and suffered the consequences. In the war, they served as messengers between two opposing parties; but in the postwar crime trials, their role as messengers, serving foreign military occupiers, led to punishment, and even paid the ultimate price by the death penalty.

The book follows two major objectives. On one hand, it aims at presenting a thorough explanation of cases of interpreters called on as suspects and as witnesses at British military trials against the Japanese. On the other hand, it aims at providing detailed analyses and theoretical considerations on critical issues and distinct features of the interpreter's role, ethics, and responsibility in military encounters and war crime acts. Accordingly, the main content is organized into two major sections, each of which comprises four chapters. Part I documents a real, past precedent of less-identified facts of 39 wartime interpreters being sent to court trials as accused war criminals and as witnesses by providing a detailed, comprehensive account.

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Giving special attention to the historical-geopolitical perspective through a contextualized discussion, Takeda discusses the backgrounds, recruitment, and wartime activities of the accused interpreters as well as the charges brought against them, the defense arguments put forward and the verdicts delivered. Part II critically explores the theoretical foundations in the literature on the roles of interpreters in military encounters as well as the ethical and legal issues of various risks faced by interpreters in wars and conflict zones. In other words, it highlights distinct features of interpreting in warring situations and interpreter ethics and responsibility in war crimes.

In the Introductory section of the book, “Shooting the messenger?”, Takeda introduces the topic, “Interpreters as criminals/witnesses of abuse”, and its centrality as well as significance in the field of modern Interpreting Studies, establishing the territory by explaining the empirical background to the study, stating the objectives and method of the study, and describing how the book is organized to occupy the niche. In particular, three major cases have been explained as vivid instances where interpreters were convicted for actions they were involved in as part of their job including the historical Siebold Incident, and the contemporary cases of Günter Deckert and Mohamed Yousry.

Chapter 1 provides a detailed possible description of the accused interpreters prosecuted at British military trials. In so doing, the backgrounds of the accused, mainly civilians and low-level servicemen, were introduced in terms of their demographic characteristics, nationality, education, and overseas experience. As for their recruitment, the interpreters sent to the court included military or (local) civilians; and Taiwanese civilians recruited in Taiwan or Japanese enlisted as civilian interpreters in Japan. As far as the duties they served are concerned, general information is provided on what military organizations they worked for, whether there were other interpreters in their units, what responsibilities they were generally supposed to perform, what languages they used, and how they were paid. Special attention is given to their diverse backgrounds, the linguistic skills the Japanese military sought in them, and the reasons why the majority of the suspects were Taiwanese and foreign-born Japanese. Takeda concentrates on the specific linguistic needs of the Japanese military in Southeast Asia, and the qualities of interpreters who could satisfy such needs.

Chapter 2 elaborates on how the accused interpreters were first identified, what charges were pressed on them as defendants, what evidence was brought against them, and how victims perceived and described the wartime actions and roles of the interpreter defendants. It also accentuates “switching sides” as a means of survival by many wartime interpreters associated with

the Japanese military who, during the trials, testified for the prosecution as eyewitnesses of war crimes, giving incriminating evidence against their former superiors and members of their units. The accused were not prosecuted simply because they were interpreters. Probing the charges brought against the accused interpreters reveals that they were mostly accused of being concerned with torture to varying degrees, from being present, interpreting interrogations accompanying torture, to participating in the physical act of torture and other ill-treatment of local civilians in Japanese-occupied regions and POWs in camps and on transport ships.

Chapter 3 deals with the defenses the accused interpreters made against the charges brought forward, drawing mainly on in-court testimonies in addition to their pretrial statements as well as their counsel's legal arguments. The main defense arguments were that the accused were just "merely acting as an interpreter" and that the accused had to follow superior orders. Highlighting the interpreters' function as a machine, medium, parrot, and messenger, the defense presented the accused as mere tools with no authority to conduct arrests, interrogation, or torture and that they had no choice but to obey the orders of their superiors. The interpreters as "machines" and the superior orders defense were both rejected by the prosecution (and later by the judges) who argued for their joint responsibility in the acts committed by their unit as a whole.

Chapter 4 tackles the fate of the accused interpreters, elaborating on what verdicts and sentences were delivered by the court, how the sentences were executed, what the terms of imprisonment were, and how commutation requests resulted in reduced sentences and early releases, with attention to the judges' comments on the defense arguments such as superior orders. All in all, only one case was dismissed due to the suspect's nationality being Chinese. Of the 38 interpreter defendants found guilty, 11 were given the death sentence by the judges, and 28 were given termed sentences. The chapter concludes with a summary of Part I by connecting this past historical precedent to today's context which suggests several critical issues and themes relevant to interpreters in current war and conflict. In an attempt to apply the theoretical discussion to contemporary contexts, these real, yet under-researched, themes are reflected upon comprehensively in Part II in the following four chapters.

Chapter 5 investigated the influence interpreters' proximity to violence and war crimes could have on the range of their responsibilities and the potential dangers they may confront, especially in hostile situations such as war and conflict zones where there are asymmetric power relations among the primary speakers of communicative events and the interpreter. Having critically reviewed and discussed the literature available on the notion of interpreters' proximity, Takeda is

mainly concerned with the general implications of such physical nearness among the communication participants on the behavior of interpreters in high-risk settings. Moreover, by documenting the cases of the accused interpreters prosecuted at British military trials and other historical as well as contemporary cases, she looks into accompanying multi-faceted risks interpreters are exposed to in war and military occupation and subsequent legal proceedings as interpreters are situated close to the concerned parties. She also argues it may seem unrealistic to assume that interpreters restrict their work only to linguistic tasks in urgent situations, detaching themselves from their military units.

Chapter 6 addresses the notion of interpreters' visibility (which closely overlaps with the concept of interpreter proximity) and its impact on how the addressees form their perception of interpreters' role and power as well as the performative nature of utterances interpreters deliver in violent hostilities. Reviewing two main approaches to interpreter (in)visibility concerning their roles, social status, and professional identity, as well as touching on (dis)empowering, (a)synchronous aspects of (in)visibility both as power and as exposure, Takeda tackles concepts such as "perceived authorship", "mistaken impression" and "confused identity of the speaker", analyzing how visibility may have a significant impact on the perception of interpreters by the public and the receiving end of interpreter-mediated messages, especially in adversarial settings. Nevertheless, the costs of the exposure interpreters pay can be extreme, from becoming targets of opposing actors to being identified as suspects or being accused at war crimes trials.

Chapter 7 explores the complex legal aspects of interpreters' joint responsibility (based on international legal doctrines) in connection with war crimes and their ethical choices when challenged with (potentially) unlawful acts their units commit. In doing so, two different scenarios regarding interpreters' taking part in war crimes are introduced and analyzed: One is concerned with their mere presence and linguistic mediation during criminal acts in hostile settings, and the other deals with the physical involvement of interpreters, willingly or unwillingly, in criminal acts such as ill-treatment of POWs and/or civilians and interrogatory torture. Thus, the chapter discusses the legal issues concerning (embedded) interpreters' risk of being held criminally liable for war crimes and the ethical issue of claiming immunity based on interpreter neutrality in a balanced way. It is asserted that in war and intense hostilities, standards of conduct, as well as codes of ethics for professional interpreters do not carry much weight. Interpreters are extremely cautioned that under international law, torture and any abusive interrogation methods are

manifestly illegal and they could be prosecuted for assisting torture through “mere interpreting”. Besides, the anti-torture resolution adopted by ATA and NAJIT does include the requirement that torture must be reported by interpreters.

Chapter 8 discusses issues related to interpreters disclosing firsthand information they learn of while on duty for criminal investigations and legal proceedings, focusing on the implications of interpreters breaking their code of professional secrecy and reporting or testifying about abuse and crimes they witness in the course of their work. By briefly reviewing the backgrounds of the interpreters who testify against the Japanese military in the British trials as a historical precedent as well as examining two contemporary cases of attempts made to compel an interpreter to give evidence in legal proceedings (the International Criminal Tribunal for the Former Yugoslavia in 1997, and the US military commissions in Guantanamo Bay in 2015), the chapter addresses the critical issue of interpreter’s loyalty to the military in connection to ethical code of confidentiality, considering the institutional power that controls the participation of interpreters as witnesses. Takeda further urges for an ongoing dialogue essential to explain the requirements and limitations of interpreters testifying on and reporting manifestly unlawful acts such as torture in warring situations.

In the Conclusion, “Protecting the interpreter”, Takeda summarizes the main arguments of the book, that is, issues of several risks wartime interpreters face in playing their parts, performing their duties, and challenging ethical codes in armed conflicts. In other words, the central themes of the book were revisited addressing issues relevant to responsibilities, ethical choices, and legal issues of individual interpreters in conflict zones and war crimes either as defendants or witnesses. The summary is followed by suggesting possible approaches to continuous discussions in the future and further research studies. Takeda concludes her discussion by hoping that interpreters can be (self) protected from physical danger and involvement in interrogatory torture and other war crimes through interdisciplinary approaches and inter-sectorial communication employed in research in modern Interpreting Studies.

In sum, exploring different perspectives and aspects of the “crime” of interpreters as a unique and complex situation, *Interpreters and war crimes* provides new valuable insights in the history and historical studies of interpreting. Because of their proximity to the victims, interpreters are more easily identified as war crimes suspects. Similarly, wartime interpreters can be called on as eyewitnesses to testify their first-hand accounts in trial proceedings too. Taking an interdisciplinary perspective as other works by Takeda (2007, 2008, 2009, 2010, 2014, 2016) on

similar interpreting-focused themes in violent hostilities, *Interpreters and war crimes* is a significant contribution to the field of Interpreting Studies by shedding light on under-researched, under-discussed issues of potential risks interpreters may face in fulfilling their roles, responsibilities, and ethics in violent conflicts. *Interpreters and War Crimes* promotes inter-sectoral discussion and international dialogue among different scholars (including historians, interpreting researchers, interpreter trainers/educators, and professional interpreters) on how interpreters can be protected from being exposed to manifestly unlawful acts such as interrogatory torture or ill-treatment; that is; avoiding “crime of interpreting”.

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