Kelly: Donated to Creighton in 1986, Tokyo War Crimes files see the light of day

By Michael Kelly / World-Herald columnist | Posted: Friday, May 6, 2016 12:30 am

In the summer of 1986, a Creighton University School of Law grad quietly donated his Tokyo War Crimes files to his alma mater — where they were promptly stored and forgotten.

Three decades later, the personal and legal files of Thomas “T.R.” Delaney, a prosecuting attorney for the post-World War II International Military Tribunal for the Far East, have been unearthed, digitized and put online.

Last Friday marked the 70th anniversary of the start of the trials, which resulted in the hanging of former Prime Minister Hideki Tojo and seven others. The Creighton Law Library has produced a three-shelf, glass-encased display of the Delaney papers and related war items.

That the “Delaney Tokyo Papers” now see the light of day resulted from inquiries into family history by someone who is used to digging — Delaney’s granddaughter, geologist Karen Griffin of Lincoln.

“She heard that the papers were at the law library and contacted us in 2012,” said Corinne Jacox, a CU Law reference librarian. “We rediscovered them, so to speak. It was exciting.”

Creighton law professor Michael Kelly said the documents are relevant in part because war-crimes trials continue today.

An international criminal law specialist, Kelly takes CU law students each summer to Nuremberg, Germany, site of the postwar Nazi war-crimes trials. They also go to The Hague, Netherlands, where war crimes in Bosnia of 20 years ago are still being prosecuted.

“When law students go to The Hague and sit in on war-crimes trials,” he said, “they are not viewing them just as visitors. They are looking at legal theories of the late 1940s being resurrected and applied to today’s dictators.”
The Delaney papers cite atrocities, including bayonet-stabbings in a hospital, as well as the attack on Pearl Harbor, the Bataan Death March and the Japanese mistreatment of prisoners of war.

An irony of history is that Japan and the United States — which dropped atomic bombs to end the war and then helped rebuild the country — became postwar friends, a warm relationship that continues today.

[To browse the Delaney Tokyo Papers collection, click here.]

For Karen Griffin, the rediscovery of her maternal grandfather’s papers highlighted part of her family’s history — which included living in Japan.

In high school, her mother, Sheila, began a lifelong friendship with a classmate named Michiko — a commoner then but a woman who, for the past 27 years, has served in a different position.

Empress of Japan.

***

T.R. Delaney graduated from the Creighton School of Law in 1930 and moved to Montana in 1938. During the war, he couldn’t pass the military medical examination and eventually was elected county attorney.

He became friends with Mike Mansfield, a congressman and later a U.S. senator and ally of President John F. Kennedy. After the war, Mansfield asked if Delaney would serve on the war-crimes prosecution staff.

Delaney got to Japan in 1947, and his wife and six children soon followed.

“Grandfather and the rest of the family stayed for nearly 10 years,” Karen Griffin said. “They became such good friends with the Japanese.”

Sheila Delaney, the oldest daughter, attended the International Academy of the Sacred Heart in Tokyo. Michiko Shoda came from an accomplished family but was not of royal blood or nobility.

As Princess Diana did later, Michiko married into a royal family, becoming princess herself — the wife of Crown Prince Akihito.

Sheila had returned to the U.S. and married a surgeon, Dr. William Griffin. They shared an active life in Lincoln and had four children; as Sheila Griffin, she raised millions for the Lied Center for the Performing Arts. She also served as board chairwoman of the Omaha branch of the Federal Reserve Bank of Kansas City and as an international-trade consultant for the Nebraska Department of Economic Development.

Meanwhile, her friend Michiko had become empress in 1989, and she and her emperor-husband in 1994 toured 11 U.S. cities, including St. Louis. The two high school friends met there privately at a
hotel.

Sheila later sent her former classmate a birthday greeting. The empress followed up with a handwritten note:

My dear Sheila,

I am so touched that you should remember my birthday. When we met in St. Louis in June, you had just celebrated your birthday and I mentioned that mine was in October.

Thank you so much for your warm and loving letter and for the music album. ... As years go by, I realize more and more what a precious gift treasured true friendship is. I am grateful to have true friends like you who think of me and pray for me. Thank you, dear Sheila, for being who you are. I send you and your family my love and sincere best wishes.

Michiko

Sheila Griffin died at 60 the following June from what was described as a long illness.

***

Karen Griffin in 2012 had heard from relatives that her grandfather might have donated his papers to Creighton. At the law library, Corinne Jacox searched — and found them in three long boxes, high on a shelf in the rare-books room.

Said Kelly, the law professor: “I got this phone call from the library to come and look. The first page I saw was yellowed. It was from the trial of Hideki Tojo in 1947.”

The cache of papers, he realized, was perfect for the law school’s international criminal law program. Yale and the University of Virginia own larger collections from war-crimes trials, but this one was personal to Creighton.

It should hit home with students, he said, especially those interested in international law. Some visit the sites of concentration camps in Dachau and Auschwitz. Again, not just as tourists.

“They are seeing crime scenes from the Holocaust,” Kelly said. “That’s a powerful way to look at it.”

Chelsey Kenney, from Utah, who is finishing her second year of law school at Creighton this spring and went on that trip, earned an internship last fall working on criminal trials from the 1992-95 Yugoslav conflict.

She helped draft legal papers in the trial of Radovan Karadzic, arrested in 2008 and indicted on war crimes, including genocide. More than 8,000 Bosnian Muslim men and boys were executed. “They killed any male 16 or older,” Kenney said. “They separated men from their wives and boys from their mothers.”
In Bosnia, she said, she had one of the most meaningful experiences of her life.

“I was standing in the memorial graveyard in Srebrenica, and all the graves were for people I had done research on,” the future lawyer said. “I knew about these people and had read their stories. Our tour guide said, ‘You should be so grateful you are an American. I lost my country, my flag, my community, everything. I lost my identity.’”

That, she said, was where everything hit home.

“All the stories became real,” Kenney said. “That was a turning point for me. These weren’t just stories. It wasn’t just a guy on trial or a law school problem.”

She left The Hague on Dec. 18. Karadzic was convicted of genocide March 24 and sentenced to 40 years. War-crimes convictions no longer carry a death penalty.

During her internship, Kenney said, she saw photos of more recent atrocities in Syria. “It was horrible, just as bad as the Holocaust. You don’t think genocide like that is happening today, but it is.”

***

Karen Griffin works on environmental and water issues for Olsson Associates in Lincoln, and is a scientist, not a historian. She just wanted to know more about her grandfather and his family’s experience in Japan.

She learned a lot. T.R. Delaney’s main job during the trials was ascertaining what evidence the judges from 11 Allied countries were likely to find admissible. He also helped fellow prosecutors with closing statements in the Tojo trial summation.

“I also learned,” Karen said, “that my grandmother was an amazing woman, taking six children to the other side of the world after that horrible war.”

The geologist dug deep and met in Atlanta with her mother’s remaining siblings. They said their father didn’t talk much about his work. Instead, he would ask each child what had happened in school that day.

In 1952, Delaney received a commendation from the U.S. Supreme Command for helping Japan rebuild its legal and governmental infrastructure.

After his service in Japan, he continued with his legal career in the American Foreign Service. He worked for the U.S. Agency for International Development in Africa and the Middle East, and as a judge on Okinawa.

“I knew him well,” his granddaughter said. “But I didn’t ask him enough questions.”

In recent times, though, she asked enough questions that his papers from the Tokyo war-crimes trials were brought out of storage — and made available for anyone to see.

Contact the writer: 402-444-1132, michael.kelly@owh.com