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HIRANUMA Cabinet, the European war broke out. Everybody not only sensed the possibility of its developing to a second world war, but hoped that everything humanly possible might be done to avoid such an eventuality, having visualized as he did its appalling consequences. The ABE Cabinet, which was confronted with the outbreak of a fresh war in Europe shortly after its formation, immediately issued a declaration for non-intervention in the European conflict.

127. As I have mentioned before, the question of what procedure should be adopted in the selection of a new Prime Minister when a Cabinet fell, after either the incapacity or death of the Genro, Prince SAIONJI, was still being considered. The matter was brought to me again for my opinion by Prince KONOYE and on November 10, 1939, I had a talk with Marquis HATSUDAIRA, in which I expressed my opinion to him and later on the same day conveyed my ideas to Prince KONOYE, both of whom concurred in my opinion. These conversations are fully reported in my diary of November 10, 1939. The Prosecution has submitted Exh. 2273 which purports to be a translation of this diary entry. This was one of the many excerpts from my diary which were rushed into evidence in the closing minutes of the Prosecution's case on January 24, 1947. Apparently this last minute rush did not give the Language Section sufficient time to retranslate some of these entries carefully or accurately, particularly this one. Exhibit 2273 is not a proper translation of what I said in my diary. I am making a point of this because the Prosecution has based a serious

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contention against me in Document 0003, FP47 and 48, in saying that when I was out of office this Exh. 2273 showed I thought the Lord Keeper should not "interfere" in the choice of a new Premier, but that I dropped this idea when I became Lord Keeper in 1940 and assumed this function myself. For this reason I submit the following translation which accurately sets forth my opinions:

"November 10, 1939 -- At 10 AM Marquis MATSUDAIRA visited me. As I have been considering at the request of Prince KONOYE, the best method of recommending a succeeding premier to the Throne in case of a Cabinet resignation, I had a talk over the matter with the Marquis. The summary of my opinion is as follows:

Recently, I had an interview with the Lord Keeper of the Privy Seal. The opinion of the Lord Keeper on this item was that no other method except the existing one was conceivable for him, because he would not entertain any other plan when the elder statesman (Prince SAIONJI) is still alive and well. I have no reason to object to this opinion, at present. But we must have ready some plan for the future after the death of the elder statesman. Besides, as a great deal of unsavory criticism has been directed in government circles against the present system, it is necessary to replace it with a more appropriate one. The duty of the Lord Keeper of the Privy Seal should be limited to constant attendance on the Throne and it is undesirable that he assumes full responsibility to recommend the succeeding premier. Furthermore, from the political point of view it is not a good thing that Court circles should become the object of direct action.

Therefore, I believe that the duty on the Lord Keeper of the Privy Seal should revert to that of constant attendance on the Throne and that in the event of a general Cabinet resignation, former Premiers should be questioned by the Emperor (TN: concerning the succeeding Premier). In the event of there not being a sufficient number of them, persons having the privileges of State Ministers could be included. Thus it is necessary to give

earnest attention to the question as to whether the Lord Keeper of the Privy Seal should attend as a result of an Imperial Order or whether the matter should be decided by the Emperor upon receiving their report without the Lord Keeper of the Privy Seal attending at all.

In connection with the question as to whether the President of the Privy Council should attend or not I also believe that these two should be made an entirely separate system.

Although these persons should assemble in one place after having received the Imperial inquiry, this should not assume the form of a conference in as much as votes should not be cast but rather a suitable number of opinions should be advanced and the matter should be left up to the Imperial decision.

After I had stated largely as mentioned above, Marquis MATSUDAIRA agreed with my opinion and we mutually promised assistance.

At 1:30 PM I visited Prince KONOYE at Ogikubo. In addition to discussing the home and internal situation, I spoke to him about the argument I had propounded to Marquis MATSUDAIRA this morning. Prince KONOYE was in agreement and, as he wished to put this method into practice on the next occasion. He stated that he wished to consider a rapid method of effecting it. However, as its introduction -- during the life of the Elder Statesman would require considerable study -- I requested that in addition to my studying the problem, that the Prince should give it full consideration.

In response to KONOYE's question as to whether my suggestion involved the abolition of the post of Lord Keeper of the Privy Seal, I explained that it might do so theoretically, but in actuality there was enough room to keep him as a constant attendant on the Throne. We parted at 3:00 PM.

128. As shown I suggested that it was undesirable to charge the Lord Keeper of the Privy Seal solely with the duty of selecting a new Prime Minister. I believed the Seniro Statesmen should deal with it. This suggestion, though supported by Prince KONOYE, did not materialize after all. I wish to point

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out at this time that when I was unexpectedly appointed the Lord Keeper of the Privy Seal, the elder statesman, Prince SAIONJI, was still alive. I followed in general the principle which he had contemplated and reported confidentially to the Throne. After his death in October of 1940, I studied this problem from various angles, though I could not get in the end a definite plan for leaving the problem to the senior statesmen alone. So I was obliged to act according to the former principle.

129. The ABE Cabinet fell on January 12, 1940 and it was succeeded by the YONAI Cabinet. The Lord Keeper of the Privy Seal YUASA Kurahci, became quite ill and I was informed on May 8, 1940 that Prince SAIONJI desired that I accept this post. My attitude upon hearing this is set forth in my diary of that day:

"May 8, 1940 -- Chief Secretary MATSUDAIRA called on me at the Kuwana. He said that the Lord Keeper of the Privy Seal may have to be replaced in view of his illness. HIRADA mentioned that Prince SAIONJI is recommending me as successor. I said that I am not the right man. I recommended Prince KONOYE as being the most suitable man for the post of Lord Keeper, and Baron HIRANUMA for the chairmanship of the Privy Council."

130. After the outbreak of the European War, the people, who had a premonition of a worldwide upheaval, would not remain idle. Heated discussion began to be made on political reconstruction and concentration of political power, whose necessity was felt keenly by various quarters. An atmosphere was created for merging all political parties into a new one which would be set

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up; while the question of nation of national reorganization was vigorously discussed by interested quarters. Meanwhile, a movement raised its head for having Prince MONOYE preside over the projected new political party. From early in 1940, the Prince seemed to have begun to consider these questions seriously, but he apparently paid more attention to the movement for national reorganization than his leadership of the new political party. It was the intention of the Prince to prevent the Army from making a political advance, by concentrating and establishing political power. On the strength of my personal experience as Cabinet Minister I myself keenly felt the necessity for establishing political power, but was opposed to one state, one party, which was advocated by some sections of the public after the Nazi fashion. It was my hope that political power might be established by combining all the existing political parties. At that time, I stood aloof from political circles due to family circumstances, whose movements I knew only through information brought to me by my friends from time to time. It was Count ARIMIZU who first brought the question to me. On April 14, 1940, when he called on me, I had a free and frank exchange of views with him on the movement for combining all existing political parties and the emergence of

Prince KONOY

As leader of the new political party. The new party movement

began to gather momentum about that time, and persons who called on me in connection with this question increased in number.

131. In those days it was rumored in political circles that the YONAI Cabinet would resign en bloc and an opinion prevailed that Prince KONOYE should be appointed the next Premier. Having observed such atmosphere, Mr. IKEZAKI advised me as stated in my diary of May 10, 1940 (Pros. Exh. 2274). However, it was my intention so long as Prince KONOYE took a leading part while he was active in politics, I would assist him by playing a supporter's part. So I expressed my opinion frankly that I had no intention to become the President of a new political party which was to be established and that "I had no intention of forming any other new political party." Mr. IKEZAKI here referred to is Mr. IKEZAKI, tadataka who was at that time a member of the Lower House and had been the Councillor Parliamentary of Education while I had served as Minister of Education (from October 1937 to May 1938).

132. The atmosphere that the YONAI cabinet would sooner or later retire and a KONOYE Cabinet would be formed became more pronounced day by day. Prince KONOYE keenly felt that his former Cabinet, not being supported by any political party, had found it difficult to carry out every policy he had in mind and he was desirous of obtaining by all means the peoples' backing in some form in case he was asked to form a ministry.

133. In the afternoon of May 24, 1940, I had interviews separately with Mr. MUZAWA Michio and Mr. Ryunosuke GOTO, who both stressed the tanscness of the situation, especially the

home situation, expressing their ardent hopes for the emergence of Prince KONOYE as a new Prime Minister. In view of the political tendency, which promised to develop quickly, Prince KONOYE invited me and Count ARIMA to dinner to fully discuss the current questions together. In consequence, Prince KONOYE, Count ARIMA and I dined together at the restaurant Kinsui, Kioicho at 6 P.M., May 26, 1940 when we took occasion to talk about the new party and national reorganization questions. The result of this meeting is set forth in my diary of May 26, 1940. (Pros. Exh. 2275 and errata). At this dinner we consulted with one another on various affairs. In view of the political situation, we, setting aside such problems as basic organization of the people, inquired, at first, into a policy to be adopted in case the Imperial Command to form a ministry was given to Prince KONOYE; because there was a probability of the Imperial Command being given before the above mentioned problem would be solved. Prince KONOYE was most strongly opposed to the dictatorship of "One State One Party" and we were thinking at this conference about a union of political parties, but not of "One State One Party."

134. Prince KONOYE was strongly opposed to this point when the movement for establishing a new party was inaugurated at the time of the first KONOYE Cabinet. That Prince KONOYE's intention was like that may be clear judging from the fact that the said movement was stopped as a result of his efforts. (See Page 82)

135. As shown in Item 1 of Exh. 2275, the proposed new party would emerge only after Prince KONOYE received an Imperial Mandate to form a new Cabinet. Item 2 (a) shows that we

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agreed that due consideration should be given to organizing a Supreme National Defense Council. The object of this was to suppress the Army which had held political leadership and to restore it into Premier's hands and thus to have Premier take charge of government, based upon the backing of a new political party, namely public opinion. As we were still at war with China, we believed consideration should be given to Army and Navy wishes regarding finances, national defense and foreign affairs as shown in Item 2 (b). Consideration of a request to all political parties to dissolve is shown in Item 2 (c). If the new party was established, Items 3 and 4 were to be considered.

136. On May 31, 1940, Baron HARADA told me I was being recommended to the position of Lord Keeper of the Privy Seal. My response is set forth in my diary for that day.

"May 31, 1940 -- At 8 AM. Baron HARADA came to tell me that I am to be recommended to succeed the Lord Keeper of the Privy Seal. I told him that I had no confidence because of the grave situation we are facing today."

137. Pros. Exh. 2276 and errata (my diary of June 1, 1940) shows I was recommended to the position of Lord Keeper of the Privy Seal by such anti-militarists as Imperial Minister MATSUDAIRA, Prince SAIONJI, Premier YONAI, Lord Keeper YUASA, and Prince HONOYE. I know of no militarists who recommended me. That afternoon I accepted after giving the matter due consideration and was duly installed in the position. As is also shown in Exh. 2276, early in the morning of June 1, 1940, Mr. IKEZAKI visited me. Mr. IKEZAKI had an intention to recommend me as the president of a new party when it was organized. He had cherished an opinion that, if I became the Lord Keeper of the Privy Seal, his intention as mentioned

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above could not be realized. So being surprised at the news that I might be installed in the said post, he came to dissuade me from taking such an office. However, as I had from the first no intention of launching out on the formation of a new party, I did not lend my ear to his opinion. (See also my diary May 10, 1940, Pros. Exh. 2274).

138. In Doc. 0003, P. 48, the Prosecution says that Exh. 619, among others, shows my attitude toward the United States, Great Britain and the Netherlands. This Exhibit is my diary for June 19, 1940. In that entry I merely reported what the Foreign Minister told me in talks I had with him before and after he was received in audience by the Emperor. As shown in that Exhibit, he told me about what transpired at the Four Ministers' Conference the day before regarding French Indo-China. I did not attend this conference. As a matter of fact, the Lord Keeper never attends Cabinet or Minister Conferences, and I never did as Lord Keeper. The complete statement of the Foreign Minister to me in Exhibit 619 is the five paragraphs beginning with (1).

139. Prosecution translation of my diary of June 27, 1940 (Pros. Exh. 1294) has given rise to an erroneous claim that it shows my attitude toward the United States, Great Britain and the Netherlands (Doc. 0003, P.48). Here again I merely reported what Foreign Minister ARITA told me regarding a conversation he had with Ambassador Grew about a proposal for a treaty between the U.S. and Japan. I ask that this entry be referred to the Language Section. In the sentence before the paragraph beginning with the words "Ambassador Grew", there

should be a period after the word "Palacé", the balance of the sentence stricken and the following added -- "We had a talk and he told me the following:".

Furthermore, each minister of the cabinet often came and told me matters as reference in the event the Emperor desired consultation with the Lord Keeper of the Privy Seal.

140. In my diary of July 1, 1940, (Pros. Exh. 1295) I have recorded as it clearly shows what Foreign Minister ARITA told me. No statement of mine appears. I merely listened. The spectacular achievements, attained by the Germans in the European theater of war in June 1940 imported such a strong stimulus to the Army and rightists that an atmosphere for a reformist movement was brewed and the criticisms and attacks, heaped upon the YONAI Cabinet for its alleged pro-American and pro-British character as well as for its maintenance of the status quo, developed into a movement for its overthrow. The result was the roundup of the MAYEDA faction for its plot of direct action on July 5, 1940.

141. Prosecution Exhibit 532 contains entries from my diary for July 5, 7, 8, 16 and 17, 1940. The entry of July 5, 1940 refers to a report made to me about the July 5th incident. This was to kill Premier YONAI, Mr. MACHIDA, Count MAKINO, Baron HARADA, Baron ICHIKI, Mr. IKEDA, Admiral OKADA, Mr. YUASA and Household Minister MATSUDAIRA, and I understood later I was also on the list. These men were all close personal friends of mine. They were known as members of the Court Circle, except Mr. MACHIDA and Mr. IKEDA and had the reputation of being against war. As shown in the excerpt I reported this Incident to His Majesty and in response to his questions

I told him the plotters actions were blame worthy but insofar as their motives were concerned, the administrators must seriously reflect. In other words, since the Government's administration contains many things to be improved, such untoward incidents would take place one after another unless the state leaders, being warned by an incident of this sort, made deep introspection, and therefore they had to take these points into consideration.

142. As evidence of the popularity of Prince KONOYE as Premier in the event of a Cabinet change, I refer to my diary of July 7, 1940 (Pros. Exh. 532). This shows that Mr. OTA representing Baron HIRANUMA came and told me that, in the event of a possible ministerial change, no one but Prince KONOYE would be recommendable for the next premier. It testifies that Prince KONOYE was almost the only person at that time who was fit for premiership.

143. With respect to my diary entry of July 8, 1940 (Pros. Ex. 532) wherein it appears that the Army would support Prince KONOYE as the next Premier my reaction was as follows. Judging by the political situation, then prevailing, I thought that a political change might be inevitable sooner or later. And I thought about the counter-measures from time to time. As already mentioned, I had various occasions to discuss with Prince KONOYE the question of concentrating and strengthening political power. On the other hand, Prince KONOYE was identifying himself with the establishment of a new political structure, having resigned as President of the Privy Council. I thought, therefore, that there would be no suitable candidate for the succeeding Prime Minister but Prince KONOYE. I felt somewhat uneasy, however, when General ANAMI, Vice Minister of War, assured me that the Army solidly desired for the Prince's emergence as Prime Minister.

Because I feared that the Army might push its own policy, taking undue advantage of Prince KONOYE's overwhelming popularity. On the part of the Prince, however, it seemed that political moves were steadily taken to counter the Army's advance on the political field. Should I refuse to recommend Prince KONOYE for fear of the Army's political machinations, the result would be to hand over political power entirely to the Army. Therefore, I thought that I would have to recommend Prince KONOYE as succeeding Prime Minister.

144. Prosecution Exh. 534, my diary of July 14, 1940, records the steps I took to ascertain the information which the Emperor requested me to obtain about heavy artillery mobilization in the South China campaign. This entry shows, to the Imperial question about this matter, I replied that I would, from the standpoint of the duty and authority of the Lord Keeper of the Privy Seal, avoid negotiating directly with the military authorities, but have instead the Chief Aide-de-Camp to the Throne make an investigation on that matter; and in case his investigation was unsatisfactory, I personally would negotiate with the Government about it. As the Lord Keeper of the Privy Seal, I always tried to avoid direct contact with the military authorities on operations and only discussed policy matters with them in order to get their opinions.

145. In my diary of July 16, 1940 (Pros. Exh. 532), I set forth the circumstances as related to me concerning the resignation of the YONAI Cabinet. It fell because after War Minister HATA's resignation, the Army refused to suggest a successor. The entry also sets forth the procedure in the

selection of a new Prime Minister. It shows that the procedure used by me was the same as that used by my predecessor Lord Keeper YUASA, except that the Senior Statesmen were to be consulted as a body and not individually and separately. This minor change had been previously discussed by me with Prince KONOYE and Marquis MITSUDAIRA on November 10, 1939 as set forth above and I discussed it again with Marquis MITSUDAIRA on June 27, 1940 (Pros. Exh. 1294). Also as shown above, I had discussed this entire vexing problem with Prince SAIONJI on several occasions. In any event, the Emperor approved the procedure I outlined to him as disclosed in this entry in my diary.

146. At 1:00 PM. July 17, 1940, a meeting of Senior Statesmen took place in the Imperial Palace to select a succeeding Prime Minister, comprising of President HARA of the Privy Council, and the six ex-Premiers, WAKATSUKI, OKADA, HIROTA, HAYASHI, KONOYE and HIRANUMA. On that occasion, President HARA of the Privy Council, a noted pacifist, asked me about the truth about the resignation of the Cabinet en bloc. I told them the gist of what I had learned. At the beginning of the Conference Mr. WAKATSUKI, former President of the MINSEI Party (People's Government Party) was the first to recommend Prince KONOYE. The others present immediately agreed to this recommendation. I concurred as Prince KONOYE was depended upon to settle the China affair. Thus to me it was apparent that Prince KONOYE was the popular choice of the political parties as well as the Army. The Conference only lasted 30 minutes, whereas usually they take much longer I sent my chief secretary to Prince SAIONJI to hear his

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opinion, but he did not dare give any opinion for the reason of illness and old age. So I could not get his opinion and I reported to the Throne about this matter accordingly and obtained the Imperial assent. When I reported to His Majesty he asked me if he could give KONOYE some advice and I told him that Prince KONOYE should be especially prudent in the choice of Foreign and Finance Ministers due to conditions at home and abroad. All of the above, together with my conversation with Prince KONOYE after he received the Imperial command, appears in my diary of July 17, 1940 (Pros. Exh. 532).

147. My diary entry of July 18, 1940, (Pros. Exh. 539) records my statement that it was wrong in formalities that HATA, Minister of War, recommended to His Majesty that Lt. Gen. TOJO be appointed his successor and I advised the Chief Aide-de-camp that such an act should not be a precedent.

148. Of all the members of the KONOYE Cabinet, it was Foreign Minister MATSUOKA who was regarded not only as a "problem" Minister, but also as a dangerous character by a section of the intelligent classes. On his assumption of the portfolio of Foreign Affairs, Mr. MATSUOKA immediately carried out a big shakeup of diplomatic representatives abroad on the ground that the current difficult situation could not be pulled through by the old Court diplomacy. He conducted personnel affairs in a unique fashion, by jettisoning leading career diplomats. The Ambassadors chosen by him included Lieut. Gen. TATEKAWA, Yoshitsu, Ambassador to the Soviet Union,

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Lieut. General OSHIMA Hiroshi, Ambassador to Germany and Mr. HORIIRI Zombai, Ambassador to Italy, who attracted widespread attention. All people concerned felt deep concern over the unprecedented reshuffle, contemplated by Mr. MATSUOKA. I drew Prince KONOYE's attention to the matter. The Prince himself was deeply concerned over the far-reaching effects it might have on various quarters, but he could not stop it. As result of Mr. MATSUOKA's shakeup, the pro-British and pro-American colorings of Japan's diplomatic front began to fade rapidly. As an example of Foreign Minister MATSUOKA's actions, I refer to my diary of August 9, 1940:

August 9, 1940 : For 35 minutes, starting 1:50 P.M. I had an audience with the Emperor, when His Majesty told me mostly about Foreign Minister MATSUOKA's way of thinking. His way of thinking to endeavor to unify diplomacy and do his best to avoid diplomatic isolation was all right, but His Majesty expressed his regret that the Foreign Minister failed to have any clear perspective of America's future policy."

149. On August 10, 1940 I was told by the Emperor of his conversation with Prince FUSHIMI, Chief of the Navy General Staff, about the Navy's attitude and lack of preparations for war. This is recorded in my diary for that day (Pres. Exh. 1298).

150. On September 9, 1940, I was advised by the Chief Aide-de-Camp to the Emperor that our proposal of the peaceful advance into Indo-China was in negotiation. Our forces suddenly invaded there, causing reversal of negotiation on the agreement. Being informed of the news, I was greatly

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indignant at the actions of the military authorities in the field against the intention of the central authorities. This is recorded in my diary of September 9, 1940 (Pros. Exh. 626).

151. MITSUOKA's suggestion that an ultimatum be sent to French Indo-China was pending in September 1940. The Emperor told me that the views of MITSUOKA and of the Army General Staff did not coincide exactly. In case the explanation of the Government or the Supreme Command regarding any policy was deemed considerably well grounded, the Lord Keeper of the Privy Seal used to advise the Emperor to approve it. In such a case, however, the Lord Keeper of the Privy Seal was always strictly cautious if he was asked and gave his own personal opinion.

Such was the case with any Lord Keeper of the Privy Seal.

Much more so in this case. As His Majesty told me that he thought there was nothing else but to have the Government policy carried out, I replied that I agreed with him.

However, as I was aware that things were grave and that he did not show his hearty approval, I added that he had better direct the Government to take a cautious attitude. My advice to the Emperor on this occasion is set forth in my diary of September 14, 1940. The translation of this diary entry, Pros. Exh. 627, was submitted to the Language Section, whose corrections made on October 4, 1946 and October 7, 1946, do not accurately set forth my advice that the government's policy should be followed, and that it should take a cautious attitude. Furthermore, this Exhibit does not express my attitude toward United States, Great Britain and the Netherlands as is

stated in Document 0003. On its face it shows that I merely reported to the Emperor what I heard. I only advised him to follow constitutional Government in my advice to him.

152. In September 1940, Ambassador von Stahmer came from Germany, when an important negotiation was started for the conclusion of an alliance between Japan and Germany. It was reported that Foreign Minister MATSUOKA conducted the negotiation at his private residence. It was conducted so secretly that even the divisional chiefs of the Foreign Office were not aware of it with the exception of his Diplomatic Advisors, before a definite plan was evolved. I myself learned it from Prime Minister HONOYE for the first time on September 12, 1940 when I was surprised at its unexpected progress.

153. This question worried me most. Here allow me to digress a little. I and Prince HONOYE were among the so-called disciples of Prince SAIONJI. Since I was appointed Chief Secretary to the Lord Keeper of the Privy Seal, I made it a rule to call on the aged Prince at Okitsu almost once every month and listen to his instructive talks. The Prince, who was deeply concerned over the situation in Japan, repeatedly stressed the necessity, I vividly recall, for basing Japan's foreign policy on cooperation with Britain and America. I entirely agreed with him. As I approached all questions with my way of thinking based on that, the question of alliance with Germany tormented me. I could not bring myself to approve of it.

Especially I feared the alliance would necessarily lead to a war between Japan and America. From this angle, I drew the attention of Prince KONOYE, and Foreign Minister MATSUOKA, who, however, surprised me by arguing that the alliance was intended to prevent America from joining in the war and further that in case Japan was isolated in the Pacific without concluding the alliance with Germany, she might be attacked by America any moment. Notwithstanding their explanation to the contrary, I could not help feeling deeply concerned, as I thought that the alliance might cause an antithesis with America and eventually we would have to oppose both Great Britain and the United States. On September 16, 1940, I had an audience with the Emperor.

"September 16, 1940: I was received in audience and inquired by His Majesty mainly about concluding an alliance with Germany. His Majesty aired his views and I submitted my opinions to the Throne."

I told the Emperor on this occasion that this alliance, if concluded, would divide the world into two parts, notwithstanding the opinions of the Prime Minister and Mr. MATSUOKA to the contrary. I also told him the China Incident was an irritant to the United States and should be concluded as quickly as possible.

154. Pros. Exh. 2277 (diary of Sept. 21, 1940) shows my forecast in another audience with the Emperor, as follows:

"Sept. 21, 1940: With regard to the solution of the China Incident, I expressed my opinion to His Majesty to the effect that we would have eventually to oppose both England and the United States if we

conclude a military alliance with Germany and Italy. We should therefore make necessary adjustments regarding our relations with China as soon as possible.

155. I was helpless to prevent the Government from approving this Alliance, although in several talks with MATSUOKA and also with Prince KONOYE I disapproved of it as shown above. Once the Government approved it, tradition, scrupulously observed since the Meiji Emperor, builder of modern Japan, dictates the Emperor to approve the Government's decision when it is submitted to the Throne as national policy, though prior to that, His Majesty may express his views, or caution the Cabinet or request the Cabinet to reconsider its proposed attitude thereupon. In this case, it may be imagined that the Emperor inwardly felt uneasy, but sanctioned the requested conclusion of the alliance with Germany. The question of this alliance with Germany had caused a great deal of solicitude to the Emperor. His Majesty expressed his view also that the conclusion of the alliance would necessitate an anticipation of an eventual war between Japan and America and asked Prime Minister KONOYE and Foreign Minister MATSUOKA about this. In reply, however, both of them stated that the alliance was intended to avert war between Japan and America and that if the alliance was not concluded, the danger of a Pacific war would be all the greater. On the strength of their contention, they petitioned the Emperor

to sanction the alliance. Judging by the result, the Emperor's observation was correct.

156. In order to prevent a war with United States and Great Britain, I thought that we should eliminate one of the major factors which was irritating the United States and Great Britain -- the China Affair. It was for this additional reason that I advised the Emperor, as quoted above, Exh. 2277, to resolve the China Affair. I further told the Emperor at that time that this should be accomplished even if it necessitated making decisive concessions.

157. On September 26, 1940, (Pros. Exh. 643) I was advised that an Army unit had landed in French Indo-China to bomb Haifong. I was indignant at this as appears in the Exhibit; "It is indeed regrettable that such measures are taken by those in the field who do not understand the general situation. It is people like this who make the grave blunders."

Prosecution document 0001 P153, fails to record my indignation

158. On November 24, 1940, Prince SAIONJI passed away.

159. There was no prospect of an early settlement of the China Affair; while peace moves, taken by the Army and those interested in the China question, toward Chungking led to no tangible results. The result was that a fretful atmosphere began to prevail in various quarters. True to his policy of unifying diplomacy, Foreign Minister MATSUOKA was determined to take up negotiations with Chungking in his own hands. With this in view, he dispatched Counsellor TAJIRI, Mr MATSUMOTO and others to Hongkong, who were instructed to conduct

negotiations with Chungking. At first, the negotiation, conducted by the Foreign Minister's agents at Hongkong appeared to make fair progress, but later it proved to remain in the stage of political warfare, after all. In consequence, the liaison conference between the Government and the High Command at its meeting of November 28, 1940, decided that a basic treaty be concluded between Ambassador ABE and President Wang Ching-wei, paying no attention to the negotiation with Chungking. The result was that the China Affair entered a definite stage of protraction.

160. As the year drew to a close, our power was becoming exhausted and I was extremely pessimistic as to the prospect for the settlement of the China Affair. I told the Throne that we would be unable to settle the Affair by compromising with those positive action proponents in Japan and on the contrary we would only have the national strength exhausted, and I added that Japan's future was indeed a matter about which I felt a great concern. My diary of November 29, 1940, Pros. Exh. 2278, as corrected, records that I advised the Emperor to the above effect. This reply was made to a query by the Emperor after His Majesty expressed his solicitude about Japan's formula for dealing with the China Affair which he said irretrievably would become a protracted one. His Majesty told me that the moves, hitherto taken toward Chungking in settling the China Affair must be regarded as failure; while conclusion of the treaty with the Wang Ching-wei

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Administration would irrevocably make the China affair a protracted one.

161. The success of the Russian Five Year Plan and our relations with Russia were causing the Emperor great concern. He asked me for my opinion. As I was opposed to War and believed that nations may rise and fall without being involved in war and that Japan could grow peacefully, I advised Him as recited in my diary of December 3, 1940.

"December 3, 1940: At 10:30 went on duty and was received in audience by the Emperor from 10:50 till 12:05. His Majesty disclosed his deep concern about the prospect of adjusting our relations with the Soviet and told me his various reactions. I stated to the following effect:

'Today, the USSR is in the most favorable position in the world. As things stand now, the less she moves the better her position gets. The fact being so, she is haughty, and it is possible that she will not readily concede to negotiating with Japan. After the present war, there is little doubt that the only uninjured countries will be the USSR and the United States, while others would be exhausted. Then, Japan will be placed between the two powers and subjected to an extremely enduring hardship. However, we need not necessarily be pessimistic because even these two powers, when they lose their strong rival countries around them, will automatically become relaxed, then inevitably deteriorate. So provided that we are prepared for ten years of hardships and cultivate a morale based on simplicity and virility, I believe it is not so difficult to emerge favorably in the end.'"

162. In the European theater of war, the Germans were daily adding to their military achievements. It had far-reaching effects on the various quarters of Asia, particularly on French Indo-China, whose motherland had collapsed and Thailand, who had hitherto been under British influence. The

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question arose in the intellectual classes as to the propriety or otherwise of advancing to the south on the part of Japan, taking advantage of the great upheaval. It was hotly discussed, while various plans were formulated by the Army for the purpose. When Japan mediated in the border dispute between French Indo-China and Thailand, an "outline of operations on French Indo-China and Thailand" was adopted for the purpose of establishing leadership positions in the south and having access to raw materials on the one hand, seizing occasion and on the other bringing pressure to bear upon China from the south so as to hasten the settlement of the China Affair. It was natural that Japan could not look on the world-wide upheaval with folded arms, there being no objection to try to have access to oil, rubber and iron resources on the part of Japan, who was lacking in them; but moves for the purposes must be taken through peaceful channels. To resort to armed force in impatience should be most strictly guarded against. I feared that tactless display of armed force might excite needless doubt to Britain and America and possible lead to a clash with them. Therefore, I drew Prince KONOYE's attention to this point. The Emperor was also very solicitous about it. When the Chiefs of Staff of the Army and Navy reported to him on the military agreement with Thailand, the Emperor expressed his fear that it might stimulate Britain and America with which I agreed.

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His Majesty paid cautious consideration to it. My diary of January 24, 1941, recites:

"January 24, 1941 -- At 11:10 (till 11:25 A.M.) had an Imperial audience and was told by the Emperor that he had said to the two Chiefs of the General Staff as follows: 'The matters you reported to me yesterday have had my due consideration. In view of the strong influence of Great Britain and the United States over the politics of Thailand, I fear lest the enforcement of this agreement stimulate these two powers and might cause grave consequences and further consider it may not be advisable to irritate French Indo-China with whom we maintain at present friendly relations as the result of the solution of the rice problem, etc.. So you are requested to give due deliberation together with the Government with regard to the time of enforcement and after coincidence with the opinions of both parties you are to carry out the plan. On condition that the above is strictly observed, your reports have my approval.'

163. On February 1, 1941, the Chief Aide-de-Camp to the Emperor came to me and stated in substance: "The outline of operations on French Indo-China and Thailand" is intended to establish Japan's leader position in the south so as to prepare the ground for her southern advance, taking occasion of French Indo-China and Thailand's acceptance of Japan's mediation in their border dispute. The Navy intends to use Camranh Bay and also the air base near Saigon, but its objects cannot be boldly expressed, so that such phraseology as safeguarding of trade and communication and guarantee for the prevention of a recurrence of disputes between French Indo-China and Thailand is used. In case armed force is to be resorted to, it is arranged that Imperial sanction be obtained afresh. This report is set forth in my diary of February 1, 1941, together

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with a statement made to me by MITSUOKA (Pres. Exh. 1303). The term "leader position" used by the Chief Aide-de-Camp above, began to be used frequently about this time, which fact worried the Emperor. His Majesty stated that one's leader position should not be imposed on others and therefore that Japan's leader position would be established only when she was looked up to as leader, deprecating any hasty action in this direction. That the Emperor only half-heartedly agreed with the measures taken appears in my diary of February 3, 1941:

"February 3, 1941: At 10:00 A.M. went to my office. From 10:10 to 11:00 I was received in audience, during which time I asked His Majesty about an account of the audience that was granted to the Chiefs of both Army and Navy General Staffs and the Premier on the 1st.

* * * * *
When I was received in audience this morning His Majesty related to me the following: (I was overawed at His Majesty's exceeding concern).

'On Saturday last the Chiefs of the Army and Naval General Staffs and the Premier reported to me the measures to be taken toward French Indo-China and Thailand. Personally, I do not approve in principle of these policies of taking advantages and making demands while the opponent is weakened; that is, I do not approve of anything in the nature of a thief at fire. However, in dealing with the fast changing world of today, it would not be gratifying to err on the side of benevolence. So I approved these policies but we must be very cautious in carrying them out.'

I regretted that the Emperor's advice was not embodied in the measures taken by the Government. In a subsequent conversation with Prince FONOYE I gathered an impression that the Emperor's advice as quoted above was given by him to the Chiefs of the Army and Navy General Staffs and the Premier, but I am not certain.

164. I did not approve of MATSUOKA's proposed visit to Europe which he told me he intended to make (Pros. Exh. 1302, diary of Feb. 1, 1940) and suggested to both the Emperor and Prince KONOYE that careful consideration be given to this.

My diary for February 18, 1941, states:

"February 18, 1941: At 2:15 I was granted an Imperial audience. I suggested to His Majesty that inasmuch as our relations with the United States and Britain have become radically aggravated of late, we must have the government carefully study the effect that MATSUOKA's visit to Europe will bring about in our country and in the world. At 2:30 I withdrew from the Emperor's presence.

* * * * *

At 6:00 I talked with Prince KONOYE over the phone, asking him to give careful thought to Foreign Minister MATSUOKA's pending journey abroad."

165. Pros. Exh. 1058, my diary of Apr. 3, 1941, recites that my advice was sought by Prince KONOYE on the prospective appointment of Admiral TOYADA as Minister of Commerce and Industry and Lt. Gen. SUZUKI as President of the Planning Board. It was for carrying out personnel affairs smoothly that the Lord Keeper of the Privy Seal was consulted about the appointment of a minister. Therefore, the Lord Keeper of the Privy Seal used to agree about that matter in case there was nothing particular to be censured concerning the character and career of the person in question. This was to insure that there would be no reflection on the Emperor as to the character of his appointees. During the party government some ministers were occasionally charged with criminal offences, which worried the Emperor.

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This necessitated the Lord Keeper of the Privy Seal to pay considerable attention to the character and career of the person to be appointed a minister. The usage of consulting with the Lord Keeper of the Privy Seal about the appointment of a minister did not originate when I was in that position. It had been practiced for many years.

166. A string of various questions cropped up in April 1941 one after another in quick succession. Foreign Minister MITSUOKI, on his way home from his visits to Germany and Italy, succeeded in concluding a pact of neutrality with Premier Stalin at Moscow, thereby adjusting the relations between Japan and the Soviet Union. On the other hand, a telegram was received on April 18, 1941 from Ambassador NOMURI, asking for instructions on a draft plan for understanding between America and Japan, which had evolved as the result of negotiations, conducted by the Ambassador with Secretary of State Cordell Hull and President Roosevelt in absolute secrecy. The Ambassador's telegram delighted Prince KONOYE, especially as he had come to realize that the Tri-Partite Alliance between Japan, Germany and Italy had failed to restrain America, as it was intended to, but on the contrary the relations between Japan and America had tended to go from bad to worse. Foreign Minister MITSUOKI, who was responsible for the Tri-Partite Pact, was still on the way to Tokyo. The Prince got in touch by telephone with the Foreign Minister, who was stopping at Dairen and pressed him to hurry home.

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The Prince was very enthusiastic over the projected understanding with America. No less enthusiastic were the Army and Navy over it. The China Affair was stalemated, so that the Army thought it would be fortunate if the China Affair was settled as a sequel to an understanding with America.

Regarding the policy of the Co-prosperity Sphere in the East Asia, too, we were convinced that its object did never lie in conquering by arms various countries in the South; and it was also never in conflict with the relations with America for Japan to strive for promoting mutual prosperity together with those countries in the South. Thus the conclusion we arrived at was that, on the one hand, we had to make our best to explain the Japanese policy clearly enough to remove misunderstanding which America seemed to have, while on the other hand, we must, by all means, materialize the understanding between Japan and America. Concerning the meaning of the Co-prosperity Sphere in East Asia, I, at that time, had the following opinion, on the basis of which I talked with Prince KONOYE:

"The reason why such a policy was necessary for Japan was that the actual situation at that time was that France and the Netherlands, to which various colonies in the South-western Pacific belonged, had fallen and Great Britain was also being threatened with landing operation by Germany owing to the "Dunkirk Tragedy".

167. So the issue of the southern colonies, such as Malaya, Java, Sumatra, and French Indo-China and its effect upon Japan's existence had come to be regarded as a matter of grave

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national concern among the intelligentia of our country. Some positivists advocated that Japan should immediately secure these areas in the South even by appealing to force. Being very much worried about this trend of public opinion, Prince KONOYE and some others thought of such a policy as mentioned above with a view to unifying confused public opinion and checking such a radical idea of advancing southward with arms. From this point of view I also agreed to this policy; but was strongly opposed to advance with arms. At that time there were prevalent among intelligent people an opinion that the French Indo-China might become German Indo-China or might become American Indo-China if America participated in the war which would present a grave menace to the existence of our country. This was what Prince KONOYE was greatly concerned about.

The foregoing is a complete summary of the talks I had with the Emperor and also with Prince KONOYE on April 19, 1941, which is referred to in my diary of that day, Pros. Exh. 1065, as corrected P. 10, 664.

168. On April 25, 1941, the Premier, the Foreign Minister and I were all ill. (of diary of that day, Pros. Exh. 1066.) Chief Secretary MITSUDAIRA called and told me that the Emperor wanted my opinion as to whom he should consult on diplomatic matters if, as today, we three were ill simultaneously. The specific Imperial question on this matter was -- "In this case, unless the Lord Keeper of the Privy Seal is ill, he can convey an Imperial question to the Premier or the Foreign Minister who

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are ill in bed and report their replies to the Emperor, but in case the Lord Keeper of the Privy Seal is also ill, how to deal with it?" that as I told MITSUDAIRA, the Lord Keeper of the Privy Seal had no authority concerning diplomatic matters but to convey Imperial questions to the Premier and the Foreign Minister, nor had he any authority to answer about a diplomatic problem in his own responsibility, and if the Lord Keeper is also ill, the Imperial inquiry should be conveyed by the Grand Chamberlain to the Premier, or to the Foreign Minister. On that occasion, I submitted my views on the Japanese - American negotiation to the Emperor through the messenger on the basis of what I had heard from Prime Minister KONOYE and others about the outline of the developments of the war. I do not fully remember what I stated, but recall that I submitted my outlook on the Japanese-American negotiation that it would make a favorable development, because the Prime Minister was anxious to push the negotiation by all means, though there was some difficulty so far as Foreign Minister MITSUOKA was concerned.

169. When Foreign Minister MITSUOKA returned to Tokyo, on April 23, 1941 a liaison conference between the Government and the High Command was held the same night to deliberate over the instructions to be sent to Ambassador NOMURA. Foreign Minister MITSUOKA, however, who was extremely dissatisfied with the negotiation with America attended the conference, but, I learned from Prince KONOYE later, withdrew from the conference before it was closed, without touching on the question. For

the subsequent two weeks, the Foreign Minister made no progress with the plan under the pretext of study. Meanwhile, the Chief of the Military Affairs Bureau of the War Ministry, the Chief of the Naval Affairs Bureau of the Navy Ministry and others paid frequent visits to the Foreign Minister and urged him to approve of the projected understanding with America, as the result of which instructions were cabled to Ambassador NOMURA on May 3 1941 on his approval. But the negotiation did not progress, due to the Foreign Minister's indifferent attitude.

170. Pros. Exh. 1084, my diary of June 6, 1941, merely shows I read Ambassador OSHIMA's telegram re the outbreak of war between Germany and the USSR and also MATSUOKA's estimate that this was not so imminent. Prosecution Exh. 1089, my diary of June 18, 1941, shows that MATSUOKA told me that he had sent instructions to the German Government to negotiate with the Vichy Government in connection with the French Indo-China problem.

171. The substance of my one hour conversation with Prince KONOYE briefly reported in my diary of June 20, 1941, Pros. Exh. 1090, as corrected by Language Section, Record Page 10,664, is as follows: Prince KONOYE who was a man of weak character, worried himself very much about Foreign Minister MATSUOKA's attitude at that time, so that he told me again his intention to resign the post. But I could not agree with his proposed resignation. So I told him that prior to his

resignation he had better talk frankly with MATSUOKA and ascertain his real intention and at the same time explain distinctly his administrative policy and persuade MATSUOKA into it. If MATSUOKA still did not agree to it, there would be no alternative but to ask him to resign his position; but if KONOYE met MATSUOKA's refusal to do so, then, for the first time, KONOYE must take the responsibility for lacking the unity of the Cabinet.

172. My diary of June 21, 1941, Pros. Exh. 781 records the gist of a talk between Prince KONOYE, Baron HIRANUMA and I. As shown in this Exhibit, we discussed with one another on the basis of my opinion which I told KONOYE the previous day. We gave Prince KONOYE words of encouragement and hoped that he would dare to display his power and take a lead on this occasion of emergency and we urged him to take a firm stand.

173. On June 22, 1941, hostilities opened between Germany and the Soviet Union. It was not an unanticipated affair, but none the less it was a big question for Japan, anyhow, as Germany was Japan's ally; while a pact of neutrality was in existence between Japan and the Soviet Union. To conduct foreign affairs in the midst of such a complicated situation was a delicate and difficult question for Japan. As might be expected, Foreign Minister MATSUOKA began to advocate, over Prince KONOYE's head, a military expedition to Siberia, but his contention met with disapproval not only from the Cabinet Ministers, including Prime Minister KONOYE, but also the leaders for the Army and Navy. The liaison conference between th

Government and the High Command met in session frequently, as the result of which it was decided to seek a settlement of the China Affair by bringing pressure to bear upon China from the south instead of pursuing the Foreign Minister's policy.

174. Pros. Exh. 1093, as corrected Record Page 19,664, my diary of June 22, 1941, shows I reported to His Majesty the talk I had the day before with Prince KONOYE and Baron HIRANUMA; that MATSUOKA had an audience with the Emperor; that there was a difference of opinion between the Foreign Minister and the government and the High Command regarding MATSUOKA's opinion that Japan would advance to both Northern and Southern regions as pointed out to MATSUOKA by the Emperor; that I phoned Prince KONOYE to be prudent and that at 12:30 AM. MATSUOKA told Prince KONOYE over the phone that his report to the Throne did not refer to immediate action. His Majesty was perturbed with MATSUOKA's opinion. Since coming back from his visit to Germany, Foreign Minister MATSUOKA used to show an attitude not understandable. Especially he often took a disdainful behavior toward Premier KONOYE. I very often heard the Premier complaining that he could not understand Foreign Minister MATSUOKA's attitude. And a report told me that Foreign Minister MATSUOKA was emphasizing the necessity of dispatching troops as far as Irkutsk and Soviet Russia. Expecting that he would be sure, on receiving a report of the outbreak of the Russo-German war, to proceed to the Imperial Palace, and to express his opinion to the Emperor, I previously told His

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Majesty on this day, June 22, 1941, about MATSUOKA's possible action for reference, asking him to be prepared for it.

175. The next day, June 23, 1941, as shown in my diary (Pros. Exh. 1094) I was received in audience by the Emperor in the morning. I reported to him on that occasion the conversation of Prince KONOYE at 12:30 AM with MATSUOKA, in order to ease the Imperial mind. The conversation which I had with Prince KONOYE on the afternoon of June 23, 1941, which is referred to in my diary was as follows: I exchanged views with Prince KONOYE on various problems accompanying the outbreak of such a grave affair as Russo-German War. He requested my opinion so I replied for reference what occurred to me at that time. I remember I told him that Germany by waging a war against the Soviet Union had violated the principle that it was necessary for both states to make a stride in adjusting the diplomatic relations with the Soviet Union. On this principle, Germany agreed at the time when the alliance between Japan and Germany was concluded. In other words Germany's waging a war had changed one of the elements by which the Alliance was formed. Therefore, on this occasion the Prime Minister should consider most carefully as to whether the Alliance should be continued any longer. Prince KONOYE, agreeing with me about this point, said that he would examine into the matter at once. Prince KONOYE, as I heard later, expressed to MATSUOKA his strong desire for reconsidering with him the matter concerning the Alliance, but MATSUOKA did not take it

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seriously and only made a protest by telegram to the German Foreign Minister.

176. My diary entry of June 25, 1941 (Pros. Exh. 1095) recites what Prince KONOYE told me of his conversation with Wang Ching Wei the previous evening. Also that the Premier and Chiefs of the Army and Naval General Staffs reported to

the Emperor the decisions of the Liaison Conference with respect to entry of Japanese troops into French Indo China.

176-A On June 28, 1941, after an audience with the Emperor,

War Minister TOJO explained to me the matters listed in my diary of that day (Pros. Exh. 1098, as corrected by Language Section, Record P. 10,665). I expressed no opinion of my

own and recorded this for reference. At that time it was a grave concern among the intelligent people that the

Kwangtung Army with the outbreak of a war between Germany and the Soviet Union might probably start some action. So the

War Minister told me on that occasion that the Kwangtung Army was especially taking so calm and prudent an attitude that

it would not violate military discipline and asked me to set my heart at ease. He said that while the China Affair remained

unsolved the war had broken out between Germany and the Soviet Union, so the situation had become the more strained,

therefore he should like to have the Imperial Headquarters strengthened so that the staff members might gather at the

Palace every day and prepare for any situation to come. He

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also spoke to me about information from ambassadors here which they were sending to their home countries, and of the progress of Japan's political demarches toward China.

177. Prior to the Imperial Conference of July 2 1941, I was advised that the discussions at the Liaison conference's centered primarily around MATSUOKA's idea of proceeding North against Russia, and which Prince KONOYE was opposing. Of secondary importance, after the outbreak of the Russian-German war, was the public discussion of the necessity of Japan advancing southward to obtain materials and necessities for national defense and to end the China war. After the Imperial Conference of July 2, 1941 I was informed generally that MATSUOKA's idea of going north had been disapproved, and that Japan's national policy was to proceed south by peaceful means. My diary for that day, Pros. Exh. 1108 states that the national policy was decided. I never knew, until I saw Prince KONOYE's memoirs that the plan decided at the Conference contemplated an advance to French Indo-China and was to be carried on even if it meant recourse to war against the U.S.A. and Britain. I was greatly surprised when I read ⁱⁿ the memoirs that such a clear cut policy had been decided.

178. My diary of July 5, 1941 (Pros. Exh. 1112, as corrected Record Page 10,666) sets forth what Foreign Minister MATSUOKA's attitude was toward the Japanese troops marching into French Indo-China. As I heard these circumstances I did not express

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my views. I was interested in getting this information as the situation was getting more critical and I wanted to have all the knowledge I could so that when I was asked questions by the Emperor I would be in a position to reply. The relations between Prime Minister KONOYE and Foreign Minister MATSUOKA were extremely aggravated about this time. The Prime Minister frequently told me that he could not grasp the real motives of Foreign Minister MATSUOKA.

179. On July 5, 1941, a personal message was received by Prince KONOYE from Secretary of State Cordell Hull. This was the so-called oral statement. I do not remember its contents clearly, but it was apparently intended to hint that the Secretary of State could not trust Foreign Minister MATSUOKA, though it was couched in diplomatic phrasology. The Foreign Minister was indignant over the message, which he regarded as national humiliation, comparable to a demarche used by Germany to force French Foreign Minister Delcasse out of office during the Morocco question. He contended that it be first refused and then the matter for negotiation be communicated to the American Government. But Prime Minister KONOYE held that it be handled lightly so as not to hamper the negotiation between Japan and America and that the reply to the oral statement be sent simultaneous with the matter for negotiation on the ground that there was fear that the negotiation with America might be interrupted if the Foreign

Minister's contention was accepted. The Army and Navy authorities, too, supported the Prime Minister, who, accordingly, sent Diplomatic Adviser SAITO to Foreign Minister MATSUOKA for the purpose of making the latter agree to his view. However, not only the Foreign Minister made no reply to the Prime Minister's proposals till midnight, but also it transpired later that he sent a reply to the oral statement on his own judgment. Hence Prince KONOYE's decision that he could not work together with Foreign Minister MATSUOKA. As shown in my diary of July 15, 1941 (Pros. Exh. 1115, as changed by Language Section P. 10,666) the details of the above were all reported to me by my Chief Secretary, MATSUDAIRA, who had a meeting with Prince KONOYE. As the diary further shows I told my Chief Secretary that I thought MATSUOKA should resign, so as to prevent a resignation en bloc, but if he did not, we thought it best to have Premier KONOYE form a ^{new} Cabinet upon a resignation en bloc. I reported all this to the Emperor. Later that day Prince KONOYE told me the same information MATSUDAIRA had given me. As set forth in Exh. 1115 --

"I thought it was advisable to urge Mr MATSUOKA's resignation to avoid a change of Cabinet, but the Premier disagreed with me saying that if this were done Mr. MATSUOKA and his party would make propaganda to the effect that the cause which had compelled his resignation was nothing but pressure on the part of the U.S.A. upon our Government. He considered this would have a bad effect."

My interest in this matter was based on the fact that the Emperor was anxious to conclude peaceful relations with

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America and MATSUOKA was proving to be a stumbling block. In order to accomplish the Emperor's purpose and set His Majesty's mind at ease, as a resignation on bloc might entail among other things, worry on the part of the Emperor, I made the above suggestion to Prince KONOYE. Prosecution's summary of this Exhibit in document 0001, P 226 is inaccurate.

180. The Second KONOYE Cabinet resigned on bloc at 9 PM on July 16, 1941. As recorded in my diary for that day (Pros. Exh. 1116, as corrected P. 10,667) I was summoned to the Palace and received an Imperial order as follows: "The Premier has tendered the general resignation of his Ministry. In regard to the selection of the next Cabinet, I have ordered the Lord Chamberlain to invite the President of the Privy Council and the ex-Premiers together at the Palace and the Lord Keeper of the Privy Seal will ask their opinions in order to reply to my question as to who is the suitable person."

181. The following day a conference of senior statesmen was held to choose a succeeding Prime Minister. The Prince was again commended by the Emperor to form a Cabinet. At that time, the most important question, which faced Japan was adjustment of relations with America. In view of the fact that negotiation had been in progress with America for that purpose, it was generally thought that there was no other suitable candidate for the succeeding Prime Minister but Prince KONOYE, who would be most suitable for proceeding with the negotiations with President Roosevelt, especially since he had a personal

talk with the American President some time ago. This conference of Senior Statesmen is set forth in my diary of July 17, 1941, (Pros. Exh. 1117, as corrected by Language Section, P. 11, 138). Senior Statesman ABE was the first one to recommend Prince KONOYE and the others heartily concurred, except WAKITSUKI and HIROTA who supported him but not so positively. YONAI said no other person would do than Prince KONOYE. I made my report to the Emperor.

182. In forming a new cabinet Prince KONOYE enlisted the services of Admiral TOYODA as Foreign Minister in place of Mr. MITSUOKA. I understood that Admiral TOYODA's appointment was aimed at facilitating the negotiation with America. The Cabinet change in Japan synchronized with a flareup of anti-Japanism in the United States of America which fact caused so much concern to the Emperor that His Majesty referred to it every time when I was received in audience. The anti-Japanism in America was directly stimulated by the dispatch of Japanese troops to French Indo-China. It was profoundly regrettable that Imperial concern about the operations turned true. Late in July, the United States of America froze Japanese assets. The effect of this on Japan's economic structure, particularly industry, became a common subject of discussion and it was recognized that the situation was extremely critical. War clouds were gathering and a rupture with America seemed inevitable. Those not trained in diplomatic matters thought the freezing of assets was America's first step towards war with Japan. Notwithstanding this I felt hopeful

of peaceful relation with America.

183. On July 31, 1941, when Admiral NAGANO, Chief of Staff of the Navy, was received in audience by the Emperor, he reported to His Majesty on the contingency of war between Japan and America. It became a matter for profound solicitude to the Emperor. I submitted my views to the Throne, refusing to share Admiral NAGANO's simple statement and instead stressing the necessity for pushing the negotiation tenaciously with America. I desire to read my diary entry of July 31, 1941 (Pros. Exh. 1125, as changed by the Language Section, Record P. 10,667).

"July 31, 1941: From 10:15 a.m. to 11 a.m. I was received in audience by the Emperor, and His Majesty was pleased to inform me about the report of Admiral NAGANO, Chief of Naval General Staff, in reply to the Imperial question regarding our policy toward the U.S.A. as follows:

1. His opinion regarding war was the same as that of the former Chief of Naval General Staff, Prince FUSHIMI, in that we should try to avert war as much as possible.

2. He seemed very strongly opposed to the Tri-Partite Alliance. He also seemed to be of the opinion that so long as such an alliance existed, the adjustment of Japanese-American diplomatic relations would be impossible.

3. Suppose the adjustment of diplomatic relations between the U.S.A. and Japan were impossible and we were cut off from supplies of oil, our oil stored up would run out in two years. In case a war with the U.S.A. breaks out the supply of oil would be only sufficient for one and a half years. Under these circumstances, there would be no other alternative but to take the initiative.

4. According to the written report submitted, the Emperor believed that we would win, since it is so stated there. When NAGANO was asked if it would be possible to win a sweeping victory as in the Russo-Japanese War, he replied to the Emperor that

it was even doubtful whether or not we would even win, to say nothing of a great victory as in the Russo-Japanese War.

I was filled with trepidation by the Imperial anxiety about the danger of having to wage a desperate war.

My answer to the Imperial speech was as follows:

1. Admiral NAGANO's opinion was too simple.

2. The U.S.A. recognized the existence of the Tri-Partite Pact in our previous parley with America, and I was very doubtful whether we could deepen the confidence of the U.S.A. for us by the act of annulment of the Pact, as the U.S.A. was a nation which showed respect for international treaties or we would only be held in contempt by the U.S.A. There are several means to be tried regarding the relationship between America and Japan. We must deliberate patiently on the matter in a constructive manner. I would urge the Premier's careful consideration on this point. I met Navy Minister OIKAWA at noon to talk over Admiral NAGANO's report to the Throne. The Chief Aide-de-Camp to the Emperor visited me at 1 p.m. to talk with me on the same subject."

184. As this point I wish to point out that the Prosecution in Document 0003 which purports to be a summary of proceedings of this trial has on Page 232 entirely misconstrued this entry of my diary and omitted an important part. The prosecution says "KIDO disagreed with NAGANO and stated that if the Tri-Partite Pact was annulled the United States would not have any more faith in Japan than before." I never said this. My expression was one of contrast. The excerpt above clearly shows that I told the Emperor that I was doubtful whether we could deepen the confidence of the United States in us if we annulled the Pact or whether we would be held in contempt if we annulled it. The prosecution also in the summary overlooked my advice that there were several means to be tried yet with respect to our

relationship with America, and that further constructive deliberation was necessary. In order to make sure what Admiral MAGANO's expression of opinion meant, I spoke with Navy Minister OICAWA. I did this so that I could relieve His Majesty of his anxiety in dealing with the matter.

185. Up to that time, Premier HONOYE had taken such an attitude as to control the Army by relying upon the influence of the Navy which had maintained prudent and negative attitude toward the U.S. question. However, the Navy markedly stiffened its attitude since Admiral MAGANO made the report to the Throne on July 31, 1941. Prince HONOYE, being very anxious about it consulted with me on August 2, 1941. Our conversation is outlined in my diary of that day (Pros. Exh. 1129 as corrected by Language Section Record Page 10, 667). When he came to my room, he expressed misgivings about the Government's cooperation with the High Command, pointing out the fact that opinion was gaining strength in naval circles for a vigorous policy toward America. Thereupon I told him:

"It's an awfully troublesome question. It should not be hastily decided to go to war with America now. First of all, Japan's actual power is not fully studied, is it? If so, it is extremely dangerous. It will be necessary to have an exhaustive discussion of fundamental national policies with the Ministers of the fighting services and probe the matter to the bottom without a moment's delay. Should you fail to come to an agreement of views with them after exhausting all possible means, it might be inevitable that you should quit."

Prince HONOYE apparently was satisfied with my advice and said:

"I thought you would say that it would be embarrassing if I quit. If you think that way, I feel quite reassured. I will think it over carefully."

186. I was glad to hear him say so. From this and other talks I had with him I knew that Prince KONOYE wanted to pursue a peaceful policy toward America, desirous of settlement of the pending questions between the two countries through diplomatic channels; but the Army stood pat on a vigorous policy toward America on the basis of its continental policy; while on the other hand a section of the Navy advocated the necessity for opening war with America to forestall her for fear of a steady drain on Japan's oil supplies. But the Prince did not evolve a plan for saving the situation in the direction counselled by me. Instead he made up his mind to cross the Pacific and have personal talks with President Roosevelt so as to seek a political solution of the pending question. He submitted his plan in the form of a memorandum to the Ministers of the fighting services, who approved it, so that the question was developing in this direction. Considered in the light of the situation, common sense told us that the outcome of a war with America would be horrible, even if we did study it on a scientific basis. As an agreement between Japan and America was not easily arrived at, Prince KONOYE was much worried about this and often complained about his painful position. When August came, the Navy's attitude suddenly began to become strong, about which Prince KONOYE was very much concerned. So he came and asked my advice about the matter.

187. Then as is described in the diary of August 7, 1941 (Pros. Exh. 1130 as corrected Record 10, 667), I expressed my

opinion, asking him to make deliberate consideration. As this excerpt reveals, I most sincerely and earnestly tried to show Prince KONOYE the hopelessness of Japan even considering going to war with America. I told Prince KONOYE that it was high time for the Government to put forth a concrete and constructive view and to learn clearly whether or not it was acceptable to the Army, with a view to checking the army from rushing to war, and to getting it to keep pace with the policy adopted by the Government. I pointed out to him the hopelessness of the situation from the standpoint of oil alone. My sole thought in talking to him was to advance such positive arguments that he would be able to convince the military. I intentionally omitted what was related to humanity and peace as these are fundamental matters. As my diary also shows I concluded my talk with him by advocating that we should do everything in our power to restore friendly relations between the U.S.A. and Japan. Although we were being pressed economically, I felt and told him we should resolve to toil through ten years of hard struggles. I also pointed out that we needed materials, and that our hopes lay in the Southern regions. I had no thought in mind of obtaining these other than by peaceful means. I fully realized in my talk with him that if Japan succeeded in warding off a war with America and the present European war came to an end, the desire for peace would not be impossible to be created after the war and that therefore it might be possible to get politics to follow their proper course until that time through making redoubled efforts to reconstruct politics and to check the military. My above views were expressed for the purpose of convincing the militarists of the vital necessity for reaching an understanding with America, as they would not swallow the no-war formula about

America, unless it was accompanied with a constructive plan in another direction. I also thought that it might be possible to secure required raw materials if Japan fostered her resources. Be that as it may, I was prompted by the desire to avert war under all circumstances.

188. Prince KONOYE listened to my views with evident interest. I expected him to take a step in the direction, counselled by me. Judging by the result, however, he made no development in that direction and instead he committed himself irrevocably to the fateful Imperial Conference of September 6, 1941.

189. Ever since Aug. 1935, when Maj Gen. NAGATA was assassinated by Lt. Col. HISAWA the Metropolitan Police had continuously protected my family and me from the militarists and rightists by assigning 5 policemen for this purpose. One policeman constantly protected me, and the others protected my home in shifts of 2 at a time. In Aug. 1941, after an attempt was made by a rightist to assassinate Baron ^{HIRANUMA} the Metropolitan Police increased my guards from 5 to ten, doubling the number on each shift. This was because of my well known pro-American and Pro-British and anti-Militaristic stand as told me by the chief of the Metropolitan Police Yamazaki.

190. At 4:30 PM. September 5, 1941, when Prime Minister KONOYE proceeded to the Palace to submit the agenda of the Imperial Conference to the Throne, he came to my room. The draft agenda consisted of the following three points:

1. War preparations be made against America and Britain.
2. In parallel, the negotiation with America be pushed very hard.
3. In case no prospect of an amicable conclusion of the negotiation with America came in sight by the first ten days of October, Japan make up her mind to wage war with America and Britain.

To that very day, Prince KONOYE made no reference to the question which was now abruptly advanced to me. I was astonished at its nature, which was too serious. I blamed him, therefore, for submitting such a serious plan to the Emperor so suddenly, as it would embarrass His Majesty, there being no time to think over it. I further told the Prince on that occasion:

"The plan shows that the time-limit is fixed in the first ten days of October. I think it very dangerous to fix the time-limit. Is it not possible to modify even this point alone? Can't you see your way to abandoning the plan, which I'm afraid may eventually lead to war?"

In reply, Prince KONOYE stated that as it had been already decided by the liaison conference between the Government and the High Command, it was difficult to modify or give up the plan, adding that there would be no alternative left to him but to devote his all to bringing the negotiation to an amicable conclusion, now that things came to such a pass.

191. When Prince KONOYE proceeded to the Imperial presence and submitted the agenda of the proposed Imperial conference to the Throne, His Majesty put various strategical questions to him, to which he found it impossible to make replies, and petitioned His Majesty to summon the Chiefs of Staff of the Army and Navy. This appears in my diary of September 5, 1941 (Pros. Exh. 1134, as corrected by the Language Section, Record Page 10, 668) as follows:

"The Premier said that as the Emperor asked many questions as to our policy towards U.S.A. from the point of view of war strategy, he had advised the Emperor to summon the Chief of General Staff and the Chief of the Naval General Staff and had promised to consult with the Lord Keeper of the Privy Seal. I, therefore, proceeded to the Palace to advise the Emperor to follow the Premier's advice. I requested Aide-de-camp YOROYAMA to call the Chief of the General Staff, the Chief of the Naval General Staff, and the Premier to the Palace. At 6 PM they were granted an audience by the Emperor to answer the Imperial questions."

As stated the only advice I gave the Emperor was that he should follow the Premier's advice to the Emperor to summon the Chief of the General Staff and the Chief of the Naval General Staff. The Chiefs of Staff of the Army and Navy proceeded to the Palace and Prince KONOYE was received in audience by the Emperor together with them at 6:00 A.M. I did not attend the audience with the Emperor. Although not included in Pros. Exh. 1134, my diary for that day also states:

"After his retirement from the presence of the Emperor, the Premier called on me to have a talk with me. He took leave at 7:00 PM."

192. At this time Prince KONOYE told me His Majesty put various questions to them, including that put to Marshal SUGIYAMA, Chief of Staff of the Army as to when the projected southern campaign would be terminated. The Chief of Staff of the Army replied to the Emperor that he expected that the campaign would be terminate in a short period of time. Whereupon, His Majesty reprimanded Marshal SUGIYAMA, reminding him that he said a similar thing at the outbreak of the China Affair, which was not yet settled. The Marshal pleaded that there was a difference between the two, China being a continent, while the southern area mostly consisted of islands. But even his pleading would not persuade His Majesty to approve of his contention. I learned from Prince KONOYE that Fleet Admiral NAGANO, Chief of Staff of the Navy, interposed:

"If things go on as they are, we shall steadily lose the game, but there will be a hope of recovery, if a drastic operation is undergone. That's war."

Prince KONOYE further told me that the Emperor asked why diplomatic negotiation was not placed first, stating that the order in the plan was rather strange. I understood that the Prince replied that it was aimed at attaching primary importance to

diplomatic negotiation, as would be done in placing diplomatic negotiation first in the plan. The Prince petitioned His Majesty to approve the plan as it was, since it had been decided by the liaison conference. The Council in the Imperial Presence was to be held the next day. Before being summoned by the Emperor the next morning, Sept. 6, 1941 I suggested to Mr. HARA that he ask some questions at the Imperial Conference pointing toward emphasis on continuance of diplomatic negotiation rather than preparation for war. When summoned by the Emperor he told me he would like to put questions to the Imperial conference today and asked me various questions. In reply, I stated:

"That will be a good idea, but I think that Mr. HARA, President of the Privy Council, will cover the important points in his questions. Therefore, it is my desire that Your Majesty will finally point out the importance of the conference's decision, on which Japan's future prosperity will hinge, and order the High Command to extend a full measure of cooperation in bringing diplomatic negotiation to an amicable conclusion."

193. I was not present at the Imperial conference which was held in the presence of the Emperor, Mr. HARA, President of the Privy Council, asked if primary importance was attached to diplomatic negotiation, to which question Admiral OIKAWA, Navy Minister alone replied and there was no reply from the High Command. This was regretted by the Emperor, who took the High Command to task for it. He read the poem, composed by the Emperor MIYAJI,

Yomono umi,

Minaharakarato

Omouyoni

Nado Adanemino

Tachisawaguran

(Over the four seas

prevails universal fraternity

I think

Why turbulent waves

wage so furiously).

His Majesty ordered the High Command to extend a full measure of cooperation in the diplomatic negotiation, clearly manifesting Imperial wishes to avoid war by all means. The above was told me by the Emperor and is reported in my diary of September 6, 1941, Pros. Exh. 1135.

194. On Sept. 11, 1941, War Minister TOJO came to see me after he had an audience with the Emperor and told me the result of preparations for war with the U.S., as shown in Pros. Exh. 1138 my diary for September 11, 1941. In view of the decision made by the Imperial Conference of Sept. 6, 1941, the Army was investigating the preparations against the worst; namely, a case in which there was no hope of leading the Japanese-American negotiations to a successful conclusion. I was told the results of these investigations by TOJO. What the details of these preparations were I do not recall, but I remember that the talk we had on that day gave me the impression that preparations were being made. He further told me that when His Majesty elicited his opinions about preparations being under way, His Majesty said he understood that his words at the Imperial Conference had made it clear to the Minister of his desire to avert war. Then War Minister TOJO explained, I remember, that the army, understanding

fully the Emperor's desire, was making strenuous efforts in bringing the negotiations to conclusion. He added that the army was bound, at the same time, to make adequate preparations by the decision of the Imperial Conference. As is also shown in that part of my diary for September 11, 1941, which was not reproduced in Pres. Exh. 1138, Foreign Minister TOYODA told me about the progress of peace negotiations with America, which I discussed later with the Emperor.

"Foreign Minister TOYODA had audience with the Emperor at 2 PM. After his visit to the Emperor, we talked about the progress of the negotiations between the U.S.A. and Japan. I had audience with the Emperor from 2:25 PM to 3:40 PM."

195. I tried to keep abreast of the peace negotiations which were under way, and was happy to receive any reports regarding them. Ambassador SHIGEMITSU spoke to me about their progress on Sept. 25, 1941 as shown in my diary of that day (Pros. Exh. 2279) as corrected). As is also shown there I was advised about a report of the Chief of the Army General Staff to the Throne. I do not recall what was that report.

196. On September 26, 1941 Prince KONOYE came to my room and told me that he could not but quit, as he had no confidence, if the Army meant to start war by all means on October 15, 1941. He appealed to me for sympathy in his predicament. Whereupon, I chastized him as follows:

"You are responsible for the decision of the Imperial Conference of September 6, aren't you? It will be irresponsible of you to quit, by leaving the decision of September 6 as it is. If you are in such a predicament, it will be better for you to propose a review of the decision of September 6. In case you fail to reach an agreement of views with the Army, it can't be helped that you will quite. Otherwise, it is irresponsible of you to step out by leaving things as they are, isn't it?"

My diary of that day refers to this talk, (Pros. Exh. 1141)

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at the end of which I cautioned him to be prudent. As I remember he made no definite answer to my remarks, I did not discuss the possibility of war as the Prosecution stated on P. 10,230 when this Exhibit was introduced. The exhibit itself shows that the Prosecution is in error.

197. On September 29, 1941, His Majesty ordered me to investigate the amount of rubber, tin, etc. resources in U.S., South and Central America and other places from which the U.S. would be able to secure them. He was worried about some propagandistic news appearing in the newspapers of those days, underestimating the national power of America. He was afraid that such news might mislead the people. So he wanted to investigate the real amount of rubber, etc. On the same day, President HARA told me that he was of the opinion that, in the face of the situation which was now becoming very serious, the Imperial conference as it stood was so perfunctory that it would after all but pass any bill in its original form and, therefore, the method of the conference had to be improved. He asked me if there was any way of having the attendance of senior statesmen as members to express their opinions and discuss the matters fully. I made a reply to the effect that, though I also admitted the existing defects and any remedial plan would have possible merits and demerits. Although it would be very difficult to realize it I would consider the matter carefully. President HARA said he made this suggestion in connection

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with the Imperial Council meeting in which the decision as to war would have to be made if the diplomatic parley failed. As it turned out, his suggestion was followed in that meeting which was held on Nov. 29, 1941. President HARA and I both felt the prudence and acumen of the Senior Statesmen would have a steadying influence. The two matters above are referred to in my diary of Sept. 29, 1941, Pros. Exh. 1142. This exhibit does not show "war preparations" as claimed by the prosecution when it was offered in evidence, R. 10,231.

198. The gist of my talk with SUZUKI, President of the Planning Board on Oct. 1, 1941 was that we were both worried about the adjustment of diplomatic relations between Japan and America which made little progress. We agreed that the war should be evaded by all means. This conversation is referred to in my diary of that day. (Pros. Exh. 2280).

199. The prospect of the negotiations with America became slimmer and slimmer while war moves, let loose by the military began to gather momentum. On October 7, 1941, Mr. TOMITA, Chief Secretary of the Cabinet, came and told me about the growing tenseness of the situation. He said that he would urge the Prime Minister to display his powerful leadership. He also explained the attitude of various factions in the Army and Navy as revealed in my diary of that day. Pros. Exh. 1143 as changed by the Language Section, Record Page 10,668. I merely listened to him

without expressing any opinion of my own. I remember he further said he was worried about the fact that the date fixed by the Imperial Conference of Sept. 6, 1941 was drawing near. I also regarded the situation with deep concern so that on October 9, 1941 when Prime Minister KONOYE proceeded to the Palace I had an interview with him and counselled him among other things to the following effect:

"The decision of the Imperial Conference of September 6 appears too abrupt to me, it not being fully discussed. Is it not better for you, therefore, to change the policy so as to devote your all to the solution of the China question instead of deciding on war with America?"

200. With this thought in mind I then set forth a positive solution which he could use in arguing with the military. This concrete and constructive policy was given him for the same purpose as the policy I advanced to him on Aug. 7, 1941. I took great pains in carefully impressing him with the logic of my opinion. My opinion is set forth in my diary for Oct. 9, 1941 (Pros Exh. 1146) as corrected by the Language Section Record, Page 11,139. I wish to quote it here.

"October 9, 1941"

I met Prince KONOYE at 10:30 a.m. after his audience with the Emperor. He was quite uneasy about the future of the parley with Washington, and his hopes for a satisfactory compromise were very discouraging. I expressed my opinion for his information as follows:

1. The resolution of the Council in the Imperial presence on the 6th of September seemed to me too outright. It was not the conclusion of exhaustive discussion in my opinion.

2. Judging from the situation both at home and abroad, it is very difficult to predict the outcome of war with the U.S.A. So we had better reconsider it.

3. It would be inadvisable to declare war against the U.S.A. immediately.

4. Rather it should be made clear that the termination of the China incident is the first consideration.

5. We should acquire freedom without paying any attention to economic pressure by the U.S.

6. The people should be made to understand the necessity for ten or fifteen years of hard struggle on the part of our nation and to establish a highly defensive nation.

7. If necessary, we were ready to put belligerency in action to promote the completion of the Chinese Incident and to use our whole military force in China in order to realize our plans against Kunning and Chungking.

ARITA, Hachiro, visited me to talk about the American problems and the general resignation of the cabinet."

201. The situation was so bad at that time that I knew the Army would never agree unless some positive diversionary attitude was put forward. It was for this reason that I offered Item 7, if necessary, as an inducement to them to complete the China Affair. In other words I knew the Army was so bent on war that they would not listen to any plan which meant entire cessation of hostilities. So I suggested, if they must fight, they should confine their activities to China. It was a sop I was offering in a situation which afforded no other alternative. In this way I thought a clash with America could be avoided. The Prosecution's

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sketchy resume of Exh. 1146 contained in Doc. 0001, page 248 is incomplete and the latter part of it is inaccurate.

202. Pros. Exh. 1147 as corrected by the Language Section Record 11,139, my diary of Oct. 12, 1941, entirely relates what was told me by three different people. No opinion of mine appears there. KOYAMA, Kango, former newspaperman was a liberalist who found favor with Prince SAIONJI, called at 10 a.m. Indignant at the Army controlling politics, he expressed his opinion that he wished for redoubled efforts by Prince KONOYE to get politics to take again its own course. Major-General KATO who called a little ^{later} was at that time Commander of the Gendarmerie. He told me about the political situations viewed from the side of the Gendarmerie, but I don't remember anything particular concerning his talk. Prime Minister KONOYE had called a conference of the War, Navy and Foreign Ministers and the President of the Planning Board at his villa at Ogikubo on that day to discuss how to deal with the decision of the Imperial Conference of September 6, 1941. TOMITA, Chief Secretary to the Cabinet, my third visitor, came by order of Premier KONOYE to tell me about the conference. According to the information I received from him, War Minister TOJO contended that the Government should make up its mind to wage war with America in accordance with

the decision of the Imperial Conference of September 6, 1941, as he thought that there was no hope for the negotiations with America. He added, however, that he did not want war if an explanation, convincing enough, was forthcoming that the negotiation with America would be brought to an amicable conclusion with confidence. Navy Minister OIKAWA said in substance:

"I think that there is still hope for the negotiations with America. Japan now stands at a crossroads of diplomacy or war. If we are to restore friendly relations ^{through} diplomacy it is necessary to do it in a thorough going manner. If the negotiation with America is to be brought to an amicable conclusion through diplomatic channels, it is to be desired that Japan should come to terms with America, even making considerable concessions. It will be really embarrassing to conduct half-baked diplomatic negotiation for some time and then suddenly start war. In any event the Prime Minister is desired to display his clearcut leadership."

Foreign Minister TOYODA said that it would be impossible to make any prediction, as there was the other party to reckon with (America), but he thought there was some hope for the negotiation with America. Prime Minister KONOYE stated that if he was called upon to express his view on the negotiation so far conducted with America, there was still hope for the negotiation, which, therefore, he should like to continue. The War Minister was not satisfied with the Prime Minister's explanation. Finally the conference rose after it was decided to draft a memorandum at his instance and entrust the Foreign Minister with its study.

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TOMITA also told me that from conversations he had with Admirals OKA and OIKAWA, the Navy was opposed to war with America, but could not openly express its views and would leave it to the Prime Minister to make a decision whether Japan should go to war with America. My diary of Oct. 12, 1941, Pros. Exh. 1147 as corrected by Language Section Record P. 11,139 sets forth the substance of the above.

"October 12, 1941

At 10 a.m. KOYAMA Kango called on me to express deep resentment at the recent political situation, urging all possible efforts of the Premier. Major General KATO visited my house to explain the Gendarmerie's interpretation of present conditions. TOMITA, Chief Secretary of the Cabinet, visited me and stated as follows, "The War, Navy and Foreign Ministers and President of the Planning Board held a meeting in the Prime's house at Ogikubo at 2 p. m. to discuss the adjustment of diplomatic relations between the U.S.A. and Japan. The War Minister calls for Great resolution since he sees no hope for arrival at an understanding between Japan and the U.S.A; however, what I could hear an explanation such that he could persuade himself to be sure of arrival at an understanding why of course he didn't insist on war. The Navy Minister said that we should try to avoid war as much as possible. Now this country was standing at the cross roads, having two ways to choose; one is the restoration of friendly relations by diplomatic negotiations; the other the declaration of war on the U.S.A. If the former was our choice, we must do it thoroughly. To turn to war after a patched-up compromise would be most undesirable. Anyhow, the Premier's strong leadership was the most urgent matter. The Premier expressed his conviction of the successful conclusion of the parley, and hoped to continue to act with this idea, asking their cooperation with his policy. The Foreign Minister was of the opinion that he was not quite sure of the outcome of the parley, although he could not flatly deny that the meeting would end in success. They made the following agreement among themselves on the advice of the War Minister:

1. In Japanese American relations:

1. We should not change our policy of stationing troops in China or the other policies connected with it.
2. We should not entertain anything that might affect the result of the China Incident.

With these points in view, it should be found out whether negotiations within the time set by High Command can be successful. When this has been ascertained the matter should be settled through diplomacy. Such being the case, all operational preparations be discontinued. The Foreign Minister should study the above to find out whether it is possible or not."

203. So the last important meeting held during the existence of the 3rd KONOYE Cabinet ended with no decision as to whether Japan would go to war with America. As recorded in my diary the only decision reached as reported to me by TOMITA did not involve a decision for war - it concerned the policy to be adopted toward the China Incident as related to Japanese-American negotiations, and the possibility of negotiations with America. Thus the situation was becoming more and more complicated. Everyone's opinion at the meeting hinged on the success or failure of negotiations with America. Even the Foreign Minister could not answer the War Minister's inquiry.

204. On Oct. 13, 1941, in consequence of the Ogikubo conference, the political atmosphere became ^{so} tense that it was feared that a war would break out at any moment under forcible pressure of the militarists. The situation was so delicate that the Emperor showed his concern in discussing with me an Imperial Rescript in case he was required

to grant sanction to the opening of war, This is shown in my diary of Oct. 13, 1941. The Prosecution only quoted the last paragraph of this entry in its Exh. 1149.

"October 13, 1941 Monday, Fair.

On duty at 10 a.m. At 10:20, Imperial Household Minister MATSUDAIRA called to consult me about the Imperial message to be given at the coming Harvest Festival. Expressed my approval of the plan. Was received in audience by the Emperor from 10:35 to 11:45. His Majesty talked chiefly on Japan-United States problems. He said:

- (1) Japan-United States negotiations seem to be growing less and less hopeful. If it should end up in war, we should have to issue a proclamation of war. In past Imperial Edicts, especially in the one issued at the time of our withdrawal from the League of Nations, we emphasized the cause of World Peace of the necessity for harmonious cooperation of the civil and military of officers in the country, but the people seem to have overlooked this point. It is highly regrettable that when the edict was issued at the conclusion of the Japan-German-Italian Pact, the people missed the point that the Pact was proposed to bring the peace and took it as if it were our challenge to the United States and Britain. We therefore desire that if we should in the future be obliged to issue a proclamation of war, we would like to have KONOYE and KIDO assist us and have our sincere thoughts well expressed in the proclamation.
- (2) In case we decide on war with the United States and Britain, we must study well conditions in Europe, especially the truth underlying the peace talks between Britain and Germany and the latter and Russia. We must, through diplomatic maneuvers, stop Germany from concluding an individual peace. We must have her assist us in our war with the U.S. From the beginning we must also make plans as to what to do at the termination of the war.

For this we must adopt good will policies such as exchanging envoys with the Vatican City.

At 2 p.m. Premier KONOYE came to the Palace and after having a conference with the Emperor, he came to talk with me from 3 o'clock to about 4 o'clock about Japan-United States problems. At 5 o'clock, Foreign Minister TOYODA came to the Palace. After retiring from the Emperor's presence, he talked with me from about 5:30 to 6:30.

SUZUKI, President of the Planning Board, visited me at 8 p.m. to talk about his political views which might contribute in some way to the making of a new turn in our political condition. I expressed my opinion to him. Our conclusion of the talk was this: The Premier should make an effort to promote mutual understanding with the War and Navy Ministers."

With respect to the last paragraph, President SUZUKI, being in fear of a possible change of government or a sudden plunge into war due to the intensified political situations, came and expressed his opinion about his concern. At that time I communicated my views to him to the effect that Premier KONOYE assuming a resolute attitude, should have a full talk with the Minister of War and Navy in order to solve the dilemma by some means to bring about a peaceful solution.

205. The desire for a Cabinet, led by a Prince of the blood suddenly raised its head about this time a Cabinet led by Prince HIGASHI KUNI. It was expressed by the followers of both Prince KONOYE and War Minister TOJO. Rightist quarters also voiced a similar desire. It was no wonder that a Cabinet, led by a Prince of the blood should

be desired by people in an extremely tense situation. But I thought that it would lead to grave consequences, unless the matter was handled cautiously and tactfully. Therefore, on October 15, 1941 when Mr. SUZUKI, President of the Planning Board, came to convey the War Minister's intentions and referred to a HIGASHI KUNINOMIYA Cabinet, I told him that anything relating to the Imperial family must be handled most cautiously and further that the petition to Prince HIGASHI KUNI to emerge as Prime Minister must be predicated on an agreement of views between the Army and the Navy, that is, a cautious policy decided by them. I asked him if my understanding was correct, and stressed the necessity for studying the question more fully. Later that morning, Prince KONOYE asked my opinion about a HIGASHIKUNI Cabinet and I told him I was giving it careful consideration. After further careful deliberation, I decided to follow a policy not to recommend Prince HIGASHI KUNI as succeeding Prime Minister for the following reasons: Advocates of a HIGASHI KUNI Cabinet had all different motives. There was no manner of doubt that Prince KONOYE wished for Prince HIGASHI KUNI's emergence as Prime Minister, motivated to restrain the Army and avert war. As for the Army, even granted that War Minister TOJO was like-minded as Prince KONOYE, there was ample scope for doubt as to the real motives of the young military

officers who formed the mainstay of the Army. Further, the possibility of availing themselves of the Prince's emergence as Prime Minister and dragging the country into war on the part of the rightists was in full evidence, especially since the Prince's entourage included many dangerous elements. For instance, YASUDA, Tetsunosuke one-time Aide to the Prince was involved in the god-sent troop incident of July, 1934, and took moves about this time for the emergence of the Prince together with AMANO, Tatsuo and others. It was thought almost impossible to purge those elements in forming a succeeding Cabinet on the part of Prince HIGASHIKUNI. It is true that Prince HIGASHI KUNI was talented, but he was lacking in political experience and training. Therefore, it was extremely difficult, if not impossible for the Prince to grasp the situation which was so complicated and work out a plan to cope with it. The result would be that the Prince would be reduced to a mere figurehead, and actual political power would be assumed by the Deputy Prime Minister. And judging by personalities, available at that time, the probability was quite high that the post of Deputy Premier would be concurrently assumed by the Minister of War. Such being the case, the possibility of averting war would be very slim under the HIGASHI KUNI Cabinet. Should war break out, the direct responsibility therefore would have

to be borne by the Imperial family. My outlook on the situation between Japan and America was that no optimism should be warranted for a Pacific war, but on the contrary a very pessimistic view must be taken of its outcome. Should the worst eventually happen, therefore, I thought the Imperial family might become the target of hatred by the people with the result that the question of national polity would be involved. The only case, in which a Cabinet formed by a Prince of the blood was permissible would be that of one, organized as the result of the Army being convinced of its error and deciding to effect a volte-face. For the purpose, the Army might petition a Prince of the blood to form a succeeding Cabinet, as it would be beyond the power of a subject to effect such a big reorientation of policy. In other words, the services of a Prince of the blood might be invoked to deal with the aftermath of a big change of policy.

206. At 4 p.m. on the same day Prince KONOYE told me he would have to resign as a breach between him and the War Minister had reached the point where TOJO did not wish to speak with him. In response to his request for my opinion about a HIGASHIKUNI Cabinet I repeated to him what I had told SUZUKI in the morning. I also spoke with MATSUDAIRA, Tsunoo, Minister of the Imperial Household about a HIGASHIKUNI Cabinet and he strongly objected

to it. In the afternoon of the 15th I spoke with SUZUKI again, trying to find out TOJO's real intention without success and requested him to find this out for me and report. Prince KONOYE joined us and said he had seen the Emperor who would approve a HIGASHI KUNI Cabinet if the Army and Navy would first agree on a peaceful policy. Later SUZUKI reported to me that TOJO wanted to establish harmony between the Army and the Navy by the influence of Prince HIGASHIKUNI. I told him I objected to this as a peaceful policy should be first agreed upon. The substance of the foregoing is set forth in my diary of Oct. 15, 1941, Pros. Exh. 1150 as corrected by the Language Section Record 11,140.

"October 15, 1941

Mr. TATE (YAKATA) visited me at 9 a.m. At 9:30 a.m. Lieutenant General SUZUKI, President of the Planning Board, visited me to deliver War Minister TOJO's message, the purport of which is as follows: If the Premier would not change his mind, the general resignation of the Cabinet would be unavoidable. And as for the succeeding premier, although it may not be well to designate the next Premier, he made it essential that the next Premier should be able to bring the Army and the Navy together and not depart from the Imperial will. When one considered this point, it seemed very difficult to find a suitable person among ordinary Japanese subjects. He mentioned Prince HIGASHI KUNI as a possibility for the next Premier. To this I answered that we should be very careful as it was a matter concerned with the Imperial family, and if we had to ask the Prince's acceptance of the Premiership, a common policy between the Army and the Navy should be worked out beforehand; the establishment of a prudent policy would take

precedence of all other questions. I asked if the War Minister had any accurate forecast to make on this point, then added that the matter needs to be studied carefully.

I went to the office at 11 a.m. Prince KONOYE visited me to ask my opinion regarding the HIGASHIKUNI cabinet. I answered that it was still under consideration. I requested MATSUDAIRA Chief Secretary, to study the procedure of the materialization of the HIGASHIKUNI plan. I visited the Emperor from 1.15 p.m. to 2 p.m. to report upon the pressing political situation. At 2 p.m. YAMAZAKI, Chief of the Metropolitan Police Board came and spoke to me on current political affairs. Premier KONOYE visited me at 4 p.m. to say that he could not hold his Premiership any longer, for the breach with the War Minister was becoming wider every day until at last the War Minister gave vent to his discontent saying that he did not like to hold any further conversation with the Premier, as he was not sure if he could stifle his feelings. Finally he asked my opinion regarding the proposed HIGASHIKUNI Cabinet, so I told him what I stated to President SUZUKI this morning. As I had yet to know whether the War Minister had changed his opinion in order to effect a compromise with the Navy or whether he intended to put the Prince's shoulder to the wheel. I telephoned to the President of the Planning Board to request him to visit me. I visited the Minister of the Imperial Household Department to talk about the HIGASHIKUNI Cabinet plan. The Minister seemed astonished and strongly objected to this plan. At 4:30 p.m. SUZUKI, President of the Planning Board, visited me. I asked him as to the real meaning of the War Minister's intentions, but in vain. I urged him to supply me with a definite report on this matter. The Premier, who joined our conversation on his withdrawal from the presence of the Emperor, said that when he made a report to the Emperor on the proposed plan, His Majesty said that if the Army and the Navy agreed upon the peaceful policy and it is

the outcome of necessity to have the Prince's cabinet, then there was no alternative but to approve the plan.

I talked with the Premier until 5:30 p.m. regarding the political situation. At night SUZUKI telephoned to report on the result of his conversation with War Minister TOJO. According to his report, TOJO's purpose was to establish harmony between the Army and the Navy by the influence of the Prince. So I objected to the plan. The Premier also telephoned me to say that he wanted to secure an informal consent of Prince HIGASHIKUNI, I answered that it would be too early to do so, though I had no objection to him so long as his action was in his capacity as Premier. At midnight the Premier sent me a report saying that Prince HIGASHIKUNI had asked for a few days consideration on his part and a meeting with War Minister and the Lord Keeper of the Privy Seal. From 5:35 p.m. to 5:50 p.m. I was received in audience by the Emperor; His Majesty gave me his opinion on the proposed premiership of Prince HIGASHIKUNI, reported to him by the Premier."

207. A cabinet change at this time presented a crisis in Japan's history. In order to meet it successfully, it was necessary to comprehend fully Japan's situation in world affairs as they then existed. I gave them all serious thought and viewed them from all possible angles. I spent sleepless nights in my endeavor to find a solution which would avert a war which I know would be catastrophic for Japan. Foremost was the negotiations for peace with America, which were pending. An atmosphere was being created partly due to militarist propaganda, for making the people keenly feel pressure from the so-called ABCD

encirclement line. Germany was advancing in Russia. News flashed from abroad was stimulating the nerves of the people, including landing of British and Australian troops at Singapore, increased aid to China, mobilization of the Filipinos, and continued concentration of the American fleet in Hawaii. The young^g military and naval officers who formed the mainstay of the fighting services and who had secured the decision of the Imperial conference of Sept. 6, 1941 proved to be a powerful driving force for an ominous situation. I realized it was not too much to say that it would be well-nigh impossible to form in such an extraordinarily tense situation a Cabinet, aimed at effecting a volte-face. Nor would it be possible for any one, unacquainted with the circumstances to form a succeeding Cabinet, especially since serious difficulty would be experienced in appointing the War Minister, just as Mr. UGAKI failed to form a Cabinet due to difficulty to enlist the services of a general in active service as War Minister some years prior. Troops, having been sent to as far as Southern French Indo-China, nobody could tell that if the Army got out of control, an untoward incident might not occur. If it took a long time in forming a succeeding Cabinet on the other hand, I was afraid that the country might be plunged into confusion, which might readily further develop to a civil war, according to the political colorings of the Premier designate. The military might have resorted to anything, especially as they were in high spirits with their armaments replenished, had

the Government made a bid for a volte-face. In such an eventuality the negotiations with America would have broken down. 208. On the morning of Oct 16, 1941, SUZUKI called on me and I explained to him the reasons why a Prince's cabinet would be impossible. This is set forth in my diary of that day (Pros. Exh. 1151 as corrected by the Language Section P. 11,141) in part as follows:

"October 16, 1941. At 8:30 a.m. President SUZUKI visited me, and we discussed the Prince's Cabinet. The reasons I gave him for opposing the Prince's Cabinet are as follows:

1. The formation of a Prince's Cabinet should be carried out only when unavoidable, for example, when even if the Army and Navy agree, force of circumstance makes it necessary to have a Prince of the blood solve their difficulties.
2. According to what developed since last night the difficulties have not been solved, and a member of the Imperial Family should never be asked to overcome these obstacles.
3. In a way the formation of this Prince's Cabinet would indicate that we lacked a suitable person among our subjects, and a great problem would be created if war with the U.S.A. were to break out when such a Cabinet existed. There were important reasons why even Prince KONOE was prevented from carrying out the policies decided at Councils in the Imperial presence, and if we ask a member of the Imperial House to assume a responsibility he cannot fulfil, it would cause the Imperial House to become an object of public hatred."

209. At 3 p.m. in the afternoon of October 16, 1941 I happened to be asked by War Minister TOJO for an interview, and received him in the official room of the Lord Keeper of the Privy Seal. War Minister TOJO repeatedly stressed on that occasion that the time was come and therefore there was no course left to Japan but to carry out the decision of the Imperial conference of September 6. In reply, I stated that it was needless to say that the decision of the Imperial conference was extremely important and therefore must be respected and faithfully

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executed, but asked him if it was not proper to reconsider in case there was found any point manifesting want of care therein because I thought the decision was careless. I drew his attention to the report that the Navy necessarily had no confidence in itself. Thereupon, the War Minister agreed with me, adding that the decision of the Imperial conference could not be executed as it was, though he did not receive such a report about the Navy. The War Minister went on:

"If things can not go on as they are, it will be difficult for the KONOYE Cabinet to handle the situation. Therefore, I think that there will be no alternative but to petition a Prince of the Blood to form a succeeding Cabinet."

Whereupon, I asked in return:

"Does that mean that the Army has decided to completely change its past policy and that a Prince of the Blood will be petitioned to dispose of the aftermath, as such a volte-face could not be effected by a subject?"

The War Minister's reply was in the negative. He added that a Prince of the Blood would be petitioned to form a succeeding Cabinet for the purpose of deciding on the policy in the future. To which I raised a strong objection, stressing that a Cabinet, headed by a Prince of the Blood should not be formed except when the country decided on an absolutely peaceful policy. War Minister TOJO kept his silence for some time, from which he emerged with his abrupt question, "What will become of Japan then?" I remember that I replied to him that Japan might become a third or fourth rate Power, if what he was doing was persisted in. I also pointed out that the least Japan expected was true amity between the Army and the Navy. 210. My interview with War Minister TOJO led to no definite results, but I thought at that time that if I talked to Prin

KONOYE and if the Prince exerted a little harder, a way of difficulty might be found, judging by my interview with the War Minister. I lost no time in telephoning Prince KONOYE, who, however, had been making his Cabinet colleagues tender their resignations. And it was extremely regrettable that the Prince tendered his resignation to the Throne the same evening.

211. What should be done to save the situation? As I thought that a succeeding Cabinet, headed by a prince of the Blood would not be sanctioned by the Emperor before the Government had established an absolutely peaceful policy, I consulted Prince KONOYE about the measures to cope with the situation, after he had presented the resignations to the throne. At that time I told Prince KONOYE in substance that the decision of the Imperial conference of September 6 was "cancer", so to speak, and should be scrapped by all means so as to start afresh with a clean slate. For the purpose, one, fully acquainted with the whole circumstances, must undertake the formation of a succeeding Cabinet. I further told him, on the other hand should one, not acquainted with those circumstances, which were kept secret, attempt at forming a succeeding Cabinet, there is almost no manner of doubt that he would meet with Army opposition, finding it extremely difficult to organize a new Cabinet. Therefore, I thought that there would be no other course but to make Admiral OIKAWA or General TOJO form a new Cabinet and told Prince KONOYE to that effect. I pointed out the good and bad features of the appointment of either of them. Since TOJO had disagreed with him, it might be taken as a surrender if TOJO were appointed. On the other hand if it were offered to OIKAWA, because the Navy did not want war, the Army might act stronger. Thus TOJO...

want war, the Army might react stronger. Thus if TOJO were selected and ordered to disregard the Imperial Conference of Sept. 6, he would be able to control the Army and if he continued peaceful negotiations, the effect on America, would be favorable as she expects war upon the resignation of his cabinet. Prince KONOYE agreed with me and said substantially that Japanese armed forces are now down south as far as Southern French Indo-China. Should the Army get out of control, no one can tell what situation might be precipitated by troops on the spot. They might eventually drag Japan into war. To avoid such an eventuality, TOJO who has the Army in hand anyhow must be made to undertake the formation of a succeeding Cabinet, especially since he does not advocate waging war immediately with America, judging by his remarks, made in the past few days. As he says that Japan will not be able to wage war with America if the Navy has no confidence it will not mean opening of hostilities with America, even if he has organized a new Cabinet. A way out of the difficulty may be found, if the Emperor grants a message to TOJO on this point when His Majesty commands him to form a succeeding Cabinet. I asked KONOYE to give this matter further consideration and to let me know. That night and the next morning I gave the question further thought.

212. Recalling my interview with TOJO I had noticed that the General became more thoughtful, as it did not seem that he would necessarily advocate war with America, if the Navy was opposed to war. A change had apparently come over his way of thinking in the past few days. Another reason was his character. Since he was appointed Minister of War, TOJO much respected Imperial wishes. Respect for Imperial

wishes was common to all soldiers, but it was stronger in TOJO. This was one of the reasons why TOJO was pressing for the execution of the decision of the Imperial conference of September 6, which was held in the presence of the Emperor. If it was commanded by the Emperor to scrap the decision of the Imperial Conference in question and review the situation on a fresh basis, I had sincere confidence that TOJO would change his policy in pursuance of Imperial wishes, as the backbone of his contention would be gone, it being not obligatory to execute the decision of the Imperial conference of September 6 and further it became clear from the development of the situation in the past few days that it would be difficult to carry out the past policy. In this connection, I understood that cynical criticisms were rampant among foreign residents in this country at that time that it would be no use to ask the Prime Minister or the Foreign Minister about Japan's foreign policy, which would be known only at the General Staff of the Army. In deference to those cynical criticisms, I thought that if the Army was made to conduct state affairs and if the Cabinet, formed by the Army, itself, undertook to adjust the relations with America in dead earnest, American misgiving might be dispelled.

213. The next morning, Oct. 17, 1941, Prince KONOYE telephoned me and said that it was his opinion that TOJO would be a better choice as Prime Minister than the Navy Minister, provided that he was given an Imperial command to scrap the decision of Sept. 6th; use his efforts to effect cooperation between the Army and Navy and strive for peace. I did not discuss the appointment of TOJO as Prime Minister with either TOJO or OIKAWA before the meeting of the Senior Statesmen

and so far as I know, TOJO never knew I was going to recommend him, Chief Secretary MATSUDAIRA, with whom I had several conversations about the succeeding Prime Minister was of the same opinion as Prince KONOYE and I.

214. Chief Secretary MATSUDAIRA made the necessary arrangements for the Senior Statesmen's Conference that morning.

It started at 1:10 P.M. and ended at 3:45 P.M. The gist of the conference is set forth in my diary for that day, Pros. Exh. 1154, as corrected by the Language Section P. 11, 142.

215. Several days after the Conference I dictated a resume of it from notes I took during the Conference to my Chief Secretary, MATSUDAIRA, who wrote it out and went over it with me as is shown in my diary of October 24, 1941. The following is a true copy of it, the original of which is still on file in the Inner Court Document Section Board of Chamberlain.

216. "A RESUME OF THE PROCEEDINGS OF THE CONFERENCE OF SENIOR STATESMEN, which was opened at 1:10 P.M., October 17, 1941.

The Grand Chamberlain conveys Imperial wishes to those assembled
The Lord Keeper of the Privy Seal's address:

As the present Cabinet change is very much complicated, I intended to invite Prime Minister KONOYE to this meeting to give an explanation. For this purpose I obtained Imperial permission and also Prince KONOYE's consent. But he has just sent me word that since he fell ill last night and is feverish, he is unable to attend the conference. But he has sent me a document, showing the development of the political change. I should like to read it now. As the document deals with each question separately, however, before reading the document, I will make a summary review of the circumstances leading up to today's situation. (After making such a review of the development of the situation since the conference at Ogikubo on October 12, he read the attached paper)."

The original of the document from Prince KONOYE which I read to the Senior Statesmen is also on file in the Inner

Court Document Section of the Board of Chamberlain. I shall now read it.

"Development of the Negotiation between Japan and America and the Reason for the Resignation of the Cabinet, sent by Prince KONOYE, outgoing Prime Minister at the Request of the Conference of Senior Statesmen which was held following the resignation of the Third KONOYE Cabinet

(1) The Divergence of Views between the Government and the Army.

1. The Decision of the Imperial Conference

The Outline of Execution of the Empire's National Policies, decided by the Imperial Conference of September 6, this year provides:

2. In case there is no prospect of our contentions being accepted through diplomatic negotiation in the foregoing item by about early in October, the Government immediately makes up its mind to open war with America (Britain and the Netherlands)

In this connection, judging by the situation of the negotiation with America, prevailing about early in October, the Army has held that "there is no prospect of our contentions being accepted" and therefore contended that it has been the natural conclusion, based on the decision of the Imperial Conference to make up its mind to go to war at the middle or about late in October at the latest. Whereas the Government has contended that the current situation of the negotiation with America could not be regarded as "no prospect of contentions being accepted" and further that judging by the notes exchanged with America and other various informations America

also desires to have the negotiation with Japan brought to an amicable conclusion. It is to be considered that the real intentions of President Roosevelt and Secretary of State Hull have been obscured by misunderstanding and misgiving in the meantime (For instance the Japanese Army units in North French Indo-China have been gradually increased piecemeal since early in October --- though this has been done in accordance with treaty provisions, third Powers' alienation of America from Japan, wait-and-see policy toward the international situation, especially the European war, stiffening attitude of the Far Eastern Affairs Division of the State Department and growing activities of anti-Japanese elements. Therefore, the Government has held that if more time was given, it could not be thought hopeless to bring the negotiation to an amicable conclusion even with the terms, now submitted to America. If the Army modified its terms (which would be reducible to withdrawal of troops after all), as stated later, the Government has believed, therefore, that there is hope even now for amicable conclusion of the negotiation with America.

Attention must be specially paid to the fact that the Army which in pursuance of the demand from the Supreme Command has been urging the Government to make up its mind to go to war by early in October as decided by the Imperial Conference is now pressing the Government to do so by the middle of October and at the latest by the end of October in an unavoidable case. Otherwise, the Army warns the Government that it would be extremely disadvantageous for this country in prosecuting war. Thus, from the middle to the end of October is the dead line laid down by the Army.

The Difficult Points of the Negotiation with America
(Especially the Question of Withdrawal of Troops)

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(2) The Difficult Points in the Negotiation with America
(Especially the Question of Withdrawal of Troops)

The negotiation with America is still on the way. It cannot be imagined that America's real intentions have already been fully clarified, but difficulty which has been so far experienced in the negotiation may be reduced to the following three points:

1. The question of withdrawal of troops from China and stationing of troops in China.
2. Japan's attitude toward the Tripartite Alliance Pact between Japan, Germany and Italy.
3. The question of commercial non-discrimination in the Pacific area.

And these three difficult points center in the question of withdrawal of troops from China and stationing of troops in China. Therefore, it may be said that the only difficulty in the negotiation with America is the question of withdrawal of troops from China.

The Army's contention with regard to the question of withdrawal of troops from China may be summed up as follows:

Japan's terms for peace with China, as submitted to America are extremely generous, demanding no territorial annexation or reparation. As it is, however, communistic and other lawless agitations are rampant in the interior of China, thus menacing the security of both Japan and China. It is necessary, therefore, for economic development as well as for peace and prosperity of Japan and China to station Japanese troops in designated districts of China for a prolonged time so as to carry out joint defense

against these lawless elements. But the Japanese troops may be withdrawn from China following the settlement of the China Affair with the exception of these needed for stationing as mentioned above. According to the Army's contention, stationing of Japanese troops in designated districts of China is absolutely necessary. Accordingly, therefore, stationing of troops is the first basic principle, because it is the only result of the China Affair. Therefore, should the China Affair be settled on the basis of withdrawal of Japanese troops without permitting Japan to station her troops in designated districts of China, the Army could not acquiesce in it. Stationing of troops in designated districts of China is the Army's heart, without which defeatism would spread through the Army, so that it would be impossible to maintain its high morale.

On the other hand, America's real intentions with regard to the question of withdrawal of troops from China have not yet been manifested. It is not necessarily thought impossible, therefore, to have our terms accepted by America if only more time is given for negotiation; but the main points of America's contention have been so far regarded as follows:

1. Withdrawal of troops should be accepted by Japan in principle (Consequently the question of stationing of troops will be settled after this basic point is settled. It is not necessarily clear if America will recognize Japan's stationing of troops, to be sure; but judging by the development of the negotiation in the past, there is a point which

gives an impression that America will not pursue an attitude which will flatly refuse to recognize Japan's stationing of troops.

2. America wants to ascertain Japan's sincerity concerning withdrawal of troops (for instance, in his conversations with Minister WAKASUGI on October 13, Mr. Sumner Welles, Assistant Secretary of State, said to the following effect:

"In short, that will depend upon Japan's sincerity. If Japan sincerely intends to withdraw her troops, there may be room for negotiation about its execution."

The Government's stand on the question of withdrawal of troops is as follows:

- (1) The negotiation with America should be kept up, with some more time granted for the purpose.
- (2) It goes without saying that Japan should demand the right to station her troops in view of its necessity, but should this question become the key to the success of the entire negotiations, how about giving up the name and instead gaining the substance, that is, accepting withdrawal of troops in principle, and formally making a concession to America to make an arrangement for having Japan's stationing of troops virtually recognized by America?
- (3) The Views of the Government and the Army on War Pointing out that it has become almost impossible to import military supplies (especially petroleum) since America, Britain and others froze Japanese assets, the Army holds that if the situation is allowed to take its own course

without being remedied, Japan will become steadily impoverished, so that she will be eventually paralyzed. Then she will not be able to counter it even if America outrageously brings pressure to bear upon her, nor will she be able to rise in self-defense, even if her very existence is menaced. The Army further contends that there is some risk, to be sure; but if only the nation united together in overcoming the national crisis, there will be no occasion for anxiety; because they have their own weakness just as we do. What is now needed is only decision. On the other hand, the Army holds that if too generous terms are offered by Japan in settling the China Affair through the intermediary of America, it will serve to deepen China's contempt for this country with the result that it may become necessary for Japan to launch a second punitive expedition against China within three years though the current affair may be settled for the time being. To this view the Prime Minister holds that it would be impossible for one who keenly feels his growingly heavy responsibility since the outbreak of the China Affair, to plunge into a big war, whose outcome would defy prediction, in the midst of the China Affair itself. A dwindling of war supplies in stock since the Anglo-American freezing of Japanese assets may represent the so-called steady impoverishment of Japan, but with regard to securing of oil resources, about which the greatest anxiety is being felt of all war supplies, it is problematical whether Japan will be able to expect her desired volume of oil in a year or two, even if she conquers the Dutch East Indies; because destruction and risks of oil transportation must be taken into consideration. If it is planned to increase output of synthetic oil by mobilizing materials

and labor instead of going to war, it will not be necessarily impossible to produce 500,000 tons of synthetic oil by the end of 1943 and increase the figures to 4,000,000 in the course of 1944. Japan's national resources are now drained and popular morale is rather lax due to the China Affair which is now in its fourth year. Therefore, the Prime Minister believes that at this juncture Japan should settle the China Affair by some means and steadily foster her resources, by going through hardship and privation with her navy in being as her hope.

4. The Navy's View

The Navy is generally believed to embrace the following view:

Japan now stands at a crossroads whether to stick to diplomatic negotiation or make up her mind to go to war. If it is to be settled through diplomatic negotiation, Japan must stick to diplomacy to the finish. She must be confidential enough to conduct diplomatic negotiation to an amicable conclusion. It is impossible to go to war, after conduction diplomatic negotiation two or three months, on the ground that there is no chance of success for diplomatic negotiation. Inasmuch as it is the Government that decides whether to depend on diplomacy or go to war, it must be left entirely to the Prime Minister's decision to take the course to the right or to the left on the part of this country.

It may be added that a pretty strong opinion prevails among Navy circles that war should be avoided as far as possible and that the best must be done to adjust the relations between Japan and America through diplomatic negotiation.

(2) The Development of the Diplomatic Negotiation with America.

At the middle of April, this year, Mr. Sumner Welles, Secretary of State, submitted the so-called draft understanding between Japan and America to Ambassador NOMURA, telling him that the relations between the two countries will be able to be decidedly adjusted, if the situation is clarified and improved on the following points:

1. The attitude of the Governments of the two Powers toward the European war.
1. The relations of the two Governments to the China Affair.
1. Trade between the two Powers.
1. The policies of the two Governments concerning political stability of the Pacific.

Japan's counter-proposals to the American proposals were sent after they were approved by a liaison conference between the Government and the Supreme Command at the middle of May (Late in April, Foreign Minister MATSUOKA returned from his trips in Germany and Italy, and it took him a considerable time to study Japan's reply to America in the form of counter-proposals). Late in June, America submitted counter-proposals to Japan, it happened that hostilities opened between Germany and the Soviet Union late in June, adding to the gravity of the international situation. On the other hand, Japan sent her troops to South French Indo-China in accordance with treaty provisions, due to necessity in connection with the China Affair. Whereupon, however, America froze Japanese assets with the result that the situation between Japan and America grew tense. At the middle of

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July, Japan sent her reply to the American counter-proposals of late June, but the second KONOYE Cabinet resigned en bloc before Ambassador NOMURA handed it to the American Government. Early in August the third KONOYE Cabinet proposed a personal interview between President Roosevelt and Prime Minister KONOYE to the American Government so as to enable them to have heart-to-heart talks on the restoration of friendly relations between Japan and America, the China question and world peace, prompted by the desire to bring the diplomatic negotiation between Japan and America to an amicable conclusion by all means. Late in August, Prime Minister sent his personal message to President Roosevelt.

An "Outline of Execution of the Empire's National Policies" was decided by the Imperial Conference of September 6, but it is clear from the circumstances before and after the Conference that the "Outline" is aimed at settling the pending question with America (and Britain) through diplomatic negotiation by all means and that recourse to war may be had only when there is absolutely no chance of success for diplomatic negotiation.

Early in September, in order to hasten the personal interview between President Roosevelt and Prime Minister KONOYE, the Japanese Government submitted to the American Government matters which might form a basis for the said interview.

Further, on September 20, the Japanese Government collected the proposals made by America and Japan's counter-proposals and arranged them in order and submitted it to the American Government.

In acknowledgement, the American Government on October 2 sent an aide-memoire to the Japanese Government. With

regard to this American ^aide-memoire, a divergence of views has developed between the Government and the Army, one holding that there is no chance of success for the diplomatic negotiation with America, as America has no goodwill sincerity to bring the negotiation to an amicable conclusion; while the other refuses to believe that there is no chance of success for the diplomatic negotiation with America and contends that the negotiation be kept up or that the terms for negotiation be somewhat modified."

I shall now continue to read the Resume of the Proceedings of the Conference of Senior Statesmen.

"All conferees then put preliminary questions. More important ones were as follows:

Mr. WAKATSUKI: Advocates of a war with America often base their arguments upon the danger of Japan's resources being gradually exhausted. Nothing could be more dangerous. Should Japan wage war with America, what would be the outcome? The question calls for study with the utmost care.

Mr. HARA: I think that the oil question seems to be the crux of the situation. I am told that the Navy's oil stock will last two years, but I should like to know how much oil the Army has in stock. To this query nobody gave a full answer.

Mr. OKADA: After all, the oil question, no matter at what length we might discuss it, would afford no conclusion.

Mr. ABE: Those advocating extremist views or those desirous of prolonging diplomatic negotiation are all prompted by the same sentiment. After all, it comes down to the question of oil. I wonder how deeply the Prime Minister has pursued his study on the subject.

Lord Keeper: It seems that the Prime Minister has duly pursued his study pretty deep, but I think he has not been able to handle the question fully.

Mr. WAKATSUKI: It goes without saying that the decision of an Imperial conference should be respected, but its handling is totally legalistic.

Even if there is little hope of attaining the objective through diplomatic negotiations, is it wise to wage war at once? As it involves risking Japan's national existence, is it not proper to pay a little more political consideration to the question?

Mr. ODADA: The Navy's contention that if we go by treaties, everything must be regulated by treaties in the thoroughgoing manner may be admissible. Has not the Navy comparatively much oil?

Mr. KIYOURA: Why must the Government decide its attitude at once when the Ambassador abroad says there is a chance of success?

Lord Keeper: As for that point, the Imperial conference fixed the date of decision in the first part of October. Therefore, there developed a divergence of views between the Government and the Army, and I think the Government could not help but be pushed to the wall.

Mr. ABE: As Mr. KIYOURA pointed out, it is incomprehensible why the Government had to quit when there was a chance of success.

Lord Keeper: That point is difficult to understand. In short, America who believes that Japan is dominated by the Army will not reveal her real intentions so easily; Prince KONOE, on the contrary, wants to meet President Roosevelt and decide policies on broad lines in an effort to create a political situation and thereafter decide upon details. Herein lies the divergence of views. While America's final reply has not yet been forthcoming, the date of the Imperial conference is fast approaching. That is the actual situation.

Mr. WAKATSUKI: The China Incident is already four years old. Just how long do they think the war with America will last?

Mr. YONAI: The Navy says that Japan will win if she wages war with America -- which means that the Japanese Navy will win if its fights with the American fleet take place in the Pacific. No one can tell when such an engagement will take place. Our endurance is another question.

Mr. HIROTA: As we are in the midst of the China Incident, I think even politics must be conducted with the intentions of the Imperial General Headquarters at center.

Lord Keeper: Since we are in war time, it is needless to say that the intentions of the fighting services are important. Especially when a question such as risking Japan's national existence

is concerned, a perfect agreement of views between the Army and Navy is essential. It is indeed the state's minimum requirement today.

Mr. ABE: The present moment calls for a certain influence rather than a specific man.

Mr. HIROTA: The backing of the Army and Navy is necessary.

Mr. OKADA: It is necessary to enlist the services of a man who will be able to bring the Army and Navy into a harmonious relationship.

Mr. HIROTA: Is it not necessary to ask the Imperial General Headquarters' desires?

Mr. HARA: Does Mr. HIROTA mean to make the Supreme Command recommend the candidate for the next Prime Minister?

Mr. HIROTA: I think that may be one of the plans worth studying.

Mr. OKADA: I wonder if that will be advisable.

Lord Keeper: I think to make the Supreme Command recommend the candidate for the succeeding Prime Minister will be a question to be studied most cautiously. The Supreme Command may be embarrassed. It may not be able to recommend a candidate.

Mr. HIROTA: That may be quite possible.

Mr. HAYASHI: I should like to express my view. It may seem rather extraordinary, but I am laying it before you as material for study. As already explained, it is necessary by all means to establish teamwork between the Army and Navy and effect cooperation between the Government and the Supreme Command. But it is extremely difficult. How about asking a Prince of the Blood to form a succeeding Cabinet at this juncture? And judging by the prevailing situation, I think it proper to ask an Imperial Prince in naval service to form a new Cabinet.

Mr. YONAI: Theoretically, it may be a good plan, but I am afraid that practically it may not work.

Lord Keeper: To speak the truth, it is proposed in some quarters to ask an Imperial Prince to form a succeeding Cabinet. And the proposition may be a practicable plan, if the Army and Navy have given up their past contentions in favor of teamwork, also if the services of an Imperial Prince are desired as a transition step toward formally

establishing cooperation between the two fighting services which in view of the past relations might be impossible to realize on the part of a mere subject. But the prevailing situation has not reached such a stage yet. It will be a serious question therefore, to ask an Imperial Prince to tackle this vexed question. In the first place, people might wonder if subjects lack talent, indeed so much so that they might have to ask an Imperial Prince to form a new Cabinet. Second, should the new Cabinet formed by an Imperial Prince decide to wage war with America, the said Prince would be called upon to tackle a question, so difficult to solve that even a statesman of Prince KONOYE's caliber and experience has failed to manage it, leading to his failure to execute the decision of the Imperial conference. Again should the Imperial Prince fail in tackling this knotty question, the Imperial family might come in for a storm of denunciation from the people. Such being the case, I cannot agree to the plan for forming a succeeding Cabinet by an Imperial Prince.

Mr. WAKATSUKI: Lord Keeper of the Privy Seal, you must be fully acquainted with various circumstances leading up to the present situation and its development. Let us hear your view on a succeeding Cabinet.

Lord Keeper: It is a very difficult question as to who should be recommended to the Throne for a succeeding Cabinet. To state the conclusion first, I think it may be the best for the Emperor to command War Minister TOJO to form that Cabinet. Paradoxical as it may sound, and it may be difficult for you to understand, today's poisonous and irradicable source of difficulty is after all the decision of the Imperial conference of September 6. On this point I had a free and frank exchange of views with War Minister TOJO, the result being to ascertain that the Army is fully aware that it will be impossible to wage war with America without the Navy's real determination, but the Army cannot help proceeding forward in accordance with the decision of the Imperial conference unless the Navy manifests its definite intention to modify the decision of the Imperial conference. It is to be judged, therefore, that when real cooperation between the Army and Navy is still not forthcoming, the important decision of the Imperial conference was hurriedly made. This is the actual situation. If so, I think it will be the most practical way for saving the situation to command TOJO to form a succeeding Cabinet on the part of the Emperor and at the same time order him to effect real cooperation between the Army and Navy and re-examine the decision of the Imperial conference, as TOJO is fully acquainted with the development of the situation and has the difficulty of attainment

keenly driven home to himself. Even if a general or admiral not in active service is commanded to form a succeeding Cabinet, there may be fear of an unexpected result, in case his formation of the new Cabinet is restricted by a section of the public with the decision of the Imperial conference.

Mr. KIYOURA: As for the Cabinet to be formed by an Imperial Prince, some one mentioned the name of Prince HIGASHIKUNI to me, but I think the idea is not proper. This time it may be proper for one representing the military authorities to come forward and form a new Cabinet.

Mr. WAKATSUKI: The idea of the Lord Keeper of the Privy Seal is reasonable, but I should like to recommend General UGAKI, though I do not do so, simply because he was in the same Cabinet with me. General UGAKI is not only the Nestor of the Army but a man of strong will. He may be one of the most powerful candidates for saving the situation, though it would be embarrassing, should the militarists be opposed to him as before.

Lord Keeper: I also think General UGAKI is one of the most powerful candidates. He is outstanding, too, as the possessor of actual power. But some time ago the General declined the Imperial offer to form a succeeding Cabinet, due to the actual opposition of the military authorities. Therefore, in petitioning the Emperor to command the General to form a new Cabinet again my sense of responsibility dictates caution to me. As the present political change has occurred so suddenly, I have not yet explored the ground in that direction. According, however, to the Chief Secretary, who has inquired at two or three places, in case the General is commanded by the Emperor to form a succeeding Cabinet, I think there may not be such opposition to him from the military authorities as before; nevertheless, there has not yet been created in the Army an atmosphere in which to extend a full measure of support to him. I am inclined to believe that it will be extremely difficult for General UGAKI to restrain the militarists.

Mr. WAKATSUKI: Some of you hail from the military services. What do you think about General UGAKI?

Mr. ABE: I know General UGAKI very well, as I assisted him as Vice Minister When he held the portfolio of War. General UGAKI used to be looked upon as an influence by circles other than the military when it was desired that the Army be restrained. Therefore, the name of General UGAKI gives one an impression that he is the very man for curbing military demands. In consequence, he always finds himself in a sorry plight. I think

it may be very difficult for General UGAKI to control the situation under the prevailing circumstances.

Mr. OKADA: I have no intention to say anything personal against War Minister TOJO, but judged by the development of the present political change, the Cabinet may be regarded as having been overthrown by the Army. I am skeptical as to whether it will be proper for the Emperor to command the War Minister representative of the said Army to form a succeeding Cabinet.

Lord Keeper: My version is rather different on that point. The attitude taken by War Minister TOJO in the present political change is different from that taken by War Minister HATA under the YONAI Cabinet. On the basis of a survey of the truth of the case, it cannot be said that the Army alone is to blame.

Mr. OKADA: In any case, the Army embraces a vigorous opinion. The Lord Keeper of the Privy Seal says that the Army fires the rifles from the rear, but I am afraid that it may develop into a gun.

Lord Keeper: It cannot be said that there is no occasion for worry on that point, but in short, the question is how useful the Navy's strength will be.

Mr. YONAI: Did not Prime Minister KONOYE quit because the Navy is not only ambiguous in attitude, but unreliable?

Lord Keeper: It cannot be said so clearly. An agreement of views between the Army and Navy and a reexamination of the decision of the Imperial Conference must be the foundation for saving the situation; it may be also a good idea to make the Navy Minister undertake the job, as he stands for prudence.

Mr. OKADA: I think it will not be absolutely proper for the Navy to recommend a succeeding Prime Minister from among its leaders at this time.

Mr. YONAI: (Was of the same opinion as Mr. OKADA)

Mr. OKADA: I think General UGAKI may be a good candidate, if the military circles can be reconciled with him.

Mr. WAKATSUKI: If War Minister TOJO is chosen I think a bad impression may be created abroad. We shall have to be prepared for a very unfavorable impression abroad.

Mr. HARA: If it is to be arranged as the Lord Keeper of the Privy Seal stated, I think it ~~may be necessary for the Emperor to take the course~~ of action clearly in issuing the Imperial command to form a new Cabinet.

Lord Keeper: I think I shall pay full consideration to that point.

Mr. HIROTA: Is it the Lord Keeper of the Privy Seal's plan to make the Prime Minister concurrently assume the portfolio.

Lord Keeper: Yes.

Mr. HIROTA: Then it will be all right.

Mr. ABE: I support the Lord Keeper's plan.

Lord Keeper: I think Mr. WAKATSUKI has recommended General UGAKI. Has Mr. OKADA also recommended General UGAKI?

Mr. OKADA: No, I have not necessarily recommended General UGAKI, but I think there are some points in the Lord Keeper's plan to cause worry.

Mr. HARA: The Lord Keeper's plan cannot be said to be satisfactory, but as there is no other good plan, we cannot help proceeding forward with it.

Lord Keeper: I have now understood your views on the whole. I will fully report them to the Throne and obtain Imperial sanction.

217. In Appendix E of the Indictment, I am charged with being "present at and concurred in the decisions taken * *" at the conference of Oct. 17, 1941 (Ex-Premiers) which decision "prepared for and led to unlawful war on 7th / 8th December 1941." No such decision was made at that conference. I listened to the Senior Statesmen's opinions and expressed my opinions. It was subsequent events which led to war. At that time in recommending TOJO neither the Senior Statesmen nor I had the slightest intent to do anything or had any opinion that we doing anything preparing for or leading to war. We expressed our opinions in the hopes and expectations that the recommendation of TOJO would avoid war.

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218. I reported fully the results of the Senior Statesmen's Conference to the Emperor and recommended TOJO to the Throne for the next Prime Minister. As it was evidently difficult to settle the political situation by merely setting up a new cabinet by Imperial command, I asked the Throne that special instructions as set down below, be given directly upon the issuance of the Imperial command to General TOJO, and later to Admiral OIKAWA, the navy minister, so as to make clear the Imperial wish for closer cooperation between the army and the navy, and disregarding the Sept. 6th decision. The Emperor gave his consent. I waited in the ante chamber for the return of the two ministers from the audience hall, and conveyed to them the wish of His Majesty under orders from the sovereign, thereby nullifying the resolution of the September 6 Imperial Conference, as follows:

"I presume that you have just received Imperial words in regard to cooperation between the Army and the Navy. As regards the fundamental line of national policy I am commanded to convey to you the Imperial desire that the careful considerations be taken by studying both the internal and the external situations more comprehensively and more profoundly than ever regardless of the resolution of the September 6 Imperial Conference."

219. The Imperial instructions to War Minister TOJO and Navy Minister OIKAWA are as follows:

Imperial Instructions,

To War Minister TOJO

"I command you to form a new cabinet. You will observe the provisions of the Constitution. I believe the country is confronted by a most serious situation. At this juncture you will see to it that the cooperation between the army and the navy is made closer than ever. I intend to tell this to the navy minister later by calling him in later."

To Navy Minister OIKAWA

"I have called in War Minister TOJO and commanded him to form a new cabinet. I told him that I believed the country is now confronted by a most serious situation, and he must see to it that the cooperation between the army and the navy is made closer than ever. You will exert yourself in conformity with my wish."

220. The Prosecution in Doc. 0003, P. 49 has stated in referring to me, "It is significant that he makes it clear in Exhibits 1196 and 2250 that he rejected the appointment suggested by WAKATSUKI and others, of General UGAKI the only man who might perhaps have averted war altogether." The Prosecution and I thus agree that an Army man was the proper choice, we only disagree on which one. As shown, at the Senior Statesmen's Conference at which WAKATSUKI, HARA, OKADA, ABE, KIYOURA, YONAI, HIROTA, HAYASHI and were present only WAKATSUKI favored UGAKI, and one, HAYASHI, suggested a Prince of the Blood. The reasons why UGAKI was not acceptable are fully set forth above. What he "might" have done is problematical and speculative. It was my considered opinion shared by others, that he would not have been able to form a cabinet, or if he did, that there would have been a revolution in Japan, and war would have resulted as he was not able to control the army. As was pointed out at the Conference, UGAKI had once before failed to form a cabinet when given the Imperial Command, because of the opposition of the military. I did not suggest TOJO until I was asked my opinion. Neither Exhibits 1196 or 2250 are authority for the Prosecution's statement.

221. The Prosecution has also stated in substance in Doc. 0003, P. 49, that I made no attempt to induce TOJO to adopt

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an attitude toward peace negotiations which would offer the slightest hope of their success. In explanation of that I wish to point out that I was opposed to the Pacific war from the beginning to the end and as the Prosecution said about my advice to KONOYE on August 7, 1941 (Pros. Exh. 1130), "No doubt if his advice has been taken we should not be holding this trial today; *** ". As Lord Keeper I could not induce TOJO to take any steps.

222. The official duties of the Lord Keeper of the Privy Seal which I held dictated me not to interfere in national policies. Therefore, I was not in a position to give expression to my opposition publicly. When Prince KONOYE was Prime Minister he sought my views from time to time, as he was one of my very close friends. Therefore, I often took occasion to stress to him the necessity for working hard to avoid war with America by all means (Cf. My diary for August 7, 1941 & October 9, 1941 - Exh's. 1130 and 1146, both as corrected.) Meanwhile, the situation went from bad to worse. I, as one of those serving the Emperor close to him with official duties to offer assistance to him, gave the most serious and constructive thought to enable the Emperor to do his best dispassionately as sovereign under constitutional government. Put in another form, I made it a rule to petition the Emperor to make the Government study the situation as cautiously as possible from all possible angles before making a decision and for that matter to draw attention or caution the Government without reservation to anything which His Majesty may have deemed necessary, thereby putting forth all possible efforts on the part of the latter so as to have nothing to regret later. Once,

however, the Government decided on a national policy, I used to counsel the Emperor to approve it, by trusting the Government in accordance with constitutional government. When the TOJO Cabinet was formed, the Emperor commanded Prime Minister TOJO through me to scrap the decision of the Imperial conference of September 6, a line of action which had no parallel even under the reign of the Emperor Meiji, the builder of modern Japan. I presume that the Emperor had recourse to it as a last resort.

223. In explanation of the Prosecution's statement in Doc.0003, P. 49, that I, " ** induced the Emperor to give, or gave in the Emperor's name, an instruction to the Navy which could only mean that they should appoint a Navy Minister who would do whatever TOJO told them.", I wish to state that as shown above, the Emperor told both TOJO and OIKAWA. At this juncture you will see to it that the cooperation between the army and navy is made closer than ever." Neither one was told to do the bidding of the other. In view of His Majesty's desire for peace there can be no question that his thought coincided with mine, that on the part of the army it was to refrain from acting as it pleased in defiance of the intentions of the Navy which was anxious to avoid war with America and on the part of the Navy to manifest its intentions clearly so as to seek a peaceful solution of the outstanding question between Japan and America. This was the thought behind my statement at the Senior Statesmen's Conference when I advocated an instruction to TOJO as follows:

"If so, I think it will be the most practical way for saving the situation to command TOJO to form a succeeding Cabinet on the part of the Emperor and at the same time order him to effect

real cooperation between the Army and Navy and
re-examine the decision of the Imperial Conference,
"

224. The Prosecution states in Doc. 0003, P. 49, "It is also significant that in Exhibit 2250 written in November, he abandoned altogether the excuse for appointing TOJO which he had given the Emperor on 2 October (Exh. 1155)." Frankly this puzzles me. I have never offered any excuse to any one at any time for TOJO's appointment. I have set forth my reasons for doing so. Furthermore Exhibit 1155 is my diary for October 18, 1941. In that entry there is no mention of any reasons why TOJO was appointed. Likewise, if the Prosecution is referring to my diary of October 2, 1941, no reasons are set forth there which was two weeks before he was even appointed. I do not know to which document the Prosecution refers and can find none to sustain any such conclusion. I had nothing to do with the appointment of any member of TOJO's Cabinet. I was never consulted by any one as to who to appoint, and I do not know with whom TOJO consulted.

225. On the evening of October 17, 1941, Prince KANIN summoned me and asked me to submit to the Throne a memorial having War Minister TOJO remain in active service and promoting him to full general. Prince KANIN said that TOJO had requested him to do so, as it was a matter relating to himself, but that Prince KANIN requested me to do so as it was a formality and an exceptional case. I merely acceded to Prince KANIN's request to transmit the memorial to the Throne the next day as appears in Prosecution Exh. 1155, diary of October 18, 1941.

226. As a result of the formation of the TOJO Cabinet,

Premier TOJO in obedience to the Emperor's instruction, cancelled the decision of the Imperial Conference on September 6 and set about re-examination of it. This consequently eased the tension for a war which had threatened to break out at any moment on October 13 and 14. His Majesty was exceedingly glad and spoke to me about it on October 20, 1941. As shown above, I had only one motive in recommending TOJO, and that was to avert war with America. Thus as shown in my diary of October 20, 1941, Pros. Exh. 1156, I sincerely felt that the war had been averted and the situation had taken a new turn for the better. His Majesty's words "Nothing ventured, nothing gained" expressed to me that he was pleased that he had succeeded in making those who held strong opinions give in to his own ideas to avert war. I told him one mistaken step taken in the present cabinet change might have needlessly plunged us^s into war, and that the recommendation I had made was the only choice possible after due consideration.

227. Following the formation of his Cabinet, Prime Minister TOJO devoted his all to the negotiation with America in pursuance of Imperial wishes. In forming his Cabinet, TOJO held the portfolio of Home Affairs concurrently. Asked why he assumed the portfolio of Home Affairs concurrently, though it might be understandable that he would hold the portfolio of war in addition to Premiership, the General told me that in case the negotiation with America was brought to an amicable conclusion, thereby adjusting the relations between the two countries, he was afraid that the country might possibly be plunged into serious confusion, in which eventuality he would like to assume the responsibility for the maintenance of peace and order. In joining the TOJO Cabinet, I heard^d from both Finance Minister KAYA and Foreign Minister

TOJO that they asked General TOJO if his Cabinet would be a war cabinet and that they accepted the offers only after the General assured them that his Cabinet would not be a war Cabinet, but on the contrary it would devote its all to adjustment of the relations between Japan and America.

228. Since the formation of his Cabinet, General TOJO made serious efforts to overcome difficulty in the negotiation with America, by holding the Liaison Conference day after day. General TOJO proceeded to the palace almost every other day for the purpose of reporting to the Emperor. Every time he had an audience with the Emperor, he came to my office room and briefly told me about his report to His Majesty.

229. Every interview was a very short one, so that both of us had no time to have an exchange of views. Since its emergence on October 17, 1941, the TOJO Cabinet was studying the pending question from various angles. SUZUKI reported to me on October 29, 1941, the progress of the Liaison Conferences. (Diary Oct. 29, 1941, Ex. 1162). He told me at that time that the Conference was generally taking a course toward evasion of war. I expressed to him my desire to see this policy realized. He did not say anything to me about the Anti-Comintern Pact and Manoeuvres against China as is stated in Pros. Doc. 0001, p. 257. My diary for that day, Ex. 1162, shows that it was TOJO who told me about those matters, as well as stating the progress of the Liaison Conference. At that time it seemed that the fighting services were steadily pushing war preparations. It was a matter of deep concern for those who knew America and things American. I knew, and others close to me knew that if one was to come to an understanding with America, he should put forth all-out efforts for the purpose, using no bluff. When I had the

interview with Prime Minister TOJO on Oct. 29, 1941, I drew his attention to this point, Prime Minister TOJO, who apparently took a different view of the matter, told me that negotiation would be brought to an amicable conclusion only when we manifested our firm determination and that in this sense, preparations for both peace and war were necessary. 230. With its study mostly concluded on Oct. 31, 1941, the Government undertook to reach a conclusion on the basis of its study. The Prime Minister so advised me, as mentioned in my diary for Oct. 31, 1941, as follows:

"Oct. 31, 1941. . . . At 4:40 Premier TOJO came to the Palace. After conferring with the Emperor, he called on me with reports on the progress of the Liaison Conference. He said that from tomorrow the conference is going to enter upon the final stage of discussion. . . ."

On that occasion, and also on Nov. 2, 1941, the Prime Minister told me that he wanted to avoid war with America as much as possible, but as the result of studying various situations in an all-round way, the Government would be called upon to prepare for both peace and war, especially since consideration would have to be paid to the worst eventuality of a rupture in the negotiation. Therefore, I knew that the Government was preparing for both peace and war instead of for peace alone since Oct. 31, 1941 and further that it was the fundamental attitude in which the Government faced the decision of the Imperial Conference of Nov. 5, 1941.

231. As shown in Pros. Ex. 1168, my diary for Nov. 5, 1941, the Imperial Conference held that day lasted 4½ hours, and it decided Japan's policy toward U.S.A., England and the Netherlands, according to the principles studied by the Liaison Conferences. I, of course, was not present at this Imperial Conference, and after it was over Premier TOJO told me of its results with little details. He told me in