

IWAMURA, MICHIO (1961)

(4)

(15)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
LEGAL SECTION

30 March 1948

MEMORANDUM:

TO: Chief, Legal Section, SCAP
SUBJECT: IWAMURA, Michiyo

I. PRESENT STATUS:

Subject has been incarcerated in Sugamo Prison since 8 December 1945 as a Class "A" war crime suspect.

II. PURPOSE OF MEMORANDUM:

This report is based on the oral request of the Chief, Legal Section, to examine all available evidence against the nineteen (19) Class "A" war crime suspects now held in custody to determine whether or not they can be indicted for "B" or "C" war crimes.

III. SOURCES OF MATERIAL EXAMINED:

1. All files and information available in Legal Section.
2. The complete G-2 report, dated 25 February 1947, with reference to subject.
3. All files, records and reports available at the International Prosecution Section of the International Military Tribunal for the Far East.

IV. RECOMMENDATION:

It is recommended that subject be retained in custody for further investigation and possible indictment as a Class "B" or "C" war criminal.

Exhibit V

Memo: IWAMURA, Michiyo (Cont'd)

V. DETAILS UPON WHICH THE RECOMMENDATION IS BASED:

1. Pertinent curriculum vitae:

Prosecutor General	1940-1941
Justice Minister	July 1941-1944

2. IWAMURA devoted his entire public career to the Justice Ministry, rising steadily from a procurator in the local courts to the Head of the Ministry. He appears to be one of the most perfect type of Japanese bureaucrat.
3. The current investigation has not developed any activities in the operation of the Justice Ministry that would warrant specific charges against IWAMURA or his subordinates. The Ministry was, however, zealous in its prosecution of those individuals who in any manner or form attempted to oppose the war effort either by words or action.
4. The suspect was a member of TOJO's Cabinet at the time of and shortly prior to Pearl Harbor. He participated in numerous Cabinet decisions which constituted violations of the laws and customs of war. Among these decisions are the unlawful attack by Japanese forces on the Allied nations, decision to use Prisoners of War in industry, the adoption of the Chinese slave labor program and others.
5. The subject's tenure in office was co-extensive with that of TOJO and he can be charged with the responsibility for "B" and "C" crimes committed by the Japanese armed forces and civilian populace during this long period in office.
6. It is believed that the evidence justifies holding the suspect in custody for further investigation and possible indictment as a "B" or "C" war crimes suspect.

L. P. B. LIPSCOMB
ATTORNEY, LEGAL SECTION

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GENERAL HEADQUARTERS

~~UNITED STATES ARMY FORCES, PACIFIC~~
FAR EAST COMMAND

CHECK SHEET

(Do not remove from attached sheets)

5902

File No: 201-IWAMURA Michiyo Subject: IWAMURA Michiyo, Internee in Sugamo

Note
No.

From: G-2

To: Legal Section
(Attn: Inv Div, Lt Col
E. E. Rudisill)

Date: 25 FEB 1947
CIS/OD: TPD/mk

Info Copy to: IPS (Attn: Inv Div,
Mr. D.L. Waldorf)

1.

1. Curriculum vitae of IWAMURA Michiyo (TAB A) shows that he is a life-long government official who worked his way up from a lowly position in the Justice Ministry to the post of Minister.

2. "Japanese Government Officials, 1937-1945" published by Military Intelligence Division, War Department, Washington, D.C., 21 July 1945, gives IWAMURA's career as per TAB B, but does not attempt to evaluate him.

3. Evaluation of IWAMURA at the time of his transfer to Sugamo Prison in December 1945 reads as per TAB C.

4. IWAMURA's arrest in September 1945, immediately after the surrender, was motivated by his position in the TOJO Cabinet. The only other accusation contained in the early evaluation of the man (TAB C) is the statement that "IWAMURA utilized the reactionary bureaucratic society 'KOKUHONSHA' (Society for the Foundation of the State) to attain his position of eminence".

5. IWAMURA entered the TOJO Cabinet as a carry-over from the 3rd KONOYE Cabinet, having been appointed on 25 July 1941. He remained in this position until the fall of the TOJO Cabinet on 22 July 1944. He attained this position by a perfectly normal series of promotions in the Justice Ministry, from public procurator in the lowest court to Procurator General and eventually to Justice Minister.

The accusation that IWAMURA obtained eminence through "utilization" of the KOKUHON SHA (National Foundation Society) is apparently based on the generally accepted belief that anyone connected with the Japanese Justice Ministry during the past 20 years must have been a tool of HIRANUMA, must have been a power in HIRANUMA's KOKUHON SHA, and must have used these connections to obtain advancement in the Justice Ministry.

Actually no proof has been found of any such close connection between IWAMURA on the one hand and HIRANUMA and the KOKUHON SHA on the other. A difference of 18 years in the ages of HIRANUMA and IWAMURA casts doubt upon the possibility of close personal friendship between the two men. Although IWAMURA admits membership in the KOKUHON SHA, the fact that the society at one time claimed to have 10,000 members makes this fact unimportant. It is significant that CIS's research research for its study "KOKUHON SHA" (of

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~~GENERAL HEADQUARTERS~~
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File No:

Subject: IWAMURA Michiyo, Internee in Sugamo

Note
No.

From: G-2

To: Legal Section
Info Copy to: IPS

Date: 25 FEB 1947
GB/CIS/OD:TPD/mk

1.
contd

which LS and IPS have copies) did not show IWAMURA's name among the many mentioned by one source or another as having connection with the society.

6. On 15 December 1945 Diplomatic Section rendered its opinion that members of the TOJO Cabinet still at large should be arrested only provided it were decided to try the TOJO Cabinet en bloc and that individual records of the uninterred members failed to show that they played an active and dominant role in the initiation and execution of Japan's plans of aggression. (TAB D).

7. Since it has been decided not to try the TOJO Cabinet en bloc, the cases of TOJO Cabinet Ministers who remain in Sugamo should be considered on their individual merits.

8. IWAMURA's record is completely clear of political entanglements. His only ties with the Imperial Rule Assistance organizations were:

Jul 1941-Jul 1944 KOMON (Advisor) of IRAA
May 1942 -- Nominal member of IRAPS.

His assumption of the KOMON-ship of IRAA was automatic upon his appointment to the post of cabinet minister. There is no record that IWAMURA ever joined an ideological society, but there is evidence that he was active in such charitable institutions under the Justice Ministry as:

MUSUME NO IE (Girls' Home) at Komae, which sought to guide delinquent females released from prison
ANRYU EN (Garden of Peaceful Retreat) at Fuchu, a refuge for aged people released from prison
SHISEI GAKU SHA (Sincerity School) at Tachikawa, which sought to guide juveniles released from reform schools
NYUKO EN (Garden of Frankincense) at Mejiro, which aided prisoners' families.

9. It is CIS/G-2's considered recommendation that IWAMURA be released from internment without preference of charges.

TAB A - Curriculum Vitae of IWAMURA Michiyo
TAB B - Extract fr "Japanese Gov't Officials"
TAB C - Evaluation of IWAMURA Michiyo at time
of transfer to Sugamo Prison, Dec 1945
TAB D - DS Memo of 15 Dec 45

FPAC AGO Form No. 37

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R.S.B.
C.A.W.

SECRET

201-IWAMURA Michiyo

IWAMURA Michiyo, Internee in Sugamo

G-2

Legal Section
(Attn: Inv Div, Lt Col
R. E. Rudisill)

25 FEB 1947
CIS/OD:TPD/mk

Info Copy to: IPS (Attn: Inv Div,
Mr. D.L. Waldorf)

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25 FEB 1947

G-2

Legal Section
Info Copy to: IPS

GB/CIS/OD:TPD/mk

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C.A.W.

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Curriculum Vitae of IWAMURA Michiyo

Curriculum Vitae of IWAMURA Michiyo

- 1883 - Born in Tokyo
- 1912 - Graduated from Tokyo Imperial University (Law)
- 1912-1920 - Public prosecutor in District and Local Courts
- 1920-1927 - Advisor to Justice Ministry
- 1927-1934 - Public Prosecutor in Courts of Appeal
- 1934-1935 - Chief Prosecutor, Tokyo District Court
- 1935-1937 - Chief of Criminal Affairs Bureau, Justice Ministry
- 1937 - Chief Prosecutor of Supreme Court
- 1937, Dec to 1940, Jan - Vice-minister of Justice in 1st KONOYE, HIRANUMA and ABE Cabinets under Ministers SHIONO Suehiko and MIYAGI Chogoro
- 1940-1941 - Prosecutor General
- 1941, July to 1944, July - Justice Minister
- 1945, 15 Sep - Interned as major war crimes suspect

Extract from "Japanese Government Officials 1937 - 1945",
published by Military Intelligence Division, War
Department, Washington, D. C., 21 July 1945

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Extract from "Japanese Government Officials 1937 - 1945", published by Military Intelligence Division, War Department, Washington, D. C., 21 July 1945.

"Michiyo IWAMURA: Former Justice Minister

1883 Aug. Born. Son of Michitoshi Iwamura. Married Yae, daughter of Naonojo Miyaki
1910 Graduated Law College, Tokyo Imperial University
* Public Procurator
1934 Chief Public Procurator, Tokyo District Court
Director, Criminal Affairs Bureau of Justice Ministry
1937 Procurator General of Supreme Court
1941 July- Justice Minister in third Konoye Cabinet
Dec
1942-44 Jul Justice Minister in Tojo Cabinet
1944 June Appointed President of Dai Nippon Mediators Association

Address: 103, Ogikubo 2-chome, Suginami-ku, Tokyo"

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C

Evaluation of IWAMURA Michiyo at time of transfer
to Sugamo Prison, Dec 1945

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Evaluation of IWAMURA Michiyo at time of transfer to Sugamo Prison,
December 1945-

"IWAMURA Michiyo, Former Justice Minister.

Born 1883, Iwamura has had a long career in the Justice Ministry. After graduating from the Law College, Tokyo Imperial University, he became Chief Public Procurator, Tokyo District Court in 1934, and Director, Criminal Affairs Bureau of the Justice Ministry the same year. In 1937 he was appointed Procurator General of Supreme Court. In July 1941 he became Justice Minister in the third KONOYE Cabinet and held the same position until the fall of the TOJO Cabinet.

It is stated that IWAMURA utilized the reactionary bureaucratic Society "Kokuhonsha" (Society for the Foundation of the State) to attain his position of eminence.

He should be retained in custody."

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Diplomatic Section Memorandum of 15 December 1945

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OFFICE OF THE UNITED STATES POLITICAL ADVISER

Tokyo, Japan, December 15, 1945.

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MEMORANDUM FOR: Brigadier General Thorpe, OCCIO

Reference underlying memorandum from Major Davis to General Thorpe (CI 383.7), December 10, 1945, it would seem that with the arrival of Mr. Keenan any future war crimes arrests should be in accordance with principles which he establishes. The following comments, offered in ignorance of Mr. Keenan's plans, particularly whether he intends to try the Pearl Harbor or entire TOJO Cabinet en bloc, should be considered in the light of those plans as they are announced.

Examination of the individual records of the sic Japanese recommended for arrest immediately or in due course in our opinion so far fails to reveal evidence sufficient to warrant the apprehension and individual trial under the Jackson formula of HATTA, YUZAWA, YAMAZAKI, ISHIWATA and SHIGEMITSU. In the event, however, that Mr. Keenan decides to try the TOJO Cabinet en bloc, we would concur in their arrest and also that of NOMURA, Naokuni.

As to their individual records, HATTA's is that of a successful railway executive, YUZAWA's and YAMAZAKI's those of successful bureaucrats, and ISHIWATA's that of a government financial expert. SHIGEMITSU earned a reputation as an opponent of the military policies. All these men accepted important posts after Pearl Harbor when it had become the patriotic duty of every Japanese to take the part for which he was selected in the war effort. Their pre-war records, on the basis of the biographic data available to us, in our opinion fail to show that they played an active and dominant role in the initiation and execution of Japan's plans of aggression. The case of NOMURA is very similar except for the report that he played a leading role in Germany in connection with Japan's entrance into the Tri-Partite Pact. If there is good evidence that this report is correct, we would concur in his apprehension.

George Atcheson, Jr.
American Minister
Acting U. S. Political Adviser

Enclosure:

Memorandum (CI 383.7)

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NAME: IWAMURA, Michiyo.

PRESENT STATUS: Confined in Sugano Prison.

SUMMARY OF INFORMATION:

SUBJECT's entire career has been devoted to some phase of the legal profession. Between 1934 and 1937 he was Chief Public Prosecutor, Tokyo District Court, and Director, Criminal Affairs Bureau of Justice Ministry. In 1937 he became Procurator General of the Supreme Court, which position he held until July 1941 when he became Justice Minister in the third KONOYE Cabinet. He was retained in the TOJO Cabinet and held the position to the fall of TOJO.

By virtue of his position in the Cabinet he was a Director of the IRAA and a member of the IRAPS.

SUBJECT was a member of and present at the Imperial Conference and Cabinet Meeting of 1 December 1941 when the unanimous decision was made to declare war on the United States.

SUBJECT was Minister of Justice at the time of the Doolittle Raid and the change in Japanese Rules of Land Warfare declaring airmen war criminals rather than prisoners of war, contrary to terms of the Hague Convention.

REMARKS:

In a report dated 25 February 1947 from G-2, FEC, recommendation is made that SUBJECT be released from internment without preference of charges. It is conceded that SUBJECT's historical record as set out in the report appears to be free from incriminatory evidence, however, in the statement of individual responsibility for crimes set out in the indictment of ARAKI et al. before the International Military Tribunal for the Far East, participation in the Imperial Conference and Cabinet Meeting of 1 December 1941 are specifically alleged as war crimes. SUBJECT participated in these meetings. Further, no individual could remain a member of the TOJO Cabinet and not ex-officio adopt as his own act and responsibility the collective acts and responsibilities of the Cabinet as a whole. He meets the requirements necessary for classification as a Class A war criminal suspect.

RECOMMENDATION:

It is recommended that SUBJECT be retained in custody as a Class A war criminal suspect and tried before an International Military Tribunal in Tokyo.

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1960 IWAMURA, Michiro

(4)

(18)

FILE INDEX OF PROSECUTION EXHIBIT

IWAMURA

DOC. NO.	EXHIBIT NO.	
455	---	Censorship
581	---	Thought Control
3513-C B D	---	Cabinet Decision, 1943
3512	---	" " 1942
3064	---	Answer to Questionnaire
3322	---	War Time Criminal Law 1943
1152	---	Privy Council, 1943

Memorandum to the Files

1 July 1948

Memorandum to the Files

From: Kurt Steiner

Subject: IWAMURA

On 22 February 1946, the Japanese Government was requested to furnish the names of persons in various Japanese Government agencies who had charge of matters dealing with internment of prisoners of war and with supervision of prisoner of war camps during the Pacific War. Complying with this demand, the Japanese Government furnished, among others, the names of the following officials of the Ministry of Justice who held office under IWAMURA as Minister of Justice:

<u>POST</u>	<u>NAME</u>	<u>TENURE OF OFFICE</u>	<u>PRESENT ADDRESS</u>
Director of the Penal Administration Bureau	Akira Masaki	Jul.30, 1941 --- Mar.31, 1945	Nagoya Court of Appeals, No. 3, 1-chome, Higashi-sotobori-machi, Sakaeku, Nagoya City.
Chief of the 1st Section of the Penal Administration Bureau	Katsukiyo Adachi	Sep. 1938 --- Jul. 8, 1942	Wakayama Local Court, Nishinagisano 4, Wakayama City.
"	Kingo Osabe	Jul. 8, 1942 --- Nov. 1, 1943	Fuchu-machi 9732, Tokyo.
"	Zenichi Okada	Nov. 1, 1943 --- Apr.18, 1945	Osaka District Court, Wakamatsu-cho 18, Kita-ku, Osaka City.

Memorandum to the Files

-2-

<u>POST</u>	<u>NAME</u>	<u>TENURE OF OFFICE</u>	<u>PRESENT ADDRESS</u>
Secretary in the 1st Section of the Penal Ad- ministration Bureau	Taro Ogawa	Jul.30, 1940 --- Jul.18, 1942	Fukuoka Prison, Nishishinmachi, Fukuoka City.
"	Takeshi Fuse	Nov. 1, 1943 ---	Hiroo-machi 35, Azabu-ku, Tokyo.


Kurt Steiner

(From File 280.)

Reply by IWAMURA to an Inquiry Regarding Thought Control
at the 84th Diet Session on 23 March 1944.

IPS Doc. 581

/Justice/ Minister IWAMURA:

"I will make a reply. Mr. MIYAZAWA's statement concerning the thought problem is correct. It goes without saying that modern wars are fought with total national power, and thought, above all, plays an important part in it. For attaining the aims of the present war, the control of the thought crimes is now an essential requisite. We are very happy to note that, since more than two years after the outbreak of the Greater East Asia war, the internal situation has remained calm. The activities of the Communists, for example, have shown nothing specially worth mentioning since they collapsed. Although it is regrettable that some people are spreading false reports as to military affairs or the general situation, most of these have no foundation of thought.

However, as the situation of the war develops, we believe that the enemy's propaganda efforts might be greatly intensified, and, therefore, we are doing our utmost not to let them take advantage of us through them. In short, although the thought situation at present is peaceful, due to our people's tenseness and consciousness the Government is fully prepared to maintain absolute peace and order on the home front by taking a stern step against those, if any, who should dare to impede the achievement of our war aims in either speech or action. Mr. MIYAZAWA has always been studying thought problems and is an authority on this subject, so it would not be necessary for me to state details. As you are well aware, the assignment of the thought problem to the Judiciary is, needless to say, limited to the rounding up of the criminals, their direction in accordance with the Thought Protection Enterprise Law and the system of preventive confinement carried out after the execution of punishment. These are the legal measures which the Judiciary can take regarding the thought problem.

(Acting Committee Chairman MATSUURA, Shutaro, gave the seat to the Chairman.)

Today, all dangerous thought criminals who finished terms of punishment are kept in the preventive confinement camp. Although I will not state the exact number, there is a substantial number of them and they are in the preventive confinement camp which you know about. Others who renounced their views are kept under protection according to the regulations

IPS Doc. 581

7 December 1948

of the Judicial Protection Enterprise Law. In addition to this, as you already know, they are watched under the Thought Criminals Protection and Observation Law. But no matter what, I think, education is the basis for remedy. No matter how many arrests are made, unless we strive in this basic educational field, arrests alone can never ensure the extermination of thought criminals. The general situation is as I have just stated. As the war becomes more severe and prolonged, there will be more necessity for paying special attention to the thought problem, and we intend to exercise utmost care.

Born Aug 1888.
5th son of Nishitani I.
Married Yas, eldest daughter of Masuoje Niyama.
Attended Tokyo Imp. Univ. (law) 1910.
Public prosecutor.
Chief public prosecutor, Tokyo District Court, 1934.
Director, Criminal Affairs Bureau of Justice Ministry.
Prosecutor-General of Supreme Court, 1937.
Justice Minister, July 1941.

(WHO'S WHO IN JAPAN, 1942/44).

B. F. HAINES
1st Lt., U. S.

COPIES : 3 File
1 Capt. Robinson
1 Mr. Healey.

CASE NO. : 72

SERIAL NO. : 2

7 December 1945

CASE NO. 92

RE : IWANUMA, Michio

STATUS: Pending.

MEMO FOR THE FILE:

Address: 103, Ogikubo 2 chome,
Suginami-ku, Tokyo.

Biography:

Born: Aug 1883.
5th son of Michitoshi I.
Married Yae, eldest daughter of Naonojo Miyake.
Attended Tokyo Imp. Univ. (law) 1910.
Public procurator.
Chief public procurator, Tokyo District Court, 1934. Division.
Director, Criminal Affairs Bureau of Justice Ministry.
Procurator-General of Supreme Court, 1937.
Justice Minister, July 1941.

(WHO'S WHO IN NIPPON, 1943/44).

S. E. HEALY
1st Lt., T. C.

COPIES : 3 File
1 Capt. Robinson
1 Lt. Healey.

CASE NO. : 92

SERIAL NO. : 2

MEMORANDUM FOR FILE 92

SUBJECT: IWAMURA, Michiyo

DATE : 11 Feb 47

Copies of CIS publications entitled "KOKUHONSHA (National Foundation Society)" and "KOKURYU KAI (Black Dragon Society)", are to be found in the Investigation Division files, Room 300. Said information applies particularly to subject and may be helpful in making a decision as to subject's final disposition as pertains to his association with the two above mentioned societies.

DOUGLAS L. WALDORF,
Chief, Investigation Division,
I.P.S.

FILE NO. 92.

RE: IWAMURA, Michiyo

7 January 1946

REPORT BY: N. A. Halloran
John A. Castagna
Special Agents CIC

STATUS: Pending

An examination of the Asahi Shimbun files disclosed the following information on subject:

- 1883 - Born, Tokyo.
- 1910 - Graduated Tokyo Imperial University in Law and jurisprudence. Became Government prosecutor.
- 1920 - Became a member of the Ministry of Justice.
- 1926 - Became Chief of Protection and Security Section of the Ministry of Justice.
- 1927 - Government Prosecutor in the Tokyo Court of Appeals.
- 1931 - Chief Prosecutor in District Court of Nagoya
- 1934 - Chief Prosecutor District Court of Tokyo

Became famous for handling of Tai Koko Jin Keng Rayon Company case. Case involved many members of Zaibatsu, including Baron Nakajima. (Minister of Commerce and Technology). Case involved exploitation of labor, etc. Subject acted as prosecutor.

- 1935 - Chief of Penal Affairs Bureau, under Ministry of Justice.
- 1937 - Vice Chief Prosecutor of Japanese highest court, the Dai Shin In. Same year became Vice Minister in Ministry of Justice.
- 1940 - Became Chief Prosecutor of Japan.
- 1941 - Minister of Justice.
- 1944 - Retired.

Pending

Copies:
file # 92

92-9

CASE NO. 92

RE : IWAMURA, MICHIYO

STATUS: PENDING

MEMO FOR THE FILE:

Biography (additional)

1942--44 (July): Justice Minister, Tojo Cabinet.
1944--June : Appointed Pres., Dai Nippon Mediators Association.

S. E. HEALEY
1st Lt., TC

COPIES : 3 file

CASE NO. : 92

SERIAL NO. : 7

1960

IWAMURA, Michiyo (R)
" " (9)

D
I-A

Possible first name "Nicheya" (Incorrect) (Name is Michiyo)

Member of Tojo "Pearl Harbor" Cabinet

Ref: JAG Str 3 Oct 45

Newsfile: # 101, 109, 112, 141

Sugamo

File - J-97

On CIC List (CI 383.7) dtd 28 Sept 45;

JAG Ind dtd 3 Oct 45

Apprehension Req per CIS Memo 17 Sept 45

Interned Omori (XI Corps Stockade) 15 Sept 45

Transf Sugamo 9 Dec 45 per DR 9 Dec 45

IPS juris per Memo 17 Jan 46 - IMTFE trial should follow the current trials

IPS # 92 Serial # 1	Vita Minister of Justice Oct 41 - July 44
# 2	Vita 1934 - Chief Public Prosecutor (7 Dec 45) Tokyo Distr. Court Director, Criminal Affairs Bureau, Min. of Justice Pulled 1937 - Procurator-General, Supreme Court 1941 - July - Min. of Justice (Whos Who In Nippon) 1943 - 1944
# 3	Personal Memos on Jap names
# 4	Memo, S.E. Healy: "Judged as war criminal; ordered arrested by Gen Mac A.; was a member of Tojo's "Pearl Harbor" Cabinet; military prisoner at XI Corps Stockade as of 17 Sept 45; interned 15 Sept 45; being turned in by the Jap govt (CIS file) (CIS Card file) "It is stated that Michiyo, former M. of Justice, utilized the 'Kokuhonsha' in collab w/ the militarists to attain his position of eminence (CIS Card file - anonymous ltr to Gen Mac A, 9/5 from Econ. + Sc. to CIC dtd 20 Oct 1945)

IPS # 92

Serial # 5

Memo
15 Dec 45
Healy

"Spoke on passage of special war criminal law; Takeo Mitamura objected to the passage of the law - (CIS Card File - Phila Inquirer 18 April 1943)

"27 May 44 - Confered w/ Dir Ba Han + other members of the Burma Special Research Mission (CIS - NCC Daily Repts)

6

"~~23 Jan 44~~ - apptd Pres. of Dai Nippon Mediators' Assoc Jan. 44 June (CIS Card files - ~~NCC Daily Repts~~)

7

Pulled 1942-1944 (July) Jun Min, Tojo Cab
1944 - June apptd Pres Dai Nippon Mediators Assoc.

8

This file of interest to Groups B, C, ~~D~~ & E

9

Pulled - vete

10

9 Jan 46 Check of CIS + ATIS files reveals no further info

11

Memo of Jap Cabinet

12

19 Jan 46 - Waldorf -

"It is stated that Iwamura used the reactionary bureaucratic Society "Kokuhonsha" (Soc. for the Foundation of the state) to attain his position of eminence.
"He should be retained in custody."

13

25 Jan 46 Intercept Str 6 Jan 46 from Mrs. Iwamura

14

Photo of Iwamura (OSS-P-10182 - Japanese Newspaper)

15

~~25 Feb 46 - Interrogation of Subject~~ 6 Feb 46 Intercepted Str 17 Dec 45 by KAYH

16

25 Feb 46 - Interrogation of Subject

17

26 Feb 46 - " " " "

18

26 Feb 46 - IPS Doc 581 - Re Diet Records on Bill # 90 implying "aggressive warfare"

19

4 Mar 46 Transmittal of Sera 16 & 17 (Interrogations)

20

14 Mar 46 - Review of File 92 by Barnard, who comments:
"More investigation should be conducted. However, this subject should undoubtedly be a defendant in the first group."

21

2 Apr 46 - Pass for Mrs. Iwamura to Sengano

22

29 Mar 46 - Interrogation of Subject

22

1 Apr 46 - " " " " " " " "

23

28 Mar 46 - IPS Doc 1046 - Privy Council Records - 22 Nov-41 - Extension of Anti-Commintern Pact

24

8 Apr 46 - IPS Doc 1197 - P/Council Records - 6 Oct 43 - Puppet govt - Philippines

25

5 Apr 46 - IPS Doc 1185 - P/Council Records - 29 Mar 44 - Aggressive Warfare; Conspiracy

26

8 Apr 46 - IPS Doc 1196 - P/Council Records - 1 Oct 41 - Conspiracy for aggressive warfare --- Timor; Economic Monopolies

27

9 Apr 46 - IPS Doc 1228 - P/Council Records, 20 Oct 43, aggressive Warfare - Philippines

28

22 Apr 45 - IPS Doc 4455 - Misc file of various Ministries

IPS # 92 Cont'd

Serial # 35 Subject: IWAMURA, Michigo

Brief of Interrogation: Subject willing to testify as to the facts as hereinafter set forth:

Personal History: Member of Kokuhomsha Soc since its foundation. Appointed M/Justice by KONOYE 25 July 41 (+ again by TOJO)

Konoye Cabinet fell because K was blocked by Tojo from bettering Jap/American relations. Emperor desired to improve relations under any circumstances, but K helpless because T as M/War + representative of Army, + the Army, would not withdraw troops from China or fulfil other necessary conditions to meet American needs.

Subject attended all Cabinet meetings. First knew War was determined upon on 26 Nov 41 when it was reported that Roosevelt's letter was 'impossible' - foreign relations were primarily a Premier/War/Navy affair so other Ministers were not incl. in various talks. Meetings thereafter discussed War, + for Japan to strike first.

Doesn't know who actually wrote Declaration of War, but it was a Foreign/War/Navy affair directly supervised by TOJO, aided by HOSHINO. Detailed war plans not discussed at Cabinet meetings

In re the notice (to Hull) breaking off diplomatic relations:

"I was not present at any of the meetings at which the terms of the notice were discussed. I first heard about it after the war at Omari Prison Camp - it was strange that it should be so long + not simpler + to the point.

"As a prosecutor, while not too familiar with International Law, I do know that before war may be embarked upon notice to that effect in plain terms must be given the country upon which war is to be made.

"Referring to IPS Evidentiary Doc # 96, the same being a copy of the English translation from Japanese of the memo handed by the Jap Ambassador NOMURA to the Secretary of State (Hull) at 2:20 PM on Dec 7, 1941, marked Exhibit A, + having read the same in English + understanding it intelligently, it is my opinion that the note is not a reasoned declaration of war or of an ultimatum with conditional declaration of war and does not comply with Art. I of the treaty entered into at the Hague Convention on Oct. 18, 1907, to which treaty Japan was a signatory."

End of IPS # 92

IPS # 92 Cont'd

Serial No.
28

22 Jan 46 IPS Doc 455

N/ Mimeo file of various Ministries, Compiled by the Cabinet Secretariat through the Investigation Division

Implicated/ IWAMURA, Michiko, Minister of Justice 1942

Crimis: Instigation To Aggressive Warfare

Relevant Points:

"(1) These documents show the strict control of political life under IRRF (sic) (IRAF) and the strict censorship of public opinion

"(2) Lecture of IWAMURA, Michiko, in Nagoya, 18 March 1942 re: Preparation of The Nation for election under the 'Imperial Rule Assistance Assoc.' Cites as purpose of the Constitution the achievement of the 'Imperial Way', blames the 'delay' in unification of the people and in establishment of the IRAF or neglect to observe the 'Law of Loyalty + Fidelity'. Urges that only loyal members with complete understanding of the 'Japanese Spirit' be sent to the Diet under the system of the I.R.R.A."

(3) Report from Vice M. of Home Affairs to the Chief Cabinet Secretary (24 Mar 42) enumerating various topics which candidates for election were prohibited to mention (i.e. "muzzling" + "don't criticize the regime" RUP)

# 29	Transmittal of 1 Apr 46 Interrog of Subject (below # 30)
# 30	26 Feb 46 Interrog of Subject
# 31	25 Feb 46 " " "
# 32	25 Feb 46 " " "
# 33	25 Feb 46 " " "
# 34	26 Feb 46 " " "
# 35	* Summary of Evidentiary Facts — See Overleaf →
# 36	16 APR 46 Complete microfilm personnel records of the subject are IPS Exhibit # 656
# 37	2 May 46 Pass Mrs. I to Sugamo

201

IWIFMURF Michigan

Contents 1, (only) ~~the~~ Memo to Insp Jop
Sent through CLO S/ House arrest. Subject's
name listed. No other data
#

♀ [CIS - War Pol Japan]

31, 81, 105, 107, 109

¹⁹⁶⁰
IWAMURA

31 ^(advisor)
Komon of the IRAA from July 41 To
July 44

81 - All members IRAA Aug 42

105, Vice M/Justice 27 Dec 37 (Konoye
109 Cabinet) to 17 Jan 1940, Horanuma a
ABE Cabinets

IWAMURA Michio

Report of Thos D Hickey a Prosecutor:

Subject was:

Close to Heranuma (a defendant in the Tojo case)

Member of Kokuhonsha (thought control) since its organization in 1923, which was anti-foreign, war-minded & expansionist regardless of other rights & had industrialists & military members.

CIC Unit #25 Files

Reveal -

Re: IWAMURA, Michiyo

Cardfile

Major Position - Cabinet Member

Address - ^{Formerly} 103 Ogikubo, 2-Chome,
Suginami - Kw

Intermed Omori Prison 5 Oct 45 (CIC File # 27) (A)

Source - Security Risk List (A)

Remarks - See D.I.O. Report # 1
(CIC File # 5) (B)

CIC References

(A) # ^{CIC} File 27 - Old list of Sugamo
internees

(B) # CIC File # 5 - List of Labor Leaders

LEGAL SECTION
Investigation Division

15 April 1947

MEMORANDUM FOR: Col. Carpenter

SUBJECT: Michiyo IWAMURA (Inv. Div. File #1960)

1. With reference to the recommendation of G-2 for the release of Michiyo IWAMURA, it is not felt that a concurrence can be made in this matter without a careful study of all of the facts. It should be recalled that IWAMURA was Minister of Justice at the time of the Doolittle Raid and it was through his office that specific instructions were set out for the butchery of American aviators.

2. This matter is presently under investigation by Major R. Patterson of the Investigation Division and an investigative report covering the full background of the activities of IWAMURA, will be submitted shortly.

L.E.B.

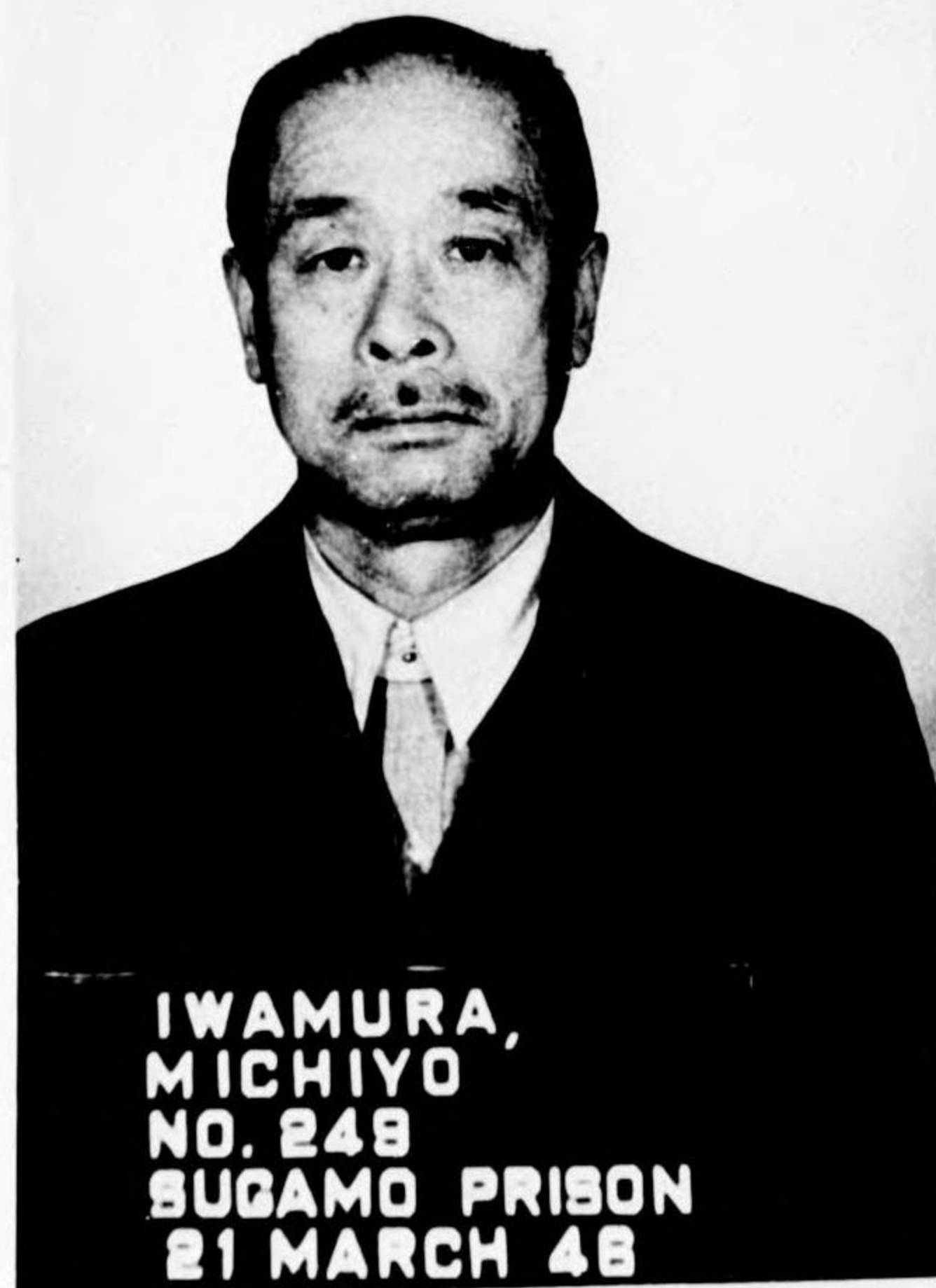
LEGAL SECTION
INV. DIV.
File No. 1960 Serial No. 1
Initials _____

IWAMURA, Michiro Dossier
Case File No. 92

(4)

(20)

IWAMURA. Michiyo



IWAMURA,
MICHIYO
NO. 248
SUGAMO PRISON
21 MARCH 48



IWAMURA,
MICHIYO
NO. 248
SUGAMO PRISON
21 MARCH 48

REPORT

- on -

MICHIYO IWAMURA

He was close to Hiranuma (a defendant in the Tojo case).

He was a member of the Kokuhonsha since its organization in 1923. This organization was formed for the purpose of control of the thought problem. It is notorious that the controlled thought of Japan was anti-foreign, war minded and expansionist, regardless of others rights. Subject admits the society had industrialists and military men in its membership.

A much more profound study of the Society's purposes and activities should be made than is permitted by the attached record.

The recommendation that he be retained in custody is concurred in.

THOS. D. AITKEN
Prosecutor.

Dossier
IWAMURA, Michiyo (Case File #92)

In Sugamo Prison

I. Status of Subject:

A. Arrest was ordered by letter to Commanding General, Eighth Army, dated 11 Sept. 1945, GHQ, SCAP, AG 383.7 (11 Sept 45) CI, Subject: "Apprehension and Detention of Certain Individuals".

B. Interned at XI Corps Stockade, Yokohama, as of 17 Sept. 1945.

Entered Sugamo Prison on 8 December, 1945.

II. Direct and Implied Charges Against the Subject are that:

A. The proposed charge is that the subject planned, prepared, initiated and waged aggressive warfare and conspired to perform the same in that he:

(1) Participated in the formulation of national policies as a member of TOJO's Cabinet, i. e. Minister of Justice from Oct. 1941 to July 1944 (Tabs A and B).

(2) Utilized the Kokuhonsha (National Foundation Society) in collaboration with the militarists to attain his position of eminence (Tab B).

III. Facts Reflected From the Files:

A. His Curriculum Vitae shows the following pertinent information:

1883	Born, Tokyo
1910	Graduated Tokyo Imperial University in law and jurisprudence. Became Government prosecutor.
1927	Appointed Prosecutor to the Tokyo Court of Appeals
1936	Appointed Chief Prosecutor of Tokyo District Court
1937	Appointed Vice Minister of Ministry of Justice
1941	Appointed Minister of Justice during third Konoye Cabinet and held same position during TOJO Cabinet - 25 July 1941 to 22 July 1944
1944	Retired.

B. Summary of Interrogations:

Subject was interrogated on the following dates: 25 February, 26 February, 29 March, 1 April, 1946. (IPS Case File #92-16, 17 and 18)

His interrogations were summarized in Case File #92-35 as follows:
(p. 1 to 4 inclusive)

(Dossier - IWAMURA, Michiyo (cont))

"Born 1883, IWAMURA has had a long career in the Justice Ministry. After graduating from the Law College, Tokyo, Imperial University, he became Chief Public Procurator, Tokyo District Court in 1934, and Director, Criminal Affairs Bureau of the Justice Ministry the same year. In 1937 he was appointed Procurator General of Supreme Court. In July 1941 he became Justice Minister in the third KONOYE Cabinet and held the same position until the fall of the TOJO Cabinet.

"He was Chief Prosecutor from January 17, 1940 to July 25, 1941 and as such jurisdiction included all of the Japanese Empire excluding Formosa, Korea and the Mandated Islands. Was appointed Justice Minister on July 25, 1941 and as such supervised prosecutions, judgments, prisons and paroles. Was appointed Justice Minister by Premier KONOYE. Has been a member of the Kokuhonsha Society since its organization in 1926. Baron HIRANUMA was the President and organizer of the same.

"The KONOYE Cabinet fell for the reason that it was the desire of Prince KONOYE to better the Japanese-American relations and on the 16th of October 1941, Prince KONOYE called me and stated it was the Emperor's desire that Japanese-American relations be improved under any circumstances. Prince KONOYE stated he had done all in his power to better the same and nothing more could be done. That was the reason for the fall of the KONOYE Cabinet. Prince KONOYE was unable to improve Japanese-American relations because of the opposition of the Army who would not consent to or approve of Japan doing any of the things which were necessary to better Japanese-American relations.

"During a Cabinet meeting of about the 14th of October 1941, the War Minister TOJO stated that if the administration of Japan were left as it was at that time it would not be long before the country would fall into ruin. It was impossible for Prince KONOYE to make any concessions to the United States for the reason that TOJO as Minister of War and as representing the Army would not agree with Prince KONOYE to withdraw troops from China and that is the reason the KONOYE Cabinet fell.

"Naoki HOSHINO was the Secretary of the TOJO Cabinet and the record should have been kept under his supervision. HOSHINO was appointed by Premier TOJO. HOSHINO was one who would be considered very close to TOJO. They were very close friends and he had a great deal of influence with TOJO.

"I attended all Cabinet meetings, the regular meetings being held on Tuesdays and Fridays usually at 10:00 A. M., and did so after TOJO went into office on October 18, 1941. I think that TOJO, because of pressure from the Army, was committed to war with the United States practically from the day he became Premier. It

(Dossier - IWAMURA, Michiyo (contd))

was within the power of TOJO to have suppressed the Army and held it down but I think TOJO was unable to withdraw troops from China.

"I first learned that war had been determined upon with the United States by Japan shortly after the 26th of November 1941. On November 26 when it was reported that the Presidential letter of the United States was impossible I first knew that war was imminent. The foreign relations were primarily the duties of the Prime Minister, Minister of War, Minister of Navy and the Foreign Minister and possibly the Minister of Finance. The other Ministers were not included in the various conferences. All Japanese foreign relations were carried on very secretly. All foreign affairs in the preliminary stages were kept secret among the foreign office members. The other members hearing nothing at all unless a bill is presented to the Cabinet. Sometime after the 26th of November Premier TOJO stated that at the Cabinet meeting that the President's message could not be accepted and, therefore, the Japanese-American relations had become serious. Present at the Cabinet meeting at this time were Premier TOJO, Admiral SHIMADA, Minister of Finance KAYA, Minister of Agriculture INO, Minister of Commerce KISHI, Communications Minister TERASHIMA, Foreign Minister TOGO, Minister without Portfolio SUZUKI, and Secretary of the Cabinet HOSHINO. //

"There were three or four meetings at which they discussed the war and the ultimatum presented by the President's message and during this period of time, I think from the 26th of November until the 30th, all of these meetings related to the preparations for war. Some time after the 27th a bill was presented to the Cabinet meeting and its contents were explained in detail by Premier TOJO. The main points in it were that the treaty between the United States and Japan had been abrogated. It was stated that the four nations, America, Great Britain, China and The Netherlands, are making plans for an envelopment movement against Japan and that military preparations have been made in the Philippines, Hawaii and Singapore, and that there was but one possibility, that is, to enter into conflict with the United States.

"And with the thought that war would be started by the United States and Great Britain it was determined that Japan would strike the first blow and enter into the war first. It was determined in view of the fact that the United States was aiding China by sending fliers and other war materials there was in reality already a war between Japan and the United States. Following this meeting it was determined there was no alternative except for war and the results were submitted to the Imperial Conference. I think the Imperial Conference was on December 1 and all of the members in the Cabinet whom I have just mentioned were present and in addition General SUGIYAMA, Chief of the Army General Staff; Admiral NAGANO, Chief of the Navy General Staff; and HARA, President of the Privy Council. //

"Admiral NAGANO represented the Supreme War Council and stated that since the situation has become so serious and to the point that war is unavoidable we must do our utmost for a

(Dossier - IWAMURA, Michiyo (contd))

successful end. That since war was inevitable, Army and Navy preparations had been made; however, he did not go into any details. During the conference the Emperor made no statements whatsoever.

"I do not know what member of the Cabinet actually wrote the words of the declaration of war; however, I think it was done by a number of persons in the War Ministry, Navy Ministry, and the Foreign Ministry and possibly the liaison conferences all under TOJO's supervision and that HOSHINO as secretary, prepared the document after the language had been agreed upon.

"None of the detailed plans for war were ever discussed at any of the Cabinet meetings. All of the members of the Cabinet voted // for war.

"In connection with the notice breaking off diplomatic relations to be served upon the United States I was not present at any conference or meeting at which the terms of the notice were discussed. I did not discuss the note or see the note any time. I first heard about it after the war at the Omori Prison Camp when the question arose that the note would be one of the subjects discussed. I have never seen the note and it was discussed that it was strange it should be so long and not simpler and more to the point.

"As a prosecutor, while I am not too familiar with international law, I do know that before war may be embarked upon notice to that effect in plain terms must be given the country upon which war is to be made.

"Referring to International Prosecution Section's Evidentiary Document Number 96, the same being a copy of the English translation from Japanese of the memorandum handed by the Japanese Ambassador NOMURA to the Secretary of State at 2:20 P.M. on December 7, 1941, marked Exhibit A, and having read the same in English and understanding the same intelligently, it is my opinion that the note is not a reasoned declaration of war or of an ultimatum with conditional declaration of war and does not comply with Article I of the treaty entered into at the Hague Convention on October 18, 1907, to which treaty Japan was a signatory."

C. Court Exhibits Implicating Subject:

- (1) Exhibits #649 and #650 (Transcript p. 7,069 and 7,075) is the record of the proceedings of the Privy Council on 28 July, 1941, concerning the Protocol between France and Japan for common defense of Indo-China.
- (2) Exhibit #1132 (Transcript p. 10,204) is a press report of a Cabinet meeting on 22 August 1941 concerning the national commodity mobilization plan. IWAMURA presumably attended the meeting although his name is not mentioned.

(Dossier - IWAMURA, Michiyo (Contd))

- (3) Exhibit #1167 (Transcript p. 10,330) is the decision of a Cabinet meeting on 4 Nov. 1941 concerning the guidance of public opinion. IWAMURA presumably attended although his name is not mentioned.
- (4) Exhibit 1182 (Transcript p. 10,391) is a record of the meeting of the Investigative Committee of the Privy Council on 21 Nov. 1941 regarding prolongation of the Anti-Comintern Pact.
- (5) Exhibit 1107 (Transcript p. 10,518) is a list of those persons attending the Imperial Conference of 1 December 1941.
- (6) Exhibit 1241 (Transcript p. 10,690) is a record of the meeting of the Inquiry Committee of the Privy Council on 8 Dec. 1941 concerning the declaration of war against England and America.
- (7) Exhibit #2173 (Transcript p. 15,513) is a letter dated 12 February 1944 from the Chief of the POW Information Bureau addressed to the Justice Minister among others transmitting the U.S. Government's protest re POW conditions.

D. Other Fact Reflected in the File:

- (1) IPS Document 581 not yet introduced in evidence is an excerpt from the record of a committee meeting at the 84th Session of the Diet on 23 March, 1944, containing a speech by IWAMURA regarding thought control. (Tab C)
- (2) IPS Document #455 not yet introduced in evidence is a speech by IWAMURA at Nagoya on 20 March, 1942, regarding the Imperial Rule Assistance Association and the election of 1942.
- (3) IPS Doc. #1067 not yet introduced in evidence is the record of a meeting of the Privy Council on 22 Nov. 1941 unanimously extending the Anti-Comintern Pact.
- (4) IPS Doc. #1087 not yet in evidence is the record of a meeting of the Privy Council on 8 Dec. 1941 regarding the declaration of war against England and America.
- (5) Excerpt from CIS Special Report entitled "Kokuhonsha" dated 20 July 1946 (Tab D)

IV. Discussion:

- A. Insofar as the charge that IWAMURA participated in planning, preparing or waging aggressive war as a member of the TOJO Cabinet is concerned, the following evidence is pertinent: -

(Dossier - IWAMURA, Michiyo (contd))

- (1) Exhibit #649 and #650 (Transcript p. 7,069 and 7,075) is the record of the proceedings of the Privy Council on 28 July, 1941, which unanimously ratified the protocol between Japan and France regarding the common defense of French Indo-China. IWAMURA attended as Justice Minister but took no part in the discussion as far as the record shows.
- (2) Exhibit #1182 (Transcript p. 10,391) shows that IWAMURA attended as Minister of Justice at a meeting of the Investigation Committee of the Privy Council on 21 Nov. 1941 which unanimously decided to prolong the Anti-Comintern Pact. It is to be noted however, that IWAMURA took no part in the discussion; furthermore, the exhibit states that after the preliminary discussion and before the actual decision of the committee the Ministers of State (among whom was IWAMURA) and the Explainers were asked to retire from the meeting and did so. IWAMURA, accordingly, can claim that he was not responsible for the resolution adopted by the committee.
- (3) IPS Doc. #1067 not yet in evidence would rebut such claim by IWAMURA. It is the record of the minutes of the Privy Council meeting held on 22 November 1941 which unanimously adopted the protocol extending the term of the Anti-Comintern Pact. IWAMURA took no part in the discussion but the document shows that he was present when the measure was passed and therefore he must accept his share of responsibility for it.
- (4) Exhibit 1241 (Transcript p. 10,690) shows that IWAMURA attended as Minister of Justice at a meeting of the Inquiry Committee of the Privy Council on 8 Dec. 1941 which unanimously decided to approve the Emperor's reference bill regarding the declaration of war. Again, IWAMURA took no part in the discussion and as Justice Minister was among the Ministers and Explaining Members who withdrew before the committee rendered its decision. Accordingly, IWAMURA can claim that he was not responsible for the actual resolution adopted by the committee.
- (5) IPS Document #1087 not yet introduced in evidence is the record of the Privy Council meeting on 8 December 1941, which unanimously approved the declaration of war against England and America. IWAMURA took no part in the discussion but was present when the measure was passed and hence he must accept his share of responsibility therefor.
- (6) In addition, to the above, Exhibit 1132 shows that IWAMURA attended a cabinet meeting on 22 August 1941 concerning the national commodity mobilization plan; court exhibit #1167 shows that IWAMURA attended the Cabinet meeting on 4 Nov. 1941 which set up a plan for guidance of public opinion; court exhibit #1107 shows that IWAMURA attended the Imperial Conference of 1 Dec. 1941 which resolved on war with England and the United States.

(Dossier - IWAMURA, Michiyo (contd))

(7) Aside from the above exhibits and documents no other evidence can be found as to IWAMURA's participation in the aggressive war. It is to be noted that IWAMURA entered the TOJO Cabinet as a carry over from the 3rd KONOYE Cabinet. He held his position from 25 July, 1941 to the fall of the TOJO Cabinet on 22 July, 1944. However, the evidence indicates that he attained his position by a perfectly normal series of promotions in the Justice Ministry starting as public procurator in the lowest court and working up to be Justice Minister. In view of the fact that the Justice Minister was a subordinate member of the Cabinet without much influence on policy making decisions, it is believed that he should not be held responsible unless he can be shown to have taken a positive part in the planning and preparation for aggressive war. The evidence available at present shows that between July 25, 1941 when he became a Cabinet Minister and 8 Dec. 1941, IWAMURA attended one Imperial Conference (Exhibit 1107), three Privy Council meetings (Exhibit 649, 1182 and 1241) and presumably two cabinet meetings (Exhibits 1132 and 1167). It is believed that IWAMURA could not have remained as a member of the TOJO Cabinet without endorsing the collective acts of the Cabinet and becoming individually responsible therefor. On the other hand, it must be noted that there is at present no evidence of any individual acts by IWAMURA showing that he took an active part in the planning and preparation for aggressive war. If he is to be tried it must be on the basis of his responsibility as a non-dissenting member of the TOJO Cabinet. In such case, it would seem to be a matter of policy as to whether all such members of the TOJO Cabinet not as yet indicted should be tried en bloc.

B. Insofar as the charge that IWAMURA utilized the Kokuhonsha (National Foundation Society) in collaboration with the militarists to attain his position of eminence is concerned, the following observations are pertinent:

- (1) No documentary evidence has been found either among court exhibits or IPS documents not in evidence which indicates any sinister connection between IWAMURA and the Kokuhonsha.
- (2) The statement that IWAMURA utilized the Kokuhonsha to advance himself apparently originated in an anonymous letter to Gen. MacArthur in Oct. 1945 (See Tab B). No corroborating evidence has been found on this charge. The accusation is apparently based on the theory that anyone connected with the Japanese Justice Ministry during the past 20 years must have been a member of the Kokuhonsha and hence a tool of HIRANUMA and must have used these connections to obtain advancement in the Justice Ministry.
- (3) In his interrogation of 25 February, 1946 (IPS Case File #92-16) IWAMURA states as follows:

Q. "Were you a member of the Kokuhonsha Society?"

A. Yes. I was a member of the Kokuhonsha Society.

Q. And for how many years were you a member?

(Dossier - IWAMURA, Michiyo (contd))

A. I have been a member of the Kokuhonsha since its organization in 1923, immediately after the great earthquake." (p. 2)

Again in said interrogation IWAMURA stated: -

Q. "I am advised that throughout your official life, you were a protege of Baron HIRANUMA, is that correct?

A. Not exactly, however, I was the Chief Prosecutor in the Tokyo area at the time Baron HIRANUMA was the Chief Prosecutor". (p.4)

(4) A difference of 18 years in the ages of HIRANUMA and IWAMURA casts doubt upon the possibility of a close personal friendship between them. The mere admission by IWAMURA of membership in the Kokuhonsha which at one time claimed 10,000 members is of no great value.

(5) It is significant that the CIS special report on the Kokuhonsha dated 20 July 1946 does not list IWAMURA among the members of the Society nor among those who were prominent in connection with it. It is also to be noted that the CIS report states that the Society was formally dissolved in June 1936, and ceased to have any influence (Tab D).

C. Other Political Affiliations:

(1) Aside from the Kokuhonsha, IWAMURA's only other political entanglement was with the Imperial Rule Assistance Association of which he was Komon (Adviser) from July 1941 to July 1944, and with the Imperial Rule Assistance Political Society of which he was a nominal member in 1942. As Justice Minister he was automatically made an adviser of the IRAA, since all Cabinet ministers were required to act as such. On the other hand there is no evidence that IWAMURA ever joined an ideological society although he was active in such charitable organizations under the Justice Ministry as:

MUSUME NO IE (Girls' Home) at Komae, which sought to guide delinquent females released from prison
ANRYU EN (Garden of Peaceful Retreat) at Fuchu, a refuge for aged people released from prison
SHISEI GAKU SHA (Sincerity School) at Tachikawa, which sought to guide juveniles released from reform schools
NYUKO EN (Garden of Frankincense) at Mejiro, which aided prisoners' families.

D. Thought Control:

(1) IPS Doc. 581 (Tab C) which is a speech by IWAMURA in the Diet on 23 March, 1944, shows that as Justice Minister he advocated as to thought criminals a system of preventive confinement carried out after the execution of punishment and indicates the extent to which IWAMURA participated in the repressive control of public opinion. The date of the document lessens its value, however.

(Dossier - IWAMURA, Michiyo (contd))

- (2) IPS Doc. 455 not in evidence is a speech by IWAMURA at Nagoya on 20 March, 1942. It indicates that he favored election of candidates sponsored by the IRAA but in such general terms it has little evidentiary value.

E. POW Offences:

- (1) IWAMURA was Minister of Justice at the time of the Doolittle raid and the decision of the Japanese authorities that Allied airman should be treated as war criminals rather than prisoners-of-war. It seems very probable that the Minister of Justice must have been consulted as to such matters and may have had a hand in the decisions. However, at present there is no documentary or other evidence to link IWAMURA with such matters.

F. Summary:

Of the two charges lodged against IWAMURA at the time of his arrest, charge 2 concerning his activities in the Kokuhonsha cannot be sustained on the evidence available at present. Charge 1 which involves his membership in the TOJO Cabinet can be sustained on the evidence available insofar as the fact of his attending various cabinet meetings and conferences during the six months preceding 7 Dec. 1941 and participating (by failure to dissent) in the decisions reached at such cabinet meetings and conferences.

TAB A - File Memorandum by Capt. J. J. Gaine, Jr.
TAB B - File Memorandum by 1st Lt. S. E. Healey
TAB C - Speech by IWAMURA in Diet on 23 March 1944
TAB D - Excerpt from CIS Report entitled "Kokuhonsha"

TAB
A

COPY NO. 92

TAB A

RE : IWAMURA, MICHIYO
STATUS: PENDING

AGE : 62 years
ADDRESS : 2, 103, ogikubo, Suginami-ku, TOKYO
GOVT POSTS : Minister of Justice, Oct. 41 - July 44.
FAMILY : Wife, Yae - Son, Michiyo Jr. - 3 other sons and 2 daughters.
INCIDENTAL : War Criminal List Interned 15 Sept 45. Turned in by
Jap Govt. Prisoner XI Corps Stockade as of 17 Sept. 45.

SOURCE: CIS Files 19 Nov 45

(s) J. J. Gaine Jr.
J. J. GAINE, JR.
Capt. Inf.

COPIES : 3 file
: 1 Capt. Robinson

CASE NO : 92

SERIAL : 1

TAB
B

TAB B

CASE NO. 92

RE: IWAMURO, Michiyo

STATUS: PENDING

MEMORANDUM FOR THE FILE:

Judged as war criminal; ordered arrested by Gen. MacArthur; was a member of TOJO's Pearl Harbor Cabinet; military prisoner at XI Corps Stockade, Yokohama, as of 17 September, 1945. Interned 15 Sept., 1945, being turned in by Japanese Government (CIS Card File)

It is stated that Michiyo, former Minister of Justice, utilized the "Kokuhonsha" in collaboration with the militarist to attain his position of eminence (CIS Card file--anonymous letter to Gen. MacArthur, C/S from Econ. and Sc. to CIC dated 20 Oct., 1945.

(s) S. E. Healey
(t) S. E. HEALEY
1st Lt., TC

COPIES : 3 file

CASE NO. : 92

SERIAL NO.: 4

TAB
C

TAB C

Reply by IWAMURA to an Inquiry Regarding Thought Control at the 84th Diet Session on 23 March 1944.

IPS Doc. 581

/Justice/Minister IWAMURA:

"I will make a reply. Mr. MIYAZAWA's statement concerning the thought problem is correct. It goes without saying that modern wars are fought with total national power, and thought, above all, plays an important part in it. For attaining the aims of the present war, the control of the thought crimes is now an essential requisite. We are very happy to note that, since more than two years after the outbreak of the Greater East Asia war, the internal situation has remained calm. The activities of the Communists, for example, have shown nothing specially worth mentioning since they collapsed. Although it is regrettable that some people are spreading false reports as to military affairs or the general situation, most of these have no foundation of thought.

"However, as the situation of the war develops, we believe that the enemy's propaganda efforts might be greatly intensified, and, therefore, we are doing our utmost not to let them take advantage of us through them. In short, although the thought situation at present is peaceful, due to our people's tenseness and consciousness the Government is fully prepared to maintain absolute peace and order on the home front by taking a stern step against those, if any, who should dare to impede the achievement of our war aims in either speech or action. Mr. MIYAZAWA has always been studying thought problems and is an authority on this subject, so it would not be necessary for me to state details. As you are well aware, the assignment of the thought problem to the Judiciary is, needless to say, limited to the rounding up of the criminals, their direction in accordance with the Thought Protection Enterprise Law and the system of preventive confinement carried out after the execution of punishment. These are the legal measures which the Judiciary can take regarding the thought problem."

(Acting Committee Chairman MATSUURA, Shutaro, gave the seat to the Chairman.)

"Today, all dangerous thought criminals who finished terms of punishment are kept in the preventive confinement camp. Although I will not state the exact number, there is a substantial number of them and they are in the preventive confinement camp which you know about. Others who renounced their views are kept under protection according to the regulations of the Judicial Protection Enterprise Law. In addition to this, as you already know, they are watched under the Thought Criminals Protection and Observation Law. But no matter what, I think, education is the basis for remedy. No matter how many arrests are made, unless we strive in this basic educational field, arrests alone can never ensure the extermination of thought criminals. The general situation is as I have just stated. As the war becomes more severe and prolonged, there will be more necessity for paying special attention to the thought problem, and we intend to exercise utmost care."

TAB
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TAB D

KOKUHONSHA
(National Foundation Society)

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"The society was formally dissolved in June 1936 (4). Ostensibly, the dissolution was the result of HIRANUMA's appointment to the presidency of the Privy Council, a position which is supposed to be filled by persons free from any special affiliations. HIRANUMA resigned the chairmanship of the Kokuhonsha upon his appointment as head of the Privy Council, and the other officials of the society, faced with the prospect of carrying on without HIRANUMA's active support, decided to dissolve the organization.

"In fact, however, HIRANUMA's appointment merely offered the society's officials a convenient opportunity to dissolve the organization. It was not in itself the cause of it, as attested to by the fact that HIRANUMA was later president of the SHUYODAN (Self-Cultivation Society), an organization actually devoted to combatting "labor unrest" (5). The real cause of the dissolution was the fact that by 1936 the society had outlived its usefulness. Its original anti-communitic program was merely another facet in the broader program of Japan's military leaders whose embarkation upon schemes for expansion abroad and socialistic controls at home went far to the right of the Kokuhonsh's original conservative position.

"After 1936, HIRANUMA came to be regarded as a restraining influence upon Japan's all-out militarists. This was not due to any "liberal" or "democratic" attitude on HIRANUMA's part, but to the fact that his undeniably reactionary views were tempered with a certain legalism and conservatism which could not be reconciled with the all-or-nothing attitude of the extreme right. He became regarded as a restraining influence from within, whose very closeness to the military faction enabled him to exercise checks which no outsider could have hoped to do.

"This change in HIRANUMA's personal position underscores the Kokuhonsha's rise and decline. By the time HIRANUMA became president of the Privy Council, there was far less particular need for "thought clarification" in Japan than in the 1920's. The new trend was toward mass organizations designed to unite the Japanese people in enthusiastic support of military conquest. This was not a task for which the Kokuhonsha was suited. Its leadership and program appealed primarily to specialized groups, such as the bureaucracy in the justice, education, and home Ministries and was not adapted to the less intellectual but more vigorous activities required for mass indoctrination and mobilization."