

EXHIBIT No. 3172

(8)

INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al)

vs)

ARAKI, Sadao, et al)

AFFIDAVIT

DEPONENT: TOMITA, Kenji

I, TOMITA, Kenji, make oath and say as follows:

I was Chief Cabinet Secretary in the Second and Third KONOYE Cabinets.

In the summer of 1940, some time after the formation of the Second KONOYE Cabinet, I went to General ARAKI by order of Premier KONOYE, to ask him to be a Cabinet Councillor, but he declined the offer.

There were two reasons why General ARAKI declined the post of Cabinet Councillor. First, he opposed the establishment of the Imperial Rule Assistance Association. Secondly, he opposed the conclusion of the Tripartite Alliance between Japan, Germany and Italy.

General ARAKI's opposition against the formation of the Imperial Rule Assistance Association was based on the following ground: The prevailing political partisans' attitude could not always be approved. But the Imperial Rule Assistance Association was said to aim at establishing one party for the whole nation rejecting co-existence of different political parties. Probably it would lead to despotic autocracy, depriving every one of his freedom to express his own opinion. It would be against the spirit of the Constitution and Emperor MEIJI's intentions when he declared that all measures of government should be decided by public opinion. It would be a system contrary to the structure of the state and the august will of the Emperor. That was his reason for opposition. Later it was clarified that the Imperial Rule Assistance Association was not a political party but a public association. But at that time that was not clear to the public. So was his opinion.

He opposed the Tripartite Alliance between Japan, Germany and Italy from his original ideological standpoint that most of the Japanese leaders not only over-estimated the real strength of Germany but it also confounded the idea of our KODO, (The Imperial Way), with that of the German totalitarianism, and therefore that the alliance was misleading in clarification of Japan's real standpoint. Moreover, he absolutely opposed it from his professional military standpoint that it would lead to aggravating the feelings of America and Britain toward Japan with the resultant difficulty of settling the China Incident so much so that it might probably become inevitable for Japan to wage war against America and England.

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He stated the Imperial Rule Assistance Association as a domestic problem and the Tripartite Alliance as an international problem were both extremely important for Japan. Conferences for settling these problems ought to have been conducted with utmost prudence. But as they had already been decided, his opinion could affect them no longer. Therefore, he said the post of a Cabinet Councillor was meaningless.

"Premier KONOYE's opinion is in fact the same as yours." I said to him after hearing his opinions mentioned above, "Though there are some who want to found the Imperial Rule Assistance Association on totalitarianism like Nazism, the Premier rejects it because it might be a revival of the Shogunate, contrary to the national structure of Japan. For the purpose of settling the China Incident at the earliest date possible, however, not existent political parties but a nationwide organization is necessary to suppress the Army. Such a national organization the Imperial Rule Assistance Association is aiming at. The Premier is far from considering the Tripartite Alliance as a means to hostilities against America and Britain as some people do. He fundamentally agrees with you, General ARAKI, as he has an ardent desire to settle the China Incident as soon as possible. Therefore we earnestly ask you to accept the post of Cabinet Councillor by all means."

After all my efforts in negotiation, he said he was not self-confident, under the prevailing objective circumstances, and could not be persuaded to accept the post. From that time on public association between Prince KONOYE and General ARAKI was discontinued for the time being, though private intercourse continued, I remember.

TOMITA, Kenji

Subscribed and sworn to before the under-signed officer by the above-named TOMITA, Kenji, at the War Ministry Building, Tokyo, Japan, on this _____ day of August 1947.