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* The situation however, did not move as expected. New questions cropped up. On 20 July, 1938, the Changkufeng Affair occurred, when Soviet troops invaded Manchukuo, closely followed by Soviet planes invading and bombing Korea. The situation with the Soviet grew tense, and KONOYE, who sought KIDO's view, was told that the Affair should be settled through peaceful channels. KIDO had no part in the commencement of this Incident.

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At the Cabinet meeting on 2 August, 1938, reports of conditions by ITAGAKI and UGAKI concerning the Changkufeng Incident and the Korea invasion, were heard. * They made the resolution that in dealing with it, they were to adopt a policy of non-aggrandizement to avoid war with the USSR, and to solve the problem by diplomacy, and if necessary withdraw from the Changkufeng line. In pursuance of these policies, negotiations were conducted, and the affair settled amicably.

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About this time, Germany submitted proposals for the conclusion of a military alliance to strengthen the anti-Comintern Pact. When KIDO learned of it from KONOYE on 9 August 1938, he thought it a serious question. He was not shown any draft of the proposals, and expressed no opinion. He believed any policy which would stimulate the U. S. and Britain and make them skeptical about Japan should be most cautiously studied, * and he told KONOYE of this. KONOYE was greatly embarrassed, though he agreed with KIDO. As KIDO understood, the Navy was opposed to a military alliance with Germany, and he stressed the necessity to make the Navy express its conviction.

The political situation became complicated, and KIDO thought it might be necessary to effect a drastic change of policy. There would be much room for discussion if Japan further approached Germany, leaving the China Affair as it was. If circumstances dictated, he thought it necessary to switch to a rapprochement with the U. S. and Britain, and he feared that certain rightists, extremists, and army officers opposed to settling the Incident would create disturbances if peace was established with China. He thought it necessary to take measures to control these elements, and interviewed KONOYE on 23 August, 1938.

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The Diary entry for 23 August 1938 sets forth his interview with KONOYE. He understands that the Cabinet was criticized for indulgence toward Rightists and in view of the situation it might be necessary to keep the safety valve ajar, but if national policies necessitate a volte face it would be necessary to take drastic measure and make arrangements in advance to make the Chief of the Police Affairs Bureau and of the Metropolitan Police move at the beck and call of the Premier, and KIDO urged the Premier to take such measures. KONOYE told him that when the Chief of the Police Affairs Bureau called he advised KONOYE to resign because of the growing tension but KONOYE was told by KIDO that this would be inexcusable and KONOYE agreed. Since KIDO was Welfare Minister at that time, he pointed out that in the domestic situation the unemployment question came to the fore and was a matter of deep concern for maintaining peace and order. Also, with regard to the China affair the statement refusing to deal with Chiang Kai-shek was criticized and opinion was gaining in a section of the General Staff that the affair be terminated even by negotiating with Chiang, if necessary. A similar opinion raised its head in the Rightist camp and together with distressed home conditions served to start a new party movement to strengthen political power.

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At an interview with KONOYE on 7 September 1938 KONOYE was depressed at political matters and had unpleasant feelings toward the maneuvers of the UGAKI faction and again expressed his intention to resign but since KIDO believed that only KONOYE could settle the affair he emphasized that he should summon his courage and proceed resolutely even if it had to be with Chiang Kai-shek.

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In view of the opposition at the time UGAKI had been appointed Foreign Minister and KIDO charged there was still opposition to him in Army circles. KIDO observed that so long as Ugaki remained in that position opposition would not be so pronounced as it would be if the plan to overthrow KONOYE and become Premier came about. KONOYE was still supported by the public but if UGAKI became Premier there would be political criticism of him and anti-UGAKI feeling in the Army would break out again. The atmosphere

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30860 for forming a new political party suddenly brewed and the Home Ministry (cont.) considered the matter. KONOYE requested Home Minister SUYETSUGU to draft a plan, expressing his desire that KIDO and Justice Minister SHIONO take part in formulating it. *Consequently KIDO met SUYETSUGU and SHIONO on 30861 27 September 1938, when KIDO found the new political party was patterned after the Nazi party. But it was KIDO's conviction that party leadership as practiced in Germany would be impossible in Japan, and a heated debate took place.

After several meetings, the draft platform and declaration of the new party were submitted to KONOYE on 15 October 1938. KONOYE, too, was worried that the draft and declaration were not freed from the party leadership complexion. Strong opposition to a government sponsored political party came from political circles and the Home Office plan was dropped and it was decided instead to study a movement for a national organization to convey the will of the ruling to the ruled, and vice versa. On 15 November 1938 KIDO met SHIONO and SUYETSUGU to study the 30862 question. * All state ministers concerned cooperated in evolving a definite plan but the Cabinet resigned before any definite plan was worked out.

30863 * While Exhibit 2264 records the Privy Council decision to cease cooperating with League bodies, KIDO was not a member of the Council, but did attend this meeting as a Cabinet Minister. Japan had previously withdrawn from the League and the matter concerning abandonment of cooperation with various League organs was proposed by the Foreign Minister. The conclusion was that Japan could not but abandon such cooperation because relations between Japan and those organs had become gradually unfriendly. The government failed to take measures at home deserving popular confidence, and there was no prospect of an early settlement of the China Affair, though there was information that Wang Ching-wei would flee from Chungking on 18 December 1938. There was no wonder, therefore, that KONOYE was inclined to resign.

30864 * The situation at the time showed that an ideological and intransigent spirit was stressed on one hand, and on the other Communist activities were brisk and the situation marked with confusion;

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30864 many university students were rounded up as Communists. Reform of the educational system was a plank in the platform of the first KONOYE cabinet. The China affair was more than 12 months old and trade with China and the southwest was entirely paralyzed due to a China boycott. A blow was dealt industry depending on exports. The unemployment question came to the fore and a relief committee was set up in the Welfare Ministry. It was feared that economic depression would be capitalized on by Communist agitators and this worried KONOYE most.

30865 Under these circumstances Japan was not in a position to reject flatly a policy to check Communist infiltration but KONOYE watched the situation closely as he thought Japan would be called on to study what effect her cooperation with Germany would have on the United States and Britain. On 17 December 1938 KONOYE told KIDO that OSHIMA and others intended to conclude a military agreement with Germany even against England and France which was different from the policy decided on by the Five-Minister Conference and apparently was already proposed to the Germans. KONOYE was apprehensive and stated he would like to resign since he could not assume responsibility for such an extension of the Pact. KIDO could understand that although KONOYE might have to assume heavy responsibilities for settlement of the China affair he would not like to be involved in extending the Pact which KIDO could not approve also.

30866 EXHIBIT 2265 showed a conference KIDO had with HIRANUMA who thought the KONOYE cabinet should continue as it had been reported Wang Ching-wei had escaped from Chungking.

30867 Exhibit 2266 showed SUZUKI, Teichu, visited KIDO to express the same opinion. The cabinet situation had gone so far that they could not help it at all. KIDO expressed no opinion but felt that there was no room for dissuading KONOYE from resigning. The KONOYE cabinet resigned en bloc on 4 January 1939 and KIDO's term as Welfare Minister ended. He wanted to retire to private life but was invited by HIRANUMA to be Home Affairs Minister in his cabinet. HIRANUMA stated it was virtually an accomplished fact as he had accepted the Premiership on condition KIDO be appointed Home Minister.

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KIDO declined the offer but HIRANUMA insisted KIDO was aware that ideological reformist opinion had strengthened in the Home Office under SUYETSUGU so he requested a free hand be given him in dealing with Home Office political questions. When this condition was approved KIDO accepted.

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One of these political problems was that since SUYETSUGU was a Fascist devotee of international fame, a Fascist atmosphere prevailed among Home Ministry bureaucrats. Also a troublesome question was left for the Ministry by SUYETSUGU's retirement in the form of the bill reforming the municipality system drafted under his guidance. This aimed at fascistizing provincial administration by extending executive powers at the sacrifice of the legislative organ. Preparations had been completed for submitting the bill to the Diet but KIDO decided not to introduce it and requested the cabinet to meet on 17 February 1939 and submitted his decision. The cabinet approved and the same day orders were communicated to that effect and the bill died.

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The HIRANUMA cabinet demonstrated that there was a continuing of policy between it and its predecessor by appointing KONOYE Minister without portfolio. The most important question facing the HIRANUMA cabinet was that of the German alliance. The Army most enthusiastically advocated concluding the alliance but the KONOYE cabinet failed to arrive at a conclusion and transferred the question to the HIRANUMA cabinet which referred it to the Five-Minister Conference which failed to reach an identity of views due to Navy opposition to the alliance.

The question did not emerge from a discussion stage at the Five-Minister Conference so that KIDO not being a member of the conference had no direct connection. His only concern in the Tri-Partite Alliance question while he was Home Minister consisted in maintaining peace and order which he was duty bound to secure.

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Exhibit 2268 showed that the Premier told him about the proposed alliance and the difficult situation concerning it and that he had an interview with KONOYE at which they talked about the China affair and its settlement. KIDO was not in favor of strengthening the alliance with Germany and Italy but negotiations had been started without his knowledge or participation. The Five Minister Conference deliberated over the question but was unable to arrive at a decision because the Army wanted to conclude the Pact and the Navy opposed it. If the Army and Navy came into a frontal clash it could be imagined that they would stage a coup d'etat and assassinate the senior statesmen and government leaders. It was but natural that KIDO should be seized with apprehension and he endeavored to avert such a clash between the Army and Navy. Although he was informed of the uneasy situation it seemed to him that the cabinet should not resign. He stressed that it was necessary for the cabinet to surmount every obstacle and do its utmost and HIRANUMA agreed.

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On April 14, 1938 KIDO consulted ITAGAKI on the matter and they agreed to exert their efforts. He also consulted ARITA who stated that there was nothing but for the Premier to send letters to Hitler and Mussolini personally to explain the circumstances. KIDO stressed this must necessarily be done. If they made a mistake it should result in leaving calamity to posterity and the Senior Statesmen would be eliminated. If a clash occurred between the Army and Navy, riots would spring up and when China became aware of this breach it would be unfavorable. KIDO told HIRANUMA that he desired him to exert his best effort so as not to bring about an unfavorable effect on these problems whether the agreement was concluded or not.

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During conversations with OTA and Navy Minister YONAI, KIDO thought that if the cabinet would collapse because of the difference in view between the Army and Navy regarding the Alliance it would give uneasiness to the people and the cabinet had to avoid resignation en bloc by leaving the problem as it was. YONAI agreed to deal prudently with the problem. His Diary stated that since there was the other party with whom they must negotiate it was not necessary to conclude the alliance. This shows he was not eager for it but the focus of his

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concern was to maintain peace in the country. He vigilantly watched the development of the Tripartite Alliance question from this angle. While the prosecution had singled him out for particular responsibility for aggression against the USSR in the summer of 1939 he knew nothing of this until after the incident started. As a cabinet member he had no responsibility. On July 22, 1939 the cabinet adopted a statement for submission to the Japanese-British Conference which was expected to lead to settling the China affair. This was opposed by the Army, so KIDO took steps to maintain public order. At this time the Army was spreading propaganda in its efforts to obtain support for the Tripartite Alliance. KIDO was opposed to this and asked his subordinates to control this agitation and keep him so advised.

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* As Exhibit 2271 showed, the Japanese hoped for settling the Incident by the establishment of the Wang regime and hoped for the success of the Japan-British Conference. It was rumored that the Army and Navy still disagreed on the military alliance problem and consequently the Army became impatient and planned to lead the Cabinet to resignation by having the War Minister resign, proclaim martial law and thus establish a military government.

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* KIDO resisted this and considered that if the Army took such measures, public peace would be in danger and told ITAGAKI to that effect.

As Exhibit 775 showed, KIDO was surprised when he heard of Germany's treacherous act in concluding the Non-Aggression Pact with Russia in view of the German-Japan agreement against communism. There was no factual foundation for the prosecution claim that he supported a military alliance with Germany.

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As a result of the Non-Aggression Pact, the HIRANUMA Cabinet resigned on 28 August 1939 and his Cabinet service ended. Exhibit 2272, the entry for that day showed he refused to interfere in conflicts within the Army, and * regarding the Emperor's order to the new Premier, showed KIDO was consulted by KONOYE regarding the Emperor's selection of a War Minister. KIDO gave him his view based on his experience while Chief Secretary and advised KONOYE to settle the matter smoothly. The entry also showed that the Emperor instructed the new Premier that diplomatic policy should follow the line of cooperation with Britain and the U.S. and that discretion should be used in the selection of Home Minister to maintain order at home.

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While the prosecution had contended that while he held Cabinet posts, he had a general responsibility for all events in that period, he had absolutely nothing to do with most of these events. * With respect to the various bills passed during that period, they were approved by the Cabinet and passed by the Diet. He did participate in drafting the Motion Picture Law of 5 April 1939, and voted in favor of bills presented by other ministers based on the explanations given for their passage.

At no time did he know or suspect that any of them were designed for promoting aggressive war, but the

Page economic situation at that time required their adoption.

30885 After the resignation of the HIRANUMA Cabinet, KIDO led a retired life detached from politics. * As to the political situation, simultaneously with the formation of the ABE Cabinet, the European war broke out and everyone sensed the possibility of a second World War so the ABE Cabinet issued a declaration for non-intervention.

30886 * The question of the procedure to be adopted in selecting a new Premier when a Cabinet fell, after the incapacity or death of SAIONJI, was being considered and KIDO's opinion was sought by KONOYE and on 10 November 1939 he talked with Marquis MATSUDAIRA and KONOYE. These conversations were reported in Exhibit 2273.

30887- (KIDO submits translation challenging the Prosecution
889 translation of Exhibit 2273.)

30890 * As Exhibit 2273 showed, he suggested it was undesirable to charge the Lord Keeper solely with the duty of selecting a new Premier but believed the senior statesmen should deal with it. Though this suggestion was supported by KONOYE, it did not materialize. KIDO wished to point out that when he was appointed, Lord Keeper, SAIONJI, was still alive and he followed the principle which he had contemplated and reported it to the Throne after SAIONJI's death in October 1940. KIDO studied this problem but could not get a definite plan for leaving the problem to the senior statesmen alone, so had to act according to the former Premier.

30891 The ABE Cabinet fell on 12 January 1940, being succeeded by the YONAI Cabinet. The Lord Keeper YUASA became ill and KIDO was informed on 8 May 1940 that SAIONJI desired that he accept the post * but KIDO recommended KONOYE for Lord Keeper and HIRANUMA for Chairman of the Privy Council.

After the outbreak of the European War, there was heated discussion on political reconstruction. An atmosphere was created for merging all political parties into a new one and the question of

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Page national reorganization was discussed vigorously.
 There was a movement for having KONOYE preside over
 the new political party and from early 1940 he seemed
 to consider these questions but paid more attention
 to the movement for national reorganization than for
 leadership of the new political party. It was KONOYE's
 intention to prevent the Army from making a political
 advance * by concentrating political power. On the
 strength of KIDO's Cabinet experience, he felt the
 necessity of establishing a political party but was
 opposed to one state, one party. after the Nazi fashion.
 He hoped political power might be established by com-
 bining all existing parties, but at that time stood
 aloof from political circles and only got information
 through his friends.

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On 14 April 1940 KIDO exchanged views with
 Count ARIMA on the movement for combining all existing
 parties with KONOYE as leader. The new party movement
 gained momentum. It was rumored that the YONAI Cabinet
 would resign and KONOYE become the next Premier. It
 was * KIDO's intention to support KONOYE as long as
 KONOYE was active in politics so KIDO expressed his
 opinion frankly that he had no intention to lead a
 new political party. The IKEZAKI referred to in his
 Exhibit 2274 was at that time a member of the Lower
 House and a Councillor Parliamentary of Education.

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The belief that the YONAI Cabinet would soon
 retire and a KONOYE Cabinet be formed became more pro-
 nounced. KONOYE felt that his former Cabinet not
 having a political party's support, had found it
 difficult to carry out his policy and was desirous
 to obtain the people's backing in some form.

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* The result of a meeting between KONOYE,
 ARIMA and KIDO appeared in Exhibit 2275. They in-
 quired first into a policy to be adopted in case
 KONOYE was commanded to form a Cabinet. KONOYE
 strongly opposed "one state, one party" but they
 thought instead of a union of political parties.
 KONOYE had strongly opposed this when a movement for
 the new party was inaugurated during the first KONOYE
 Cabinet. * The new party would emerge only after
 KONOYE received the mandate to form a new Cabinet,
 and they agreed that due consideration would be given
 to organizing a Supreme National Defense Council
 with the object to suppress the Army and restore

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Page political leadership to the Premier's hands. Since they were still at war with China they believed consideration should be given Army and Navy wishes regarding finances, national defense and foreign affairs. They also considered the request to all political parties to dissolve.

30896 On 31 May 1940 HARADA told KIDO he was being recommended to the position of Lord Keeper * but KIDO told him he had no confidence. KIDO was recommended as Lord Keeper by such anti-militarists as MATSUDAIRA, SAIONJI, YONAI, YUASA, and KONOYE, and knew of no militarists who recommended him. He accepted after due consideration and was duly installed. IKEZAKI had intended to recommend KIDO as president of the new party, but knew that if he became Lord Keeper, the intention could not be realized, and came to dissuade KIDO from taking that office, but KIDO did not listen to him.

30897 * While the Prosecution contended that Exhibit 619 showed his attitude toward the U.S., Britain and the Netherlands, the entry for 19 June 1940 merely reported what Foreign Minister ARITA told him. As that exhibit showed, he told KIDO about what transpired at the Four-Ministers Conference regarding FIC, but KIDO did not attend for the Lord Keeper never attends Cabinet or Minister Conferences.

30898 In Exhibit 1294, he was again merely reporting what ARITA told him regarding a conversation with Grew about a proposal for a treaty between the U.S., and Japan, and it was not his attitude toward the U.S., Britain and the Netherlands that was set up. * ARITA's and not KIDO's opinion also was recorded in Exhibit 1295 and KIDO merely listened. The spectacular achievements of the Germans in Europe imported strong stimulus to the army and rightists and a reformist atmosphere grew and criticisms were heaped on the YONAI Cabinet for its alleged pro-U.S.-British character as well as for its maintenance of the status quo.

30899 * The diary entry of 5 July 1940 referred to a report about the July 5 Incident which was to kill various moderates and KIDO understood later he was also on the list. The men to be killed were all

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close personal friends of his, and all except two were in the Court Circle and had the reputation of being against war. KIDO reported the incident to the Emperor, telling him the plotters' actions were blame-worthy, but so far as their motives were concerned, the administrators must seriously reflect. Such untoward incidents would take place unless the leaders made deep introspection.

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Exhibit 532 showed KONOYE's popularity and that HIRANUMA's representative told him that no one but KONOYE would be recommendable for the next Premier * and that KONOYE was almost the only person fit for premiership. Exhibit 532 showed it appeared that the Army would support KONOYE. KIDO's reaction was that judging from the political situation, a political change might be inevitable. He discussed with KONOYE the concentration and strengthening of political power but KONOYE was identifying himself with a new political structure, having resigned as president of the Privy Council. KIDO thought there would be no one suitable except KONOYE but was uneasy when Vice War Minister ANAMI assured him that the Army solidly desired KONOYE because KIDO feared the Army might push its own policy, taking advantage of KONOYE's overwhelming popularity. To KONOYE it seemed that political moves were steadily taken to counter the Army's advance in politics. Should KIDO refuse to recommend KONOYE for fear of Army political machinations, the result would be to hand over political power to the Army. Therefore he thought he would have to recommend KONOYE.

Exhibit 534 showed the steps he took to ascertain the information the Emperor requested him to obtain about heavy artillery mobilization in the South China Campaign and showed he told the Emperor he would avoid direct negotiations with the military but have the Chief Aide-de-Camp investigate. If this was unsatisfactory, KIDO would negotiate. As Lord Keeper, he always tried to avoid direct contact with the military on operations and only discussed policy matters with them.

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In Exhibit 532 he set forth the circumstances concerning the YONAI Cabinet's resignation. It fell * because after War Minister HATA's resignation, the Army refused to suggest a successor. The entry showed

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Page that the procedure used in the selection of a new Premier was the same as that used by KIDO's predecessor, YUASA, except that the senior statesmen were to be consulted as a body, and not individually. This minor change had been previously discussed with KONOYE and MATSUDAIRA on 10 November 1939 and 27 June 1940. He had also discussed it with SAIONJI and the Emperor approved.

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On 17 July 1940 a senior statesmen meeting took place to select a succeeding Premier, with Privy Council President HARA and ex-Premiers, WAKATSUKI, OKADA, HIROTA, HAYASHI, KONOYE and HIRANUMA present. HARA, a noted pacifist, asked KIDO about the truth of the resignation of the Cabinet and KIDO told him the gist of what he had learned. At the * conference, WAKATSUKI first recommended KONOYE and the others agreed. KIDO concurred as KONOYE was depended on to settle the China Affair and it was apparent that KONOYE was the popular choice of the political parties as well as the Army.

KIDO sent his Chief Secretary to SAIONJI who did not dare give any opinion because of illness and old age. When KIDO reported to the Emperor, he asked KIDO if he could give KONOYE some advice, and KIDO told the Emperor that KONOYE should be especially prudent in the choice of Foreign and Finance Ministers due to conditions at home and abroad. This appears in Exhibit 532.

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Exhibit 539 recorded a statement that it was wrong in formalities that War Minister HATA * recommend to the Emperor that TOJO be appointed his successor and KIDO advised the Chief Aide-de-Camp that the act should not be a precedent.

Of all the members of the KONOYE Cabinet, it was MATSUOKA who was regarded as a problem minister and a dangerous character. MATSUOKA carried out a big shakeup of diplomatic representatives on the ground the situation could not be pulled through by the old court diplomacy. The ambassadors chosen by him, which included OSHIMA to Germany, attracted widespread attention and deep concern was felt. KIDO drew KONOYE's attention to the matter and though KONOYE was deeply concerned, he could not stop it.

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* As a result of MATSUOKA's shakeup, the pro-British and pro-U.S. colorings of the diplomatic front began to fade.

The diary entry of 9 August 1940 showed that the Emperor expressed regret that MATSUOKA failed to have any clear prospective of the U.S.'s future policy. On 10 August 1940, the Emperor told KIDO of his conversation with Prince FUSHIMI about the Navy's attitude and lack of preparations for war.

On 9 September 1940, KIDO was advised by the Chief Aide-de-Camp that the proposal for peaceful advance into Indo-China was in negotiation, but their forces suddenly invaded causing a reversal of negotiation. KIDO was clearly indignant at the actions of the military in the field.

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* MATSUOKA's suggestion that an ultimatum be sent to FIC was pending in September 1940. The Emperor told him that the views of MATSUOKA and the Army General Staff did not coincide. In case the explanation of the government or Supreme Command regarding policy was deemed well grounded, the Lord Keeper used to advise the Emperor to approve, but in such case the Lord Keeper was cautious if he was asked and gave his own opinion. Much more so was it the case here.

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As the Emperor told KIDO he thought there was nothing to do but have the government policy carried out, KIDO replied that he agreed, but as KIDO was aware that things were grave and that the Emperor did not so heartily approve, he added that the Emperor had better direct the government to take a cautious attitude. Exhibit 627 * showed that KIDO merely reported to the Emperor what he heard and only advised him to follow constitutional government.

In September 1940, German Ambassador STAHRER came when an important negotiation was started for concluding an alliance with Germany. MATSUOKA conducted the negotiation so secretly that even Foreign Office Divisional Chiefs were not aware of it except for advisors. KIDO learned of it from KONOYE for the

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Page first time on 12 September 1940 and was surprised at
30908 its progress. KONOYE and KIDO were among the disciples
of SAIONJI. Since KIDO was appointed Chief Secretary *
to the Lord Keeper, he made it a rule to call on SAIONJI
almost once a month. SAIONJI repeatedly stressed the
necessity for Japan's cooperation with Britain and the
U.S. KIDO entirely agreed so the question of the alli-
ance with Germany tormented KIDO and he could not bring
himself to approve it.

30909 * Especially he feared the alliance would lead
to war between Japan and the U.S. He drew the attention
of KONOYE and MATSUOKA to this; however, they surprised
him by arguing the alliance was not intended to prevent
the U.S. from joining the war and that if Japan was iso-
lated without an alliance with Germany she might be
attacked by the U.S. any moment. Notwithstanding their
explanations he felt deep concern as he thought eventu-
ally they would have to oppose both Britain and the U.S.

On 16 September he told the Emperor that the
alliance would divide the world into two parts notwith-
standing KONOYE's and MATSUOKA's opinions, and that the
China Incident was an irritant to the U.S. and should
be concluded quickly.

30910 * On 21 September 1940 he told the Emperor that
with regard to solution of the China Incident, eventu-
ally they would have to oppose both Britain and the U.S.
if they concluded a military alliance with Germany and
Italy. They should therefore make necessary adjust-
ments regarding relations with China. KIDO was help-
less to prevent the government from approving the alli-
ance. Once the government approved it, tradition dic-
tated the Emperor approved the decision, though prior
to that the Emperor might express his views or caution
the Cabinet to reconsider. In this case it might be
imagined the Emperor inwardly felt uneasy but sanctioned
the requested conclusion of the alliance.

30911 * The Emperor expressed that conclusion of the
alliance would necessitate an anticipation of eventual
war between Japan and the U.S. and asked KONOYE and
MATSUOKA about this. Both stated that the alliance
was intended to avert war and if it was not concluded
danger of a Pacific War would be the greater and they
petitioned the Emperor to sanction it.

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To prevent war with the U.S. and Britain, KIDO thought they should eliminate one of the major factors irritating the two, which was the China Affair. This is why KIDO advised the Emperor to resolve the affair and told him this should be accomplished even if concessions were required.

On 26 September, KIDO was advised that an army unit had landed in FIC to bomb Haifong and as Exhibit 643 showed, he was indignant.

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* On 24 November, SAIONJI passed away. There was no prospect of an early settlement of the China Affair and peace moves taken toward Chungking led to no tangible results. True to his policy of unifying diplomacy, MATSUOKA was determined to take up negotiations with Chungking in his own hands and sent TAJIRI, MATSUMOTO and others to Hongkong to conduct negotiations.

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At first the negotiation appeared to make fair progress, but later proved to be in the stage of political warfare after all. The Liaison Conferences between the Government and High Command on 28 November 1940 decided that a basic treaty be concluded between Ambassador ABE and Wang Ching-wei, paying no attention to the negotiation with Chungking. * As a result, the China Affair entered a definite stage of protraction.

As 1940 ended, their power was becoming exhausted and KIDO was extremely pessimistic as to settling the Affair and told the Throne they would be unable to settle it by compromising with positive action proponents, but would only have national strength exhausted. This reply was in answer to the Emperor's expressed solicitude about the formula for dealing with the Affair and the Emperor told him that the moves hitherto taken toward Chungking must be regarded as a failure, while conclusion of the treaty with the Wang Ching-wei Administration would make the affair protracted.

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* The success of the Russian Five-Year Plan and relations with Russia caused the Emperor great concern and he asked KIDO for his opinion. As KIDO was opposed to war, he advised the Emperor on 3 December 1940 that the USSR was in the most favorable position in the world for the less she moved the

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Page better her position got. Russia was haughty and it was possible she would not readily consent to negotiating with Japan. After the war, the only uninjured countries would be the USSR and the U.S. Then Japan would be placed between the two and subjected to enduring hardship, but they need not be pessimistic because even those two powers would inevitably deteriorate. * Provided Japan was prepared for ten years of hardships and cultivated simplicity and verility, he believed it not so difficult to emerge favorably in the end.

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Germany's military achievements had far-reaching effects in Asia. The question arose as to the propriety and otherwise of advancing to the south as France had collapsed and British influence had waned. When Japan mediated in the border dispute between FIC and Thailand, an "Outline of operations on French Indo-China and Thailand" was adopted to establish leadership in the south and with access to raw materials, seize the occasion to bring pressure on China to hasten settlement of the China Affair. It was natural that Japan could not look on the worldwide upheaval with folded arms, there being no objection to trying to have access to oil, rubber and oil resources by Japan, who was lacking in them; but these moves must be taken through peaceful channels and resort to force should be strictly guarded against. KIDO feared that tactless display of force might excite doubt in Britain and the U.S. and possibly lead to a clash. He drew KONOYE's attention to this and the Emperor was solicitous about it. When the Chiefs of Staff of the Army and Navy reported on the military agreement with Thailand, the Emperor expressed fear it might stimulate Britain and the U.S. and KIDO agreed.

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30917 * The Emperor instructed the two Chiefs to give due deliberation with regard to the time of enforcement and after coincidence with the opinions of both parties they were to carry out the plan on the condition that this was strictly observed.

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On 1 February 1941 the Chief Aide-de-Camp told KIDO that the outline of operations in FIC and Thailand was intended to establish Japan's leadership in the south and prepare the ground for her southern advance,* taking advantage of FIC and

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Page Thailand's acceptance of Japan's mediation in their border dispute. The Navy intended to use Camranh Bay and the air base near Saigon, but its objects could not be boldly expressed so that such phraseology as safeguarding trade and communication and guarantees for the prevention of recurrent disputes between FIC and Thailand was used. In case armed force was resorted to, it was arranged that Imperial sanction be obtained afresh.

The term "leader position" began to be frequently used and worried the Emperor, who stated that one's leader position should not be imposed on others, but Japan's leader position would only be established after she was looked up to as leader.

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* On 3 February 1941, the Emperor reported to KIDO on his conference with the Chiefs of the Army and Navy General Staffs on the measures to be taken toward FIC and Thailand. The Emperor said personally he did not approve in principle these policies of taking advantages and making demands while the opponent was weakened, but in dealing with the fast changing world it would not be gratifying to err on the side of benevolence, so he approved the policies.

30920

KIDO regretted that the Emperor's advice was not embodied in the measures taken by the government and in a subsequent conversation with KONOYE gathered that the Emperor's advice was given to the Chiefs, but he was not certain. KIDO did not approve MATSUOKA's proposed visit to Europe * and suggested to the Emperor and KONOYE that careful consideration be given this.

30921

Exhibit 1058, the diary entry of 3 April 1941, stated that KIDO's advice was sought by KONOYE on the prospective appointment of Admiral TOYODA as Minister of Commerce and Industry, and SUZUKI as President of the Planning Board. It was for carrying out personnel affairs smoothly that the Lord Keeper was consulted about the appointment of the minister. The Lord Keeper would 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 ensure that there would be no reflection on the Emperor as to the character of the appointees.

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The custom of consulting the Lord Keeper about the appointment of a Minister did not originate when KIDO was in that position, but it had been practiced for many years.

30922

* On his way home from Germany and Italy, MATSUOKA concluded a neutral pact with Stalin, adjusting relations with the Soviet. On 18 April 1941 a telegram was received from Ambassador NOMURA, asking for instructions on a draft plan for understanding between the U.S. and Japan, which had evolved as a result of negotiations conducted by NOMURA with Hull and Roosevelt in secrecy. The telegram delighted KONOYE as he had come to realize that the Tripartite Pact had failed to restrain the U.S. as it was intended to, but relations had become worse. KONOYE got in touch with MATSUOKA and pressed him to hurry home. Not only KONOYE, but the army and navy were enthusiastic over the projected understanding with America.

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* The China Affair was stalemated so the Army thought it would be fortunate if it was settled as a sequel to an understanding with U.S. As to the Co-Prosperity Sphere in East Asia, they were convinced its object never did lie in conquering by arms the countries to the south, and it was never in conflict with relations with U.S. to strive for mutual prosperity with those countries. They concluded that they had to explain the Japanese policy to remove misunderstanding with U.S. and materialize the understanding with her..

Concerning the meaning of the Co-Prosperity Sphere, KIDO believed that the policy was necessary for the actual situation was that France and the Netherlands, to which various colonies in the Southwest Pacific belonged, had fallen, and Britain was being threatened with a landing operation by Germany.

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The issue of the southern colonies and its affect on Japan's existence * became a matter of grave concern. Some positives advocated that Japan should secure those areas by appealing to force. KONOYE and others being worried by this trend of opinion thought of this policy with a view to unifying public opinion and checking such a radical idea. KIDO agreed but strongly opposed to advance with arms. There was an opinion that FIC might become German or American if America participated in the war which would present a grave menace and KONOYE was greatly concerned about

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30925

On 28 April 1941, Chief Secretary MATSUDAIRA told KIDO that the Emperor wanted his opinion as to whom he should consult on diplomatic matters if the Premier, the Foreign Minister and the Lord Keeper were simultaneously ill. * KIDO told MATSUDAIRA that as the Lord Keeper had no authority concerning diplomatic matters but to convey Imperial questions to the Premier or Foreign Minister, nor had authority to answer a diplomatic problem on his own responsibility if the Lord Keeper was ill, the Imperial inquiry should be conveyed by the Grand Chamberlain to the Premier or Foreign Minister. KIDO submitted his views on the Japanese-American negotiations to the Emperor on that occasion. He could not recall what he stated, but did recall that he submitted that the negotiations would be a favorable development because the Premier was anxious to push them, though there was some difficulty with MATSUOKA.

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* When MATSUOKA returned to Tokyo on 23 April 1941, a Liaison Conference between the Government and High Command was held to deliberate over the instructions to be sent NOMURA. MATSUOKA was extremely dissatisfied with the negotiation with America and though he attended the conference, he withdrew before it was closed without touching on the question. The next two weeks MATSUOKA made no progress with the plan under a pretext of studying. Meanwhile, the Chief of the Military Affairs Bureau and Chief of the Naval Affairs Bureau and others visited him, urging him to approve the understanding with the U.S. as a result of which instructions were cabled to NOMURA on 12 May 1941 on his approval, but the negotiation did not progress due to MATSUOKA's indifference.

Exhibit 1084 merely showed that KIDO read OSHIMA's telegram concerning the outbreak of war between Germany and USSR and also MATSUOKA's estimate that this was not so imminent.

Exhibit 1089, the diary entry of 18 June 1941, showed that MATSUOKA told KIDO he had sent instructions to the Reich to negotiate with Vichy in connection with the FIC problem.

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The substance of his one hour of conversation with KONOYE on 20 June 1941 (Exhibit 1090) was that KONOYE, who was of weak character, worried about MATSUOKA's attitude and told KIDO again of his intention to resign. KIDO could not agree to his resignation so he told him that he had better talk frankly with MATSUOKA and ascertain his real intention, explain his policy to MATSUOKA and persuade him into it. If MATSUOKA still did not agree to it, he should ask him to resign, but if KONOYE met MATSUOKA's refusal to do so, then KONOYE must take responsibility for the lack of unity in the Cabinet.

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* The diary entry of 21 June 1941 (Exhibit 781) recorded a talk between KONOYE, HIRANUMA and the accused. They gave KONOYE encouragement and hoped he would display his power and take a lead in the emergency period. On 22 June 1941, hostilities opened between Germany and the Soviet. This was a big question for Japan as Germany was Japan's area while a pact of neutrality existed with the Soviet. To conduct foreign affairs in such a complicated situation was delicate and difficult.

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* MATSUOKA began to advocate over KONOYE's head a military expedition to Siberia, but this met with disapproval not only from the Cabinet, including KONOYE, but Army and Navy leaders. Frequent liaison conferences between the Government and High Command resulted in a decision to settle the China Affair, to bring pressure upon China from the south instead of pursuing MATSUOKA's policy.

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The diary entry of 22 June 1941 (Exhibit 1093) showed KIDO reported to the Emperor the talk he had the day before with KONOYE and HIRANUMA that MATSUOKA had an audience with the Emperor; that there was a difference of opinion between the Foreign Minister and the Government and High Command regarding MATSUOKA's opinion that Japan would advance to both the north and south; that KIDO phoned KONOYE to be prudent and that MATSUOKA told KONOYE his report to the Throne did not refer to immediate action. * The Emperor was perturbed with MATSUOKA's opinion and since returning from Germany, MATSUOKA's attitude was not understandable and he took a disdainful attitude toward KONOYE. KIDO often heard KONOYE complaining that he could not understand MATSUOKA's attitude and it was reported to KIDO that MATSUOKA was emphasizing

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Page the necessity of sending troops as far as Irkutsk and Soviet Russia. Expecting he would be sure on receiving the report of the outbreak of the Russo-German War to proceed to the Emperor, KIDO previously told the Emperor about MATSUOKA's possible action and asked him to be prepared for it.

30931 On 23 June 1941 (Exhibit 1094) KIDO reported to the Emperor the conversation of KONOYE with MATSUOKA. The conversation he had with KONOYE on that day included an exchange of views on various problems. * KIDO told KONOYE that Germany by way of waging a war against the Soviet had violated the principle that it was necessary for both states to adjust relations with the Soviet. Germany had agreed to this at the time of the alliance, and her waging a war now changed one of the elements by which the pact was formed, and KONOYE should consider whether the alliance should be continued. KONOYE agreed and said he would examine into the matter and KIDO heard later that KONOYE expressed to MATSUOKA a strong desire to reconsider the alliance, but MATSUOKA did not take it seriously and only protested to RIBBENTROP.

30932 * The diary entry of 25 June 1941 (Exhibit 1095) recited what KONOYE told KIDO of his conversation with Wang Ching-wei. Also that the Premiers and Chiefs of the Army and Navy General Staffs reported to the Emperor the decisions of the Liaison Conference with respect to the entry of Japanese troops into FIC.

On 28 June 1941, after an audience with the Emperor, War Minister TOJO explained the matters listed in Exhibit 1098. KIDO expressed no opinion. At that time it was a grave concern that the Kwantung Army with the outbreak of war between Germany and the Soviet might start some action, so TOJO told him that the Kwantung Army was taking a calm and prudent attitude and would not violate discipline. He said that while the China Affair remained unsolved the war had broken out between Germany and the Soviet and the situation had become strained. He would like to have Imperial Headquarters strengthened so staff members might assemble at the Palace daily and prepare for any situation. He also spoke about information from Ambassadors and of the progress of Japan's political declaration toward China.

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* Prior to the Imperial Conference of 2 July 1941, KIDO was advised that the discussions at the Liaison Conferences centered primarily around MATSUOKA's idea of proceeding north against Russia and which KONOYE was opposing. Of secondary importance after the outbreak of the Russian-German War was the public discussion of the necessity of Japan's southward advance to obtain materials and necessities for defense and to end the China War. After the conference, KIDO was informed that MATSUOKA's idea of going north had been disapproved and that Japan's policy was to proceed south by peaceful means. KIDO never knew until he saw KONOYE's memoirs that the plan at the Convention contemplated an advance to FIC and was to be carried on even if it meant war against the U.S. and Britain.

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* The diary entry of 5 July 1941 (Exhibit 1112) sets forth MATSUOKA's attitude toward the invasion of FIC. KIDO did not express his views but was interested in getting this information as he wanted all the knowledge he could have to reply to the Emperor's questions. Relations between KONOYE and MATSUOKA were extremely aggravated and KONOYE frequently told KIDO he could not grasp MATSUOKA's real motives.

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On 3 July the so-called oral statement from Hull to KONOYE was received, apparently intended to hint that Hull could not trust MATSUOKA. MATSUOKA was indignant and contended that it be refused and then the matter for negotiation be commenced to the U.S. * but KONOYE held that it be handled lightly and not hamper the negotiation and that the reply to the oral statement be sent with the matter for negotiation on the ground that there was fear that the negotiation might be interrupted if MATSUOKA's contention was accepted. The Army and Navy supported KONOYE, who sent Diplomatic Advisor SAITO to MATSUOKA to make the latter agree to his view. MATSUOKA did not reply until midnight but sent a reply to the oral statement also on his own judgment. Hence KONOYE's decision that he could not work together with MATSUOKA. As Exhibit 1115 shows, KIDO told his Chief Secretary that he thought MATSUOKA should resign so as to prevent a resignation en bloc,

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Page but if he did not, it would be best to have KONOYE form a new Cabinet upon a resignation en bloc.

30936 * When KIDO told KONOYE that it was advisable to have MATSUOKA resign to avoid a Cabinet change, KONOYE disagreed, saying that if this were done, MATSUOKA and his party would make propaganda that his resignation had been compelled by U.S. pressure. KIDO's interest in this was based on the fact that the Emperor was anxious to conclude peaceful relations with America, and MATSUOKA was a stumbling block. To accomplish the Emperor's purpose he made this suggestion to KONOYE.

30937 The Second KONOYE Cabinet resigned on 16 July 1941. * KIDO was summoned to the Palace and received an Imperial Order that the Premier had tendered a general resignation. In regard to selecting the next Cabinet, the Emperor had ordered the Lord Chamberlain to invite the Privy Council President and the ex-Premiers to the Palace and the Lord Keeper was to ask their opinions as to who was the suitable person.

30938 The next day a conference of Senior Statesmen was held. The most important question was adjusting relations with America. In view of the fact that negotiations had been in progress, it was thought there was no other suitable candidate but KONOYE. * ABE was first to recommend KONOYE, and the others heartily concurred, except WAKATSUKI and HIROTA who were not so positive in their support. YONAI said no other person would do, and KIDO reported to the Emperor.

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* In forming a new cabinet, KONOYE replaced MATSUOKA with Admiral TOYODA as Foreign Minister, and KIDO understood MATSUOKA's appointment was aimed at facilitating the negotiation with America. The cabinet change synchronized with a flareup of anti-Japanism in the United States, causing concern to the Emperor. This anti-Japanism was stimulated by the sending of Japanese troops to French Indo-China. It was profoundly regrettable that Imperial concern about the operations turned true. In July the United States froze Japanese assets and the effect of this caused a critical situation. War clouds gathered 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, but KIDO felt hopeful of peaceful relations.

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On 31 July 1941 when Navy Chief of Staff * NAGANO reported to the Emperor on the contingency of war with America, it was a matter of solicitude to the Emperor. KIDO gave the Emperor his views, refusing to share NAGANO's statement, but stressed the necessity for pushing the negotiation. NAGANO's opinion regarding war was the same as FUSHIMI's had been, in that they should try to avert war as much as possible. NAGANO seemed strongly opposed to the Tripartite Alliance and he thought as long as it existed adjusting relations with America would be impossible.

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* If the adjustment of relations with the United States was impossible and they were cut off from oil supplies, oil in store would run out in two years. When war with the United States broke out, the oil would only be sufficient for one and one-half years and, under these circumstances, there would be no alternative but to take the initiative. According to the report submitted, the Emperor believed Japan would win, since it was stated there in the written report. When NAGANO was asked if it was possible to win a sweeping victory as in the Russo-Japanese War, NAGANO replied that it was even doubtful whether they would win, to say nothing of a great victory.

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KIDO was filled with trepidation about the Imperial anxiety and answered the Emperor that NAGANO's opinion was too simple. The United States recognized the existence of the Tripartite Pact and KIDO was doubtful if they could deepen United States confidence by annulling the pact, as the United States * respected international treaties. They must deliberate in a constructive manner, and KIDO would urge KONOYE's consideration on the point.

While the prosecution contended that KIDO disagreed with NAGANO and stated that if the pact was annulled, the United States would not have faith in Japan, he denied saying this, his expression was one of contrast. He told the Emperor that he was doubtful whether they could deepen United States confidence if they annulled the pact, or whether

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30943 they would be held in contempt if they annulled it. The prosecution overlooked that there were several means to be tried with respect to relationship with America * which was the advice he gave, and that he advised that further constructive deliberation was necessary.

30944 Up to that time KONOYE took the attitude to control the army by relying on navy influence. However, the navy markedly stiffened its attitude after NAGANO's report. On 2 August 1941 KONOYE expressed to KIDO misgivings about the government's cooperation with the High Command, pointing out that opinion was gaining strength in naval circles for a vigorous policy. KIDO told KONOYE that it should not be hastily decided to go to war with the United States then, Japan's actual power was not fully studied. * Fundamental national policies must be exhaustively discussed with the military ministers. Should KONOYE fail to reach agreement with them, it might be inevitable that he should quit.

KONOYE stated that he was reassured and would think it over carefully. From discussions with KONOYE, KIDO knew he wanted to pursue a peaceful policy through diplomacy, but the army stood pat on a vigorous policy on the basis of its continental policy, while a section of the navy advocated war with America to forestall her for fear of the steady drain on Japan's oil supplies. KONOYE did not evolve a plan for saving the situation in the direction counselled by KIDO, but instead made up his mind to cross the Pacific and have a personal talk with Roosevelt.

30945 * The military ministers approved the plan. Common sense told them that the outcome of war with America would be horrible. As an agreement with America was not easily arrived at, KONOYE was much worried and when in August the navy attitude became strong, he was very much concerned. * When KONOYE asked KIDO's advice on 7 August 1941 (Exh. 1130), KIDO told him to make deliberate consideration and tried to show him the hopelessness of war with America. He told KONOYE it was high time for the government to put forth a concrete and constructive view to learn whether it was acceptable to the army, with a view to checking the army from rushing to war and get it to keep pace with the government policy. He pointed out that the situation was hopeless from the standpoint of oil alone. KIDO's sole thought was to advance positive arguments to convince the military, and intentionally omitted what was related to humanity and peace as those are fundamental. He concluded the talk by advocating that they should do everything to restore friendly relations.

30947 Although pressed economically, they should resolve to toil through ten years of hard struggles. KIDO also pointed out that they needed materials, and their hopes lay in the southern regions. He had no thought of obtaining these * other than by peaceful means. He realized that if Japan succeeded in warding off war with the United States and the European War ended, a desire for peace would be possible after war and

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it might then be possible to get politics to follow their proper course through redoubled efforts to reconstruct politics and check the military. These views were expressed to convince the militarists of the vital necessity for an understanding with America, as they would not swallow the no-war formula unless accompanied by a constructive plan in another direction. He thought it might be possible to secure raw materials if Japan fostered her resources.

KONOYE was expected to take a step in the direction counselled by KIDO, but judging by the result he made no development in that direction but instead committed himself to the fateful Imperial Conference of 6 September 1941.

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Ever since August 1935 when * NAGATA was assassinated, the Metropolitan Police had protected KIDO and family from the militarists and rightists by assigning police protection. After a rightist's attempt to assassinate HIRANUMA in August 1941, the police guards were doubled because of KIDO's well known pro-American and pro-British and anti-militaristic stand. At 4:30 p.m., 5 September 1941 when KONOYE went to submit the agenda of the Imperial Conference to the throne, he came to KIDO's room. The draft agenda consisted of three points; (1) War preparations be made against America and Britain, (2) In parallel, negotiations with America be pushed very hard, and (3) In case no prospect of amicable conclusion with America came in sight in the first ten days of October, Japan was to make up her mind to wage war with America and Britain.

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* To that day, KONOYE made no reference to the question which was advanced to KIDO. KIDO was astonished at its nature and blamed KONOYE for submitting such a serious plan to the Emperor so suddenly. KIDO told KONOYE that the plan showed the time limit was fixed in the first ten days of October and it was disastrous to fix a time limit, and asked him to modify this point, and if he could not see his way to abandoning the plan. KONOYE stated, as it had already been decided by the liaison conference between the government and the High Command, it was difficult to modify or give up the plan, and there was no alternative but to bring the negotiation to an amicable conclusion.

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When KONOYE submitted the agenda to the Emperor, the Emperor asked him strategical questions, to which he could not * reply and petitioned the Emperor to summon the Chiefs of Staff and promised to consult with KIDO. KIDO requested then that the Chiefs of Staff proceed to the Palace with the Premier and they were granted an audience at 6:00 p.m.. The only advice KIDO gave the Emperor was that he should follow the Premier's advice to summon the Chiefs. KIDO did not attend the audience with the Emperor to which the Chiefs appeared, * but KONOYE called on KIDO after the conference and told KIDO that the Emperor asked various questions. He asked Chief

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of Staff SUGIYAMA as to when the projected southern campaign would be terminated, and SUGIYAMA answered he expected the campaign would be terminated in a short time. The Emperor reprimanded SUGIYAMA reminding him that he had said a similar thing at the outbreak of the China Affair, but SUGIYAMA pleaded that there was a difference, China being a continent, while the southern area was mostly islands. Chief of Staff NAGANO interposed and said if things went on they would steadily lose the game, but there would be a hope of recovery if there was a drastic operation, and that was war.

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* KONOYE told KIDO further that the Emperor asked why diplomacy was not placed first. KONOYE replied that it was aimed at attaching primary importance to diplomatic negotiation, and asked the Emperor to approve the plan as it was. The Imperial Council was to be held the next day, and before being summoned by the Emperor the morning of September 6, KIDO suggested to HARA that he ask questions at the conference emphasizing continuation of diplomatic negotiation rather than preparation for war. When summoned by the Emperor, he told KIDO he would like to put questions at the conference. KIDO replied it would be a good idea but he thought Privy Council President HARA would cover the important points in his questions, and it was KIDO's desire that the Emperor point out the importance of the conference's decision, and order the * High Command to extend full cooperation in bringing negotiations to an amicable conclusion. KIDO was not present at the Imperial conference.

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HARA asked if primary importance was attached to diplomatic negotiation, to which Navy Minister OIKAWA alone replied, and there was no reply from the High Command. This was regretted by the Emperor who took the High Command to task and ordered it to extend full cooperation in the negotiation * and avoid war by all means. This was told KIDO by the Emperor (Exh. 1135).

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* On 11 September 1941, TOJO came to see KIDO, after an audience with the Emperor, telling him the result of preparations for war with the United States (Exh. 1138). In view of the decision of 6 September 1941, the army was investigating preparations for a case in which there was no hope of leading the negotiations to a successful conclusion. KIDO remembered that the talk he and TOJO had on that day impressed him that preparations were being made, thereof he didn't recall the details. TOJO said that when the Emperor asked about the preparations, the Emperor said he understood his words at the 6 September conference had made it clear to TOJO of his desire to avert war.

TOJO explained that the army understood the Emperor's desire and was making strenuous efforts to bring the negotiations to a conclusion.

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30956 He said that the army was bound at that time to make adequate preparations by the 6 September decision.* Exhibit 1138 showed that Foreign Minister TOYODA told KIDO about the progress of negotiations and he discussed this later with the Emperor. SHIGEMITSU also spoke to KIDO on their progress on 25 September, and on the 26th, KONOYE called on him telling him he had to quit as he had no confidence, if the army meant to start war on October 15.

30957 Whereupon KIDO chastised him that he was responsible for the decision of 6 September * and it would be irresponsible of KONOYE to quit leaving the 6 September decision as it was. It would be better for him to propose a review of that decision. If he failed to reach an agreement with the army, it could not be helped if he quit. At the end of the talk, KIDO cautioned KONOYE to be prudent. KIDO did not discuss the possibility of war at this time.

30958 On 29 September the Emperor ordered KIDO to investigate the amount of resources from which the United States would be able to draw, for he was worried about newspaper propaganda underestimating United States power. * The same day HARA told KIDO that he thought that the Imperial conference as it stood was so perfunctory that it would pass any bill in its original form and the method had to be improved. He asked KIDO if there was any way to have Senior Statesmen attend and express their opinions. KIDO replied that any remedial plan would have possible merits and demerits, but he would consider it carefully. HARA said he made this suggestion in connection with the Imperial Council meeting in which the decision as to war would have to be made if the diplomatic parley failed. This suggestion was followed in the meeting on 29 November. HARA and KIDO both felt that the prudence and acumen of the Senior Statesmen would be a steadying influence.

30959 * The gist of talk with the President of the Planning Board SUZUKI, on 1 October 1941, was that both were worried about the adjustment of relations with America which made little progress, and they agreed that war should be evaded (Exh. 2280). The prospect of negotiations became slimmer while war moves, let loose by the military, gathered momentum. On 7 October, Chief Secretary of the Cabinet TOMITA told KIDO he would urge KONOYE to display his powerful leadership and TOMITA explained the attitude of army and navy sections (Exh. 1143). KIDO merely listened without expressing any opinion. TOMITA was further worried that the date fixed by the Imperial Conference, 6 September, was drawing near. On 30960 9 October, KIDO interviewed KONOYE counselling him * that the 6 September decision appeared too abrupt, and asked him if it was not better to change the policy and devote his all to solving the China question

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30961 instead of deciding on war with America. KIDO set forth a positive solution which KONOYE could use in arguing with the military, and this policy was given for the same purpose as that advanced to him on 7 August. The diary entry of 9 October (Exh. 1146) followed the above, * and that KIDO said that judging from the situation, it was difficult to predict the outcome of war with the United States and they better reconsider. It would be inadvisable to declare war immediately but the China incident was the first consideration and they should acquire freedom without paying attention to economic pressure. The Japanese should be made to understand the necessity for ten or fifteen years of hard struggle to establish a defensive nation. If necessary, they were ready to put belligerency in action to promote the completion of the China incident and use their whole military force in China.

30962 KIDO knew the army would never agree unless a positive * diversionary attitude was put forth. It was for this reason that he offered the last suggestion as an inducement to them to complete the China affair, for he knew the army would not listen to any plan which held entire cessation of hostilities. His suggestion was a sop to avoid a clash with America. Exhibit 1147 related what was told him by three different people and no opinion of his appeared. KOYAMA, mentioned there, was a liberal indignant at army control of politics, who expressed the opinion that he wished for redoubled efforts by KONOYE. KATO was Commander of the Gendarmerie Army who told him about the political situation.

30963 * KONOYE had called a conference of the War, Navy, Foreign Ministers, and the President of the Planning Board on 12 October to discuss how to deal with the decision of 6 September, and the third visitor, TOMITA, came by KONOYE's order to tell KIDO about the conference. According to the information KIDO received from him, TOJO contended that the government should make up its mind to wage war, in accordance with the 6 September decision, as he thought there was no hope for the negotiations, but added that he did not want war if a convincing explanation was forthcoming; that the negotiations would be brought to an amicable conclusion. OIKAWA said he thought there was still hope for the negotiations. If they were to restore friendly relations through diplomacy, it should be done in a thorough-going manner. If the negotiation was concluded amicably through diplomacy, * it was desired that Japan should come to terms with America, even making considerable concessions.

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It would be embarrassing to conduct half-baked negotiations for some time and then suddenly start war. In any event the Prime Minister was desired to display his leadership.

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Foreign Minister TOYODA said it would be impossible to make any prediction, but he thought there was hope for the negotiation. KONOYE stated that there was still hope and he should like to continue. TOJO was not satisfied with KONOYE's explanation. The conference rose after it was decided to draft a memorandum and entrust TOYODA with its study. TOYODA also told KIDO that from conversations with Admirals OKA and OIKAWA, the navy was opposed to war, but could not openly express its views and would leave it to the Prime Minister to make the decision.

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* They made an agreement among themselves on the advice of TOJO that they should not change their policy * of stationing troops in China, or the other policies connected with it, and should not entertain anything affecting the result of the China incident. It should be found out whether negotiations within the time set forth by the High Command could succeed. When this had been ascertained, the matter should be settled through diplomacy and all operational preparations be discontinued, and TOYODA should study this to find out whether it was possible or not.

Thus the last important meeting of the third KONOYE cabinet ended with no decision as to whether Japan should go to war with America. The only decision reached did not involve a decision for war but concerned the policy to be adopted toward the China incident and the possibility of negotiations with America. Everyone's opinion at the meeting hinged on the success or failure of negotiations with America, and even Foreign Minister TOYODA could not answer TOJO's inquiry.

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* On 13 October 1941, in consequence of this conference, the political atmosphere became so tense that it was feared that war would break out any moment under militaristic pressure. The situation was so delicate that on that day the Emperor showed his concern in discussing with KIDO an Imperial Rescript in case, he was required to grant sanction to the opening of war (Exh. 1149). The Emperor said that the negotiations seemed less hopeful, and that if it ended in war that we should have to issue a proclamation. In past rescripts, especially the one at the time of their withdrawal from the League, * the cause of world peace was emphasized and the necessity for harmonious cooperation of the civil and military officers in the country, but the people seem to have overlooked this point. It was regrettable that when the edict was issued at the conclusion of the Tripartite Pact, the people missed the point that the pact was proposed to bring peace and took it as if it were our challenge to the United States and Britain. If a proclamation of war were issued, the Emperor would like to have KONOYE and KIDO assist and have their sincere thoughts well expressed in the proclamation.

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In case of war with the United States and Britain, they must study well specific conditions, especially the truth underlying the peace talks between Britain and Germany, and Germany and Russia, and they must, through diplomacy, stop Germany from concluding an individual peace, and they must have Germany assist in the war with the United States. They must also make plans as to what to do at the end of the war, and must adopt good will policies, such as exchanging envoys with the Vatican City.

30971 The same day KONOYE came to KIDO, after a conference * with the Emperor about Japanese-United States problems. Later SUZUKI visited KIDO to talk about his political views, which might contribute to a new turn in the political condition. Their conclusion was that the Premier should promote mutual understanding with the War and Navy Ministers. SUZUKI, in fear of a possible change of government, or a sudden plunge into war, expressed his opinion to KIDO, who communicated his views to SUZUKI that KONOYE should have a talk with the War and Navy Ministers to solve the dilemma to bring about a peaceful situation.

30972 * The desire for a cabinet lead by a prince of the blood, Prince HIGASHIKUNI, suddenly raised its head and was expressed by the followers of both KONOYE and TOJO. Rightist quarters also voiced such a desire. It was no wonder that a cabinet lead by a prince of the blood should be desired by the people, but KIDO thought it would lead to grave consequences unless the matter was handled cautiously. On 15 October 1941, when SUZUKI came to convey TOJO's intentions and referred to a HIGASHIKUNI cabinet, KIDO told him that anything relating to the Imperial family must be handled cautiously, and that the petition to HIGASHIKUNI to emerge as Prime Minister must be predicated on an agreement between army and navy. KIDO asked him if his understanding was correct, and stressed the necessity for furthering study of the question. Later KONOYE asked KIDO about a HIGASHIKUNI cabinet, and KIDO said he was considering it carefully.

30973 *After further deliberation, KIDO decided to recommend a policy against HIGASHIKUNI as succeeding Prime Minister. Advocates of a HIGASHIKUNI Cabinet had all different motives. There was no doubt that KONOYE wished for HIGASHIKUNI as Prime Minister to restrain the army and avert war. As for the army, even granted that TOJO agreed with KONOYE, it was doubtful the real motives of the young military. The possibility of availing themselves of HIGASHIKUNI's emergence as Prime Minister and dragging the country into war was in full evidence, especially since the Prince's entourage included many dangerous elements. While HIGASHIKUNI was talented he lacked political experience, making it impossible * for him to grasp the complicated situation. The result would be that HIGASHIKUNI would be a mere figurehead and actual power would be assumed by the Deputy Prime Minister, which would probably be concurrently assumed by the War Minister. The possibility of averting war would be very small under a HIGASHIKUNI Cabinet.

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30975 If war broke out, direct responsibility would be borne by the Imperial family. KIDO's outlook was that no optimism should be warranted for a Pacific war, but a very pessimistic view should be taken. Should the worst happen, he thought the Imperial family might become the target of hatred by the people and the question of national policy would be involved. The only case permitting a cabinet formed by a prince of the blood would be 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 reorientation of policy.

At 4:00 p.m. the same day, KONOYE told KIDO he would have to resign as a breach between him and TOJO had reached the point where TOJO did not wish to speak with him. In response to KONOYE's request for KIDO's opinion about a HIGASHIKUNI cabinet, KIDO repeated what he had told SUZUKI. When KIDO spoke with MATSUDAIRA, he too strongly objected to such a cabinet. In the afternoon of the 15th, KIDO spoke with SUZUKI again trying to find out TOJO's real intention and requested SUZUKI to find this out and report. KONOYE joined us then and said he had seen the Emperor who would approve a HIGASHIKUNI cabinet if the army and navy would first agree on a peaceful policy. Later SUZUKI reported that TOJO wanted to establish harmony between the army and navy by the influence of HIGASHIKUNI. KIDO told him he objected as a peaceful policy should first be agreed upon.

30979 * KONOYE telephoned KIDO to say he wanted to secure an informal consent of HIGASHIKUNI, but KIDO answered it would be too early to do so, though he had no objection to him as long as his action was in capacity as Premier. At midnight KONOYE sent a report that HIGASHIKUNI had asked for a few days' consideration, * and a meeting with TOJO and KIDO.

30981 A cabinet change at that time presented a crisis. To meet it successfully, it was necessary to comprehend fully Japan's situation in world affairs. KIDO spent sleepless nights in an endeavor to find a solution which would avert a catastrophic war. Foremost was the negotiations with America. An atmosphere was being created, partly due to militarist propaganda, for making the people keenly feel pressure from the so-called ABCD encirclement line. The news from abroad was stimulating the nerves of the Japanese people and the young military and naval officers, who had secured * the 6 September decision, proved a powerful driving force for an ominous situation.

KIDO realized it would be well-nigh impossible to form a cabinet aimed at effecting a volte-face, nor would it be possible for anyone not acquainted with the circumstances to form a cabinet, since serious

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difficulty would be experienced in appointing the war minister, just as UGAKI had found out some years prior. Troops having been sent so far as Southern French Indo-China, nobody could tell that if the army got out of control an untoward incident might not occur. But if it took a long time in forming a new cabinet, KIDO was afraid the country might be plunged into confusion which might develop into civil war. The military might resort to anything, as they were in high spirits with their armaments replenished, if the government made a bid for a volte-face. In such eventuality the negotiations with America would have broken down.

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* On the morning of 16 October 1941, SUZUKI called on KIDO (Exh. 1151), who opposed a HIGASHIKUNI cabinet because a prince's cabinet should be carried out only when unavoidable. A member of the Imperial family should never be asked to overcome the obstacles that then existed. Formation of a HIGASHIKUNI cabinet would indicate they lacked suitable person among the subjects, and great problem would be created if war with the United States broke out under such a cabinet. There were important reasons why even KONOYE was prevented from carrying out * the policies decided at Imperial councils, and if they asked a member of the Imperial House to assume a responsibility he could not fulfil, the Imperial House would become an object of public hatred.

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On the afternoon of 16 October, KIDO was asked by TOJO for an interview, receiving him in the official room of the Lord Keeper. TOJO repeatedly stressed that the time had come, there was no course left to Japan but to carry out the 6 September decision. KIDO replied that it was needless to say that the decision of the Imperial conference was extremely important, and therefore must be respected and executed, but asked TOJO if it was not proper to reconsider in case there was any point manifesting want of care therein, because he thought the decision was careless. KIDO drew TOJO's attention to the report that the navy necessarily had no confidence. TOJO agreed, adding the decision could not be executed as it was, though he did not receive such a report about the navy.

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*TOJO said that if things could not go on as they were, it would be difficult for the KONOYE cabinet to handle the situation, and he thought there was no alternative but to petition a prince of the blood. KIDO asked if that meant the army had decided to change its past policy and that a prince would be petitioned to dispose of the aftermath, as such a volte-face could not be affected by a subject.

TOJO replied in the negative, adding that a prince would be petitioned to form a cabinet for the purpose of deciding on future policy. KIDO strongly objected, stressing that a cabinet headed by a

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prince of the blood should not be formed except when the country decided on an absolute peaceful policy. When TOJO asked KIDO what would become of Japan then, KIDO replied that Japan might become a third-or fourth-rate power if what he was doing was persisted in, and pointed out that the least Japan expected was true amity between the army and the navy.

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* The interview with TOJO lead to no definite results, but KIDO thought that if he talked to KONOYE and he exerted a little harder, a way out of the difficulty might be found, judging by the interview with TOJO. KIDO lost no time in telephoning KONOYE, who, however, had been making his cabinet tender their resignations, and KONOYE tendered his resignation the same evening.

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* As KIDO thought a succeeding cabinet headed by a prince of the blood would not receive Imperial sanction before the government had established an absolutely peaceful policy, KIDO consulted KONOYE after KONOYE resigned, telling KONOYE that the 6 September decision was "cancer" and should be scrapped so as to start afresh. For the purpose, one fully acquainted with the whole circumstances must undertake formation of a new cabinet. If one not acquainted with those circumstances, which were kept secret, attempt to form a new cabinet, there was no doubt he would meet with army opposition. Therefore, KIDO thought there would be no other course but to make OIKAWA or TOJO form a new cabinet and told KONOYE to that effect, pointing out the good and bad features of either's appointment. Since TOJO had disagreed with KONOYE, it might be taken as a surrender if TOJO were appointed. But if it were offered * to OIKAWA, because the navy did not want war, the army might react stronger.

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If TOJO were selected and ordered to disregard the Imperial conference, 6 September decision, 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. KONOYE agreed and said that Japanese forces were as far south as Southern French Indo-China. If the army got out of control, no one could tell what situation might be precipitated by troops on the spot, and they might eventually drag Japan into war. To avoid this, TOJO, who had the army in hand must be made to undertake the formation of a succeeding cabinet, especially since he did not advocate immediate war with America, judging by his most recent remarks. As TOJO said that Japan would not be able to wage war if the navy had no confidence, it would not mean opening hostilities, even if he organized a new cabinet. A way out of the difficulty might be found if the Emperor granted a message to TOJO on this point when the Emperor commanded him to form a succeeding cabinet.

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KIDO asked KONOYE to give this matter further thought. * Recalling the interview with TOJO, KIDO noticed he became more thoughtful, as it did not seem he would necessarily advocate war if the navy opposed it. A change had apparently come over his thinking in the last few days. Another reason was his character, for since appointed War Minister, TOJO much respected Imperial wishes. This is one of the reasons why TOJO was pressing for the execution of the 6 September decision, which was held in the Emperor's presence. If the Emperor ordered it scrapped and review the situation on a fresh basis, KIDO had confidence that TOJO would change his policy in pursuance of Imperial wishes, as the backbone of his contention would be gone, for it would not be obligatory to execute the decision, and it had become clear that it would be difficult to carry out the past policy.

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KIDO understood that cynical criticisms were rampant among foreign residents in the country, and 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 by the General Staff of the army. In deference to these criticisms, KIDO thought that if the army was made to conduct state affairs, and if the cabinet formed under the army itself, undertook to adjust relations with America, American misgiving might be dispelled.

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* On the morning of October 17, KONOYE telephoned KIDO that it was his opinion that TOJO would be a better choice as Prime Minister than Navy Minister OIKAWA provided he was given an Imperial command to scrap the 6 September decision and use his efforts to effect cooperation between the army and navy and strive for peace. KIDO did not discuss TOJO's appointment with either TOJO or OIKAWA before the meeting of the Senior Statesmen, and so far as KIDO knew, TOJO never knew he was going to recommend him. MATSUDAIRA was of the same opinion as KONOYE and KIDO.

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Several days after the 17 October conference (Exh. 1154), KIDO dictated a resume of it * which showed that KIDO stated to the conference that since the present cabinet change was complicated, he intended to invite KONOYE to give an explanation. But KONOYE had just sent word he was ill and unable to attend, but nevertheless he would send a document which KIDO would read.

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This document of KONOYE's*stated that the 6 September decision had provided that in case there was no prospect for contentions being accepted through diplomatic negotiation by early October, the government would immediately make up its mind to open war with America,

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30993 Britain, and the Netherlands. The army held that there was no prospect of their conditions being accepted and it is a natural conclusion, based on the 6 September decision,* to make up its mind for war at the middle or late October. Whereas the government contended the current situation of the negotiation could not be regarded as having no prospect of being accepted and, further judging by the notes exchanged with America and other information, the United States also desired the negotiations brought to an amicable conclusion. The real intentions of Roosevelt and Hull had been obscured by misunderstanding and misgiving, for instance army units in North French Indo-China had increased piecemeal since early October, though this was done in accordance with treaty provisions.

30994 Therefore the government held that if more time was given, it could not be thought hopeless to bring negotiations even with the terms then submitted to America. If the army modified its terms* the government had believed that there was hope even then for an amicable end of the negotiation.

30995 * Attention must be paid to the fact that the army, which in pursuance of the demand from the Supreme Command, had been urging the government to make up its mind by early October as decided by the Imperial Conference, was then pressing the government to do so by the middle of October, and at the latest by the end of October, otherwise the army warned the government that it would be extremely disadvantageous in prosecuting war. The negotiation with America was still on the way.

30996 It could not be imagined that America's real intentions had already been clarified, but difficulty which had been so far experienced could 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, and (3) The question of commercial nondiscrimination in the Pacific area. * Those three difficult points centered in the question of withdrawing troops in China, and their stationing there might be said to be the only difficulty in the negotiation.

The army's contention as to this was Japan's terms of peace with China as submitted to America were extremely generous, demanding no territorial annexation or reparation. However, communistic and other lawless agitations were rampant in the interior of China, thus menacing the security of both Japan and China. It was therefore necessary for economic development, as well as for peace and prosperity of Japan and China, to station Japanese troops in designated districts for a prolonged time to carry out joint defense. But the troops might be

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withdrawn following the settlement of the China Affair with the exception of those needed as mentioned. According to the army's contention, stationing of troops in China was necessary. * Therefore, this was the first basic principle, because it was the only result of the China Affair. Should the affair be settled on the basis of troop withdrawal, without permitting troops stationed at designated districts, the army could not acquiesce, for this was the army's heart, without which defeatism would spread.

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America's real intentions with regard to troop withdrawals had not yet been manifested. It was not thought impossible to have the terms accepted by America if only time were given for negotiation. America's contention had been so far regarded as follows: that troop withdrawal should be accepted by Japan in principle. It was not necessarily clear if America would recognize the stationing of troops, but judging by past negotiation, there was a point-giving impression that America would not pursue an attitude * flatly refusing the stationing of troops. America wanted to ascertain Japan's sincerity concerning troop withdrawal. The government's stand on this quest on was that negotiations with America should be kept up, with more time granted for the purpose. Japan should demand the right to station troops in view of the necessity, but should this question become the key to the success of the negotiations, how about accepting withdrawal of troops in principle and formally making a concession to make an arrangement for having Japan's stationing of troops virtually recognized by America?

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* Regarding the view of the government and army on war, pointing out that it had become almost impossible to import military supplies since the freezing of assets, the army held that if the situation was allowed to take its own course, Japan would become impoverished. She would not be able to counter it, even if America brought pressure to bear, nor would she be able to rise in self-defense. The army further contended that there was some risk, but if the nation united there would be no occasion for anxiety because they had their own weakness just as Japan did. The army held that if too generous terms were offered in settling the China Affair through the intermediary of America, it would deepen China's contempt and it might be necessary to launch a second punitive expedition within three years. To this fact the Prime Minister held it would be impossible for anyone who keenly feels the growing heavy responsibility since the outbreak of the China Affair * to plunge into a big war in the midst of the China Affair. A dwindling of war supplies since the American freezing of assets might represent the steady impoverishment of Japan, but with regard to securing oil resources, it was problematical whether Japan would be able to expect

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her desired volume of oil in a year or two, even if she conquered the Dutch East Indies, because destruction and risks of oil transportation must be considered. If it was planned to increase synthetic oil instead of going to war, it would 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 1944. Due to the China Affair, national resources were drained and popular morale was lax. Therefore KONOYE believed that at this juncture, Japan should settle the Affair by some means and steadily foster her resources by going through hardship and privation with the navy as her hope.

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* The Navy's view was that Japan was at a cross-roads. If it was to be settled through diplomacy, she must stick to diplomacy to the finish. It was impossible to go to war after two or three months diplomatic negotiations on the ground there was no chance of success for diplomacy. Since it was the government that decided on diplomacy or war, it must be left entirely to the Premier. There was a strong opinion in Navy circles that war should be avoided as far as possible, and the best must be done to adjust relations through diplomacy.

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* As regards the development of diplomatic negotiations with America in mid-April, Under-Secretary Welles submitted the draft understanding to NOMURA, telling him relations would be able to be adjusted if points concerning the attitude of the two powers toward the European war and their relations to the China Affair were clarified. Japan's counter proposals were sent, after approval by a Liaison Conference in mid-May.

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Late in June, the U. S. submitted counter proposals, and the opening of the German-Soviet war added to the gravity of the situation. * Japan sent troops to South FIC in accordance with treaty provisions, whereupon America froze Japanese assets. In mid-July, Japan sent her reply to the American proposals of late June, but the second KONOYE Cabinet resigned before it was handed to the U. S. In early August the third KONOYE Cabinet proposed a personal interview between Roosevelt and KONOYE for heart to heart talks, and in late August KONOYE sent his personal message to Roosevelt.

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An "Outline of Execution of the Empire's National Policies" was decided by the September 6 Conference, but it was clear that the outline aimed at settling the question with America and Britain through diplomacy, and that * recourse to war might be added only when there was no chance of success for negotiations. Early in September he hastened the Roosevelt-KONOYE interview, and Japan submitted to the U. S. matters which might form a basis for the interview.

On 20 September, Japan collected the proposals and counter proposals, submitting them to the U. S., and in acknowledgement the U. S. sent an aide-memoire on October 2. With regard to the aide-memoire, a divergence of views developed between the government and army, one holding there was no chance of success for the negotiations, while the other refused to believe this, contending the negotiations be kept up or their terms modified.

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* After the KONOYE message, which was read by KIDO to the statesmen, the affidavit continued with a resume of the proceedings of the Conference. WAKATSUKI said advocates of war with America often based arguments on the danger of resources being gradually exhausted. Nothing could be more dangerous.

HARA said the oil situation was the gravest of the situation. He was told the Navy stock would last two years, but he would like to know how much oil the Army had. OKADA said that no matter how long they might discuss the oil question, it would afford no conclusion.

31006 ABE said these were extremist views or those desirous of prolonging negotiations or permitted by the same sentiment on the question of oil. He wondered how deeply the Premier had pursued this subject. * KIDO said it seemed KONOYE had duly pursued this study, but had not been able to handle the question fully. WAKATSUKI said the decision of the Imperial Conference should be respected, but its handling was totally legalistic. * Even if there was little hope of attaining the objective through diplomacy, was it wise to wage war at once? He asked if it was not proper to pay more political consideration to the question.

31007 OKADA stated that the Navy contention that if they went by treaties, everything must be regulated by treaties might be admissible. KIYOURA asked why the government must decide its attitude at once, when the Ambassador abroad said there was a chance of success. KIDO said, as for that point, the Imperial Conference fixed the date of decision in early October. There had developed a divergence of views between the government and army, and he thought the government could not help being pushed to the wall.

31008 ABE noted that, as KIYOURA pointed out, it was incomprehensible why the government had to quit when there was a chance of success. KIDO said that point was difficult to understand. America, who believed Japan was dominated by the Army, would not reveal her real intentions so easily. * KONOYE wanted to meet Roosevelt and decide policies on broad lines first and thereafter upon details. Herein lay the divergence of views. While America's final reply had not yet been forthcoming, the date of the Imperial Conference was fast approaching.

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WAKATSUKI pointed out that the China Incident was already four years old, and asked how long they thought the war with America would last. YONAI replied that the Navy said Japan would win in a war with America, which meant it would win if it fought the American fleet in the Pacific. No one could tell when such an engagement would take place. Endurance was another question.

HIROTA said that since they were in the midst of the China Incident, he thought politics must be conducted with the intentions of the Imperial General Headquarters at center. KIDO said that since they were in a time of war, it was needless to say that the intentions of the fighting services were important. When a question such as risking national existence was concerned, a perfect agreement between the army and navy was essential.

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ABE said that the present moment called for a certain influence rather than a specific man, and HIROTA stated that the backing of the army and navy was necessary. OKADA said it was necessary to have a man who would be able to bring the army and navy into harmony. HIROTA asked if it was not necessary to ask Imperial Headquarters desires. HARA asked if HIROTA meant to have the Supreme Command recommend the next Premier, and HIROTA replied that he thought that might be one of the plans worth studying. OKADA questioned its advisability. KIDO thought that to make the Supreme Command recommend the next Premier was a question to be studied cautiously. The Supreme Command might be embarrassed, as it might not be able to recommend a Cabinet. HIROTA agreed.

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* HAYASHI said it was necessary to establish teamwork between the army and navy and cooperation between the government and Supreme Command. How about asking a prince of the blood in naval service to form a new cabinet? YONAI doubted the practicability of this. KIDO said that this had been proposed in certain quarters. The proposition might be practicable if the army and navy worked together. If the services of an Imperial Prince were desired as a step towards cooperation between the two services it might be practicable, but the prevailing situation had not reached that stage, and it would be a serious question to ask an Imperial Prince to tackle this question. * People might wonder if subjects lacked talents. Should the new Cabinet formed by an Imperial Prince decide to wage war, he would be called upon to tackle a question so difficult that even a statesman of KONOYE's character had failed to manage it. Should he fail, the Imperial Family might be denounced by the people, and KIDO could not agree to the plan.

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31012 WAKATSUKI asked KIDO for his view on a succeeding Cabinet. KIDO thought it might be best for the Emperor to command TOJO to form a Cabinet. Paradoxical as it might sound, * the poisonous and irradicable difficulty was the decision of September 6. On this point, he had an exchange of views with TOJO, the result being to ascertain that the army was aware it would be impossible to wage war without the navy's determination. The army could not help proceeding in accordance with the September 6 decision unless the navy manifested its intention to modify the decision. When real cooperation between the army and navy was still not forthcoming, the September 6 decision was hurriedly made. He thought it would be most practicable to command TOJO to form a succeeding Cabinet on the part of the Emperor, and the same time order him to effect cooperation between the army and navy and re-examine the Imperial Conference decision, as TOJO was fully acquainted with the development of the situation and had the difficulty of attainment keenly driven home to himself. Even if an inactive general or admiral was commanded to form a new cabinet, there might be an unexpected result if his * formation of a Cabinet was restricted by a section of the public with the Imperial Conference decision.

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31014 KIYOURA said that as for a cabinet formed by an Imperial Prince, he thought HIGASHIKUNI would not be proper. It might be proper for a military representative to form a new cabinet. WAKATSUKI thought KIDO's idea was reasonable and he should like to recommend UGAKI, but would not do so because UGAKI was in the same cabinet with him. UGAKI might be one of the most powerful candidates, though it would be embarrassing should the militarists oppose him as before. KIDO also thought UGAKI one of the most powerful candidates, but some time before UGAKI had declined the order to form a succeeding cabinet due to military opposition. * KIDO's sense of responsibility dictated caution. KIDO had not yet explored that ground, but according to the Chief Secretary, if UGAKI was commanded, KIDO thought there might not be such opposition as before. Nevertheless, there had not yet been created in the army an atmosphere in which to extend full support to UGAKI, and he believed it would be extremely difficult for UGAKI to restrain the militarists.

31015 WAKATSUKI * asked what others thought about UGAKI. ABE said UGAKI used to be looked upon as an influence by other than military circles, since it was desired to restrain the army. UGAKI's name impressed one as the very man for curbing military demands. Therefore, it might be difficult for UGAKI to control the situation.

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31016 OKADA said he had no intention to say anything personal against TOJO, but the Cabinet might be regarded as having been overthrown by the Army, and he was skeptical as to whether it would be proper for the Emperor to command the War Minister representative of the Army to form a Cabinet. KIDO said his version was different. TOJO's attitude at present * was different from the attitude of HATA under the YONAI Cabinet. On the basis of a survey of the truth of the case, it could not be said that the Army alone was to blame. OKADA said that the army embraced a vigorous opinion. The Lord Keeper said the Army fires the rifles from the rear, but he was afraid it may develop into a gun.

KIDO said there was occasion for worry on that point, but the question was how useful Navy strength would be. YONAI asked if KONOYE did not quit because the Navy was not only ambiguous in its attitude, but unreliable. KIDO said this could not be said so clearly. An agreement between the army and navy and a re-examination of the Imperial Conference decision must be the foundation for saving the situation. It might be a good idea to make the Navy Minister undertake the job, as he stood for prudence, but OKADA thought it would not be absolutely proper for the Navy to recommend a new Premier from among its leaders, and YONAI agreed.

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* OKADA thought UGAKI might be a good candidate if military circles became reconciled to him. WAKATSUKI said if TOJO was chosen he thought a bad impression might be created abroad. HARA said if it was to be arranged as KIDO stated, he thought it might be necessary for the Emperor to show the course of action clearly in issuing the Imperial Command, and KIDO thought he would pay full consideration to that point.

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HIROTA asked if it was the Lord Keeper's plan to make the Premier concurrently assume the portfolios. KIDO replied yes, and HIROTA said then it would be all right. ABE supported KIDO's plan. KIDO asked if OKADA, besides WAKATSUKI, recommended UGAKI. * OKADA replied that he had not necessarily recommended UGAKI, but thought there were some points in the Lord Keeper's plan to cause worry. HARA said that while the plan could not be said to be satisfactory, since there was no other they could not help but proceed with it. KIDO said he understood their views and would report them to the Throne and obtain Imperial sanction.

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The affidavit continued, and KIDO pointed out that he had been charged with being present at and concurring in the decisions taken at the October 17 Conference, but no decision was taken then. He listened to the Senior Statesmen's opinions and expressed his opinion, but it was subsequent events which led to war. In recommending TOJO, neither the Statesmen nor he had any intent to do anything or had any opinion that they were doing anything preparing for or leading to war. They hoped that the recommendation of TOJO would avoid war.

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KIDO reported the results of the Conference to the Emperor, recommending TOJO. * Since it was difficult to settle the situation by merely setting up a new Cabinet, he asked the Throne for special instructions to be given upon issuance of the Imperial Command to TOJO, and later to OIKAWA, to make clear the Imperial wish for closer army-navy cooperation and disregarding the September 6 decision. The Emperor gave his consent. KIDO waited for TOJO and OIKAWA, and after their audience with the Emperor conveyed to them the Emperor's wish. He told them he presumed they had just received the Emperor's words in regard to army and navy cooperation. He was commanded to convey to them the Imperial desire that careful consideration be given to studying both the internal and external situations more profoundly, regardless of the September 6 resolution.

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* The Imperial instruction to TOJO was that he had been commanded to form a new Cabinet and would observe the Constitution. TOJO would see to it that cooperation between the army and navy would be made closer than ever. The Emperor intended to tell this to OIKAWA by calling him in later.

The Imperial instruction to Navy Minister OIKAWA stated that the Emperor had called in TOJO, commanding him to form a new Cabinet, and told TOJO that the country was in a serious situation and he must see to it that army and navy cooperation was made closer. OIKAWA was to exert himself in conformity with this wish.

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* The prosecution contended that it was significant that KIDO rejected the appointment of UGAKI, but as shown at the Senior Statesmen's Conference, only WAKATSUKI favored UGAKI, and only HAYASHI suggested a prince of the blood. What UGAKI might have done was problematical and speculative. It was the opinion of KIDO and others that he would not have been able to form a Cabinet, or if he did there would have been revolution and war would have resulted. KIDO did not suggest TOJO until he was asked his opinion.

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31027 On 17 October, Prince KANIN asked KIDO to submit to the Throne a memorial having TOJO remain in active service and promoting him to full general. * He merely acceded to KANIN's request to do this. (Exhibit 1155).

As a result of the formation of the TOJO Cabinet, TOJO, in obedience to the Emperor's instructions, canceled the September 6 decision and set about re-examination of it. This eased the tension for war, and the Emperor was exceedingly glad.

KIDO had only one motive in recommending TOJO, and that was to avert war with America, and he sincerely felt that war had been averted. (Exhibit 1156).

The Emperor's words, "Nothing ventured, nothing gained", expressed that he was pleased that he had succeeded in making those with strong opinions give in to his own ideas to avert war. KIDO told the Emperor that one mistaken step might have needlessly plunged them into war, and that the recommendation he made was the only choice possible.

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* After the Cabinet formation, TOJO devoted his all to the negotiations with America. When TOJO was asked why he had concurrently assumed the portfolio of Home Affairs, TOJO told KIDO that if the negotiations with America were amicably concluded, he was afraid the country might be plunged into confusion, in which eventuality he would like to assume responsibility for peace and order. KIDO heard from both KAYA and TOGO that when they asked TOJO if the Cabinet would be a War Cabinet, he assured them his cabinet would not be such but would devote all its efforts to adjusting relations with America.

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* TOJO made efforts to overcome the difficulties in negotiations with America by holding Liaison Conferences day after day, and proceeding to the Palace almost every other day to report to the Emperor. He came to KIDO's office after such audiences, telling KIDO of these reports.

The TOJO Cabinet settled the pending questions from various angles. On 29 October, SUZUKI reported the progress of the Liaison Conferences, (Exhibit 1162), and told KIDO that the Conference was generally taking a course toward evading war.

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At that time it seemed the fighting services were pushing war preparations. KIDO knew that if they were to come to an understanding with America, all-out efforts should be put forth with no bluff. * When he interviewed TOJO on October 29, he drew his attention to this.

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TOJO, who apparently took a different view, told him that negotiations would be brought to an amicable conclusion only when they manifested their firm determination, and that preparations for both peace and war were necessary.

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With its study mostly concluded on October 31, the government undertook to reach a conclusion. On that day, after TOJO conferred with the Emperor, he reported to KIDO on the progress of the Liaison Conference, telling him that from the next day the Conference was going to enter on the final stage of discussion. Then and also on November 2, TOJO told him he wanted to avoid war as much as possible, but as a result of studying the situations the government would be called on to prepare for both peace and war, especially since consideration would have to be paid to a rupture in the negotiations. * Therefore, KIDO knew the government was preparing for both peace and war since October 31, and it was the fundamental attitude in which the government faced the Imperial Conference decision of November 5.

As exhibit 1168 showed, the Conference decided Japan's policy toward the U. S., Britain, and the Netherlands according to the principles studied by the Liaison Conferences. KIDO was not present at the Imperial Conference, and after it TOJO told him of its results with little details. He told him a final effort would be made for settling the negotiations by sending KURUSU to America, and on the other hand the Southern Army should be organized in the event of a rupture. KIDO listened without comment.

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* The war party in Japan, which mistook the emergence of the TOJO Cabinet for the opening of hostilities, was in high spirits for a time, but when it was disillusioned the atmosphere overnight became very ugly, and KIDO's police guard was increased and he had to follow a different route to and from office. The situation showed no easing, and the solidarity of the young officers was tightened, and an atmosphere was created in the fighting services opposing army and navy leaders' policies for adjusting relations with America. News from America became inflammatory, stiffening the military attitude, * and propaganda was spread that if Japan further dilly-dallied she would be attacked by America. KIDO strove to prevent a Pacific war, and on November 19 counseled the Emperor to deprecate strongly entering into war with the passing of the end of November as if it were a routine matter, but instead handle the situation cautiously. (Exhibit 1181).

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31034 KIDO advised the Emperor that when the Premier asked his final decision, the Premier should be ordered to hold the council in the Imperial presence with all Senior Statesmen participating. KIDO felt that the fact that November was ending did not warrant the inevitability of war, and that re-examination should be made of the November 5 decision. * He thought he could bring the negotiations to an amicable conclusion by invoking Imperial intervention. The situation failed to show improvement, while foreign news became more stimulating.

The Emperor asked him to seek the views of the Senior Statesmen on November 26, and KIDO replied that the Emperor's decision this time would have a final one, and it was desirable that every measure be taken so the Emperor might not be sorry for it later, and he counseled him to issue commands to TOJO freely.

31035 As exhibit 1190 showed, KIDO met Privy Council President HARA regarding a Senior Statesmen's Conference, * and that in the audience with the Emperor, the Emperor feared that the worst might come to the worst, recommending another Senior Statesmen's Conference. Whereupon, KIDO stressed the finality of the decision and prayed that the Emperor command the Premier without reserve.

31036 * Exhibit 2249, a telegram from NOMURA to KURUSU on 26 November, received in the Foreign Ministry on the 27th, suggested that if the condition did not change, negotiations must be given up, and they were humiliated by their lack of influence, and the only way to bridge the difficulty would be to let Roosevelt cable the Emperor. The telegram also discussed occupancy of NEI, and ended with a wish that the telegram be shown to the Lord Keeper. KIDO never saw this telegram, and had no recollection of ever talking to TOGO about it. If he did talk to KIDO about it, it must have been after receipt of the Hull message of the same date. If TOGO spoke to him about it, it must have been very slightly, and after TOGO consulted TOJO. KIDO had nothing to do with TOGO's answering telegram of November 28 and never saw it until the trial.

31037 * The formula for saving the situation by invoking Imperial intervention was found impossible when Japan received the Hull note of November 26. The American proposal was so strong and so beyond the pale of contingencies anticipated by KIDO, and the government said it was tantamount to an ultimatum.

Page Pursuant to his suggestion to the Emperor on November 19, the Senior Statesmen met on November 29 and listened to a full report by TOJO on the development of negotiations. The meeting was not attended by the Emperor nor KIDO, but the Senior Statesmen, some Cabinet members, and KIDO lunched with the Emperor, and KIDO learned what had transpired in the morning.

31038 * After luncheon, the Emperor had an hour's meeting with the Senior Statesmen, at which TOJO and others from the government were present, and KIDO attended solely to be at the Emperor's service, but did not participate nor say anything. The meeting was different from the Senior Statesmen's conference for the selection of a new Premier, and they gave their unreserved views. After the luncheon, the Senior Statesmen resumed their meeting with the government from 3 p.m. until 4. Neither the Emperor nor KIDO attended, but KONOYE told KIDO what transpired.

31039 * Exhibit 1196, the diary entry for 29 November 1941, showed that KIDO conferred with the Grand Chamberlain at 10 a. m. It had been arranged that the government would hold a round table conference to discuss the American negotiations. The conference lasted longer than anticipated, and it appeared they discussed all questions seriously.

31040 * From about 2 p. m. for about an hour, the Emperor listened to the Senior Statesmen's opinions.

WAKATSUKI said he was not worried about the people's spiritual strength, but in the matter of materials the question of whether they could stand a long range war deserved careful study. OKADA thought they were truly confronted with a critical situation, and he was concerned with whether they could put full confidence in their ability to supply necessary materials. While there was a government explanation a short while before, he was not still convinced. HIRANUMA stated he agreed with WAKATSUKI on the spiritual strength of the people, but if after they had been engaged in war four years things developed into a protracted war, hardships and privations would become necessary and efforts to brace up public sentiment would be necessary.

31041 * KONOYE deeply regretted he had not been able to do anything toward adjusting Japanese-American relations, but expressed his appreciation for the zealous efforts of the present Cabinet. To his regret, he was forced to conclude on the basis of that morning's government explanation that further continuation of negotiations would be hopeless.

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He asked, however, if it was necessary to resort to war at once, even though negotiations had been broken off. Would it not be possible, while carrying on things as they were, to find a way later out of the deadlock? He thought he would like to question the authorities on this point later.

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YONAI prayed that they might take care not to lose everything by trying to avoid becoming poor gradually. HIROTA said that after having talked on conditions of each of the world powers since World War I, Japan had adopted every means to avoid the intervention of Britain and America into the China Affair. * In spite of this, the diplomatic situation had become serious. According to the government's explanation, they were face to face with a diplomatic crisis. Though this had a close relation to the strategic moment, he thought the true intentions of both sides in negotiations were only revealed after several crises, and asked why they should hastily rush into war immediately after being confronted with the present crisis. Granting that war was inevitable, he believed they should be on watch to seize the opportunity for a solution by diplomatic negotiations, even though blows had been exchanged.

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HAYASHI said he thought there was no alternative but to rely on conclusions of the Cabinet, after cooperation and study with headquarters. ABE said that according to the government's explanation, it seemed that the continuation of negotiations would be difficult, and he believed they could not expect anything further from the Cabinet, as they appeared to have studied matters from every angle, * but it would be necessary to take the Chinese people's attitude into account.

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WAKATSUKI wanted to say that if it was necessary for the preservation and self-defense of the Empire, they must rise to arms even though they could foresee defeat, since it was dangerous to execute state policy or use national strength to achieve such ideas as the establishing of a Greater East Asia Co-Prosperity Sphere or "The Stabilizing Power of East Asia".

After the conference concluded KONOYE came to KIDO, and they conversed on relations with America. * All the Senior Statesmen expressed cautious and prudent opinions with respect to any decision regarding war. He had been charged with being present at and concurring in the decision of November 29, but he was present only at the one hour meeting with the Emperor, Senior Statesmen, TOJO and others, which was called primarily for the Emperor to hear the opinions of the Statesmen.

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TOJO spoke briefly, and KIDO could not recall what he said other than that war was inevitable. No decision was made at this meeting, and it was reported to him that no decisions were made at the other two meetings either, and he was not present at them.

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* On November 30, the Emperor summoned KIDO and said that Prince TAKAMATSU had told him that the Navy appeared to oppose war, and wanted to know the Navy's real intention. * KIDO advised that the Emperor's decision was of such gravity that if once decided it could not be later retracted. Hence if there was the least uncertainty, every possible precaution should be taken, and requested that the Navy Minister and Chief of the Naval General Staff be called to ascertain Navy intentions, and that the matter be conveyed to the Premier also.

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After the Emperor's conference with the two Navy representatives, KIDO was called in and told to instruct TOJO to proceed as planned. The prosecution contended that the Emperor told KIDO that in view of the fact that the Navy Minister and General Chief of Staff had given affirmative answers as to the success of war he had told * the Premier to act accordingly, but as was shown above, the Emperor's instructions were to proceed with the Imperial Conference, not the war.

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On December 1, the Council in the Imperial presence decided on war with America, and TOJO called on KIDO to consult about the Imperial Rescript on the declaration of war, where the words "at last" appear in exhibit 1210. These words were not an expression of expectation, but of finality.

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* On December 6, the Cabinet Secretary consulted KIDO on the wording of the Imperial Rescript, and KIDO offered his suggestions. Exhibit 1220, the diary entry for December 7, showed KIDO conversed with HOSHINO, who reported to him that the Rescript had been corrected in accordance with the suggestions he had given to Cabinet Secretary INADA. They discussed nothing else.

At 12.40 a. m. on the morning of December 8, TOGO telephoned KIDO and said that Ambassador Grew had brought to him a telegram from Roosevelt addressed to the Emperor, and asked for KIDO's advice in handling the message. KIDO told him he thought TOGO should talk with the Premier about it, and did not believe the Emperor would mind being disturbed at midnight. At 1.30 a. m. Imperial Household Minister MATSUDAIRA also called about the telegram. KIDO was notified that TOGO had proceeded

Page to the Palace, so he went there at 2.40 a. m., but only spoke for a few minutes. KIDO did not see the telegram, nor did TOGO tell him of its contents, and KIDO went home, arriving there at 3.30 a. m. He heard nothing in advance about the dispatch of a telegram to America in connection with the breaking off of Japan-American negotiations. The next morning a little after six o'clock an aide-de-camp telephoned him about the naval attack on Hawaii, but did not go into details. This was KIDO's first information about the Pearl Harbor attack. He did not know in advance it was to be attacked, nor knew of any plan to do so. These were all military matters of the greatest secrecy, and he understood later that even military men in high places did not know of the attack before it occurred, which was not unusual due to the fact that KIDO and other court officers were not in sympathy with war with America and were not taken into the confidence of the naval officials.

Furthermore, after the assassination of the Lord Keeper in the February 26, 1936 Incident, the Emperor advised the Lord Keeper on matters pertaining to the High Command as little as possible to avoid any implacation that the Lord Keeper was interfering in military operations.

31050 * Before leaving his home, KIDO heard over the radio about the attack. On his way to the office, where he arrived at about 7.15 a. m., (Exhibit 1239), he was naturally thinking of the attack, and as a patriot wished for its success. Again, in exhibit 1239, he used the word "Iyo Iyo", meaning "certainly", and not the word "Tsuini" (at last), although the prosecution used the words "at last" to indicate he knew of the attack before it occurred. The words used in the diary did not connote waiting, and he did not so express himself. After December 7, KONOYE and he continued to confer.

31051 * Once the war was commenced, the people were intoxicated with the initial victories, and an outcry was raised against KONOYE, accusing him of evading the responsibility of opening war. This weighed on KONOYE's mind, and he confessed he wanted to give up the peerage and retire from active service, but KIDO advised him that this was too rash and the time would come when he would have to exert himself again.

31052 * On December 18, (Exhibit 1269), TOJO visited KIDO, mentioning the need for controlling discussion about KONOYE, but this was a mistranslation and it was KIDO who mentioned this to TOJO.

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31059 These pronouncements captured the people's fancy, and they reposed greater confidence in the fighting services. KIDO and others were not aware that special training had been gone through by army and navy units, and was all the more surprised at the big successes. Neither was the Emperor aware that such elaborate training had been undergone as the fighting forces had announced, and the Emperor was not free from uneasiness. * Later, however, army and navy leaders seized every occasion to report to the Throne on the special training undergone.

KIDO was skeptical, that even if picked troops had gone through elaborate training, they could not maintain successes for long. The result was uneasiness, that a difference in the resources of the contending countries would eventually tell. KIDO thought it would be no easy task to terminate the war easily.

31060 As exhibit 1985 showed, Imperial Household Minister MATSUDAIRA called on KIDO on March 13, 1942, about the speech delivered by British Foreign Minister Eden, who referred to violence committed by Japanese troops on British POWs in Hong Kong. MATSUDAIRA thought they would have to pay considerable attention to this * problem, and KIDO reported this to the Throne, and the Emperor consulted TOJO. TOJO examined into things in Hong Kong, receiving a report that the treatment of POWs was just and fair. KIDO was relieved, and reported to the Throne, and believed the report.

31061 Quick successes in Java and Boendang intoxicated the people with victory, and no one thought of peace except for a very few. * SHIGEMITSU returned home from China, and on April 11 KIDO heard from him about the China situation. SHIGEMITSU disclosed that the actual situation was not developing as satisfactorily as the army claimed. He stressed the necessity for a reorientation of Japan's policy toward China, emphasizing that Chinese independence and sovereignty be recognized and China returned to the Chinese and the two countries work on a cooperative basis. KIDO approved SHIGEMITSU's moderate policy, promising to support it. KIDO thought it may be possible to settle the Affair, which might pave the way for ending the Pacific War itself.

31062 * On May 21, the Chief Aide-de-camp advised KIDO that the fliers who had raided Tokyo on April 18 had been taken prisoner in China and would be court-martialed in Tokyo. As this was a military matter, KIDO expressed no opinion, assuming they would be given a fair trial because the Emperor had previously reprimanded SUGIYAMA when he suggested immediate execution.

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* The Midway Campaign ended in a big failure early in June 1942, and Japan's fleet air force was swept out of existence. It was foreseen it would not be easy to build replacements and the necessity for seizing occasion at the earliest opportunity to save the situation was again brought home to KIDO.

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* At this time there were some in the intellectual classes who thought seriously about the necessity for hastening the return of peace. One of them was YOSHIDA Shigeru, who called on KIDO on 11 June 1942, telling him about a plan to have KONOYE go to Europe and sojourn in Switzerland so as to get in touch with leaders of various countries when opportunity arose. KIDO had no objection to YOSHIDA's basic idea to terminate the war as soon as possible, but told him he would like to think over the propriety of KONOYE's immediate visit to Europe. * YOSHIDA and KIDO pledged to do their bit for an early peace.

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Exhibit 1273, the diary entry of 1 September 1942, revealed the circumstances surrounding the resignation of TOGO from the TOJO Cabinet because TOGO objected to the establishment of the Greater East Asia Ministry. From the rationalistic point of view, KIDO did not dissent from TOGO's opinion but thought that the first thing to be avoided was a change of government for this would reinforce the enemy * and being desirous of evading a great political change, he used his good offices. Abolition of special service agencies in China was one of the purposes of the Greater East Asia Ministry.

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The court martial of American flyers was under the Chief of the General Staff. On 3 October 1942, TOJO told KIDO about the disposition of the American flyers, but KIDO was not told of any "treatment." TOJO told KIDO that he was advised that the death punishment would be inflicted, but that he caused the penalty for most of them to be reduced. At TOJO's request, KIDO reported this to the Throne, pending a report by Chief of Staff SUGIYAMA. KIDO knew nothing of the treatment of the flyers while they were prisoners.

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* The war situation progressed decidedly against Japan and the necessity for terminating hostilities was further driven home to KIDO and on 4 February 1943, he exchanged views with MATSUDAIRA at the request of KONOYE who had repeatedly stressed the necessity for ending the war without delay on the ground that the Communist movement would become recrudescent if the home structure were to be strained. MATSUDAIRA and KIDO shared KONOYE's concern and pledged with KONOYE that they would never miss the opportunity to terminate the war.

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* On 30 March 1943, at an audience with the Emperor, the Emperor expressed concern over the war situation and told KIDO about the necessity for terminating the war without delay. KIDO in reply stated his views on the basis of the talks he had had with KONOYE and MATSUDAIRA. On 20 April 1943, TOJO called on KIDO, telling him he had decided to reconstruct his Cabinet. As a result, SHIGEMITSU was appointed Foreign Minister. In SHIGEMITSU, KIDO found a partner to talk to about his peace moves and from then until the surrender he worked closely with SHIGEMITSU for ending the war.

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* SHIGEMITSU questioned Ambassador Stahmer on the status quo of Germany after Germany's submarine warfare began to lose its power. At this meeting KIDO confided in SHIGEMITSU his idea of peace moves, one part of which was army control through a Prince of the blood. On 14 May KIDO told Prince TAKAMATSU that in case there was a situation requiring peace moves, it would be most difficult to adjust the fighting services' demands and in such a contingency the Prince would be requested to double his efforts. He told TAKAMATSU that no solution would be

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* forthcoming unless a Prince of the blood intervened for the hardest task would be to reconcile the demands of the military with the peace terms. The turn of the year warranted no optimism and KIDO wrote a memorandum on the outlook of the war and a peace plan. On 6

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January 1944, he expressed to Chief Secretary MATSUDAIRA (Exhibit 1276) * that Japan should act on her own judgment in case Germany surrendered unconditionally, that if the so-called ABCD encirclement line was broken, Japan's war aim would have been fulfilled and therefore the Pacific War would be terminated by

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- Page making large-scale concessions. The Pacific question should be handled by a joint commission of Japan, the Soviet, China, Britain and America. The area under Japanese occupation should be demilitarized and the smaller Pacific nations be neutralized permanently, and the economic policy be based on liberalism and equal opportunity. KIDO also stated that Japan should devote the coming century to fostering her national resources at home and during this period she should cooperate with the Soviet and China to provide against a general attack (Summarizer's Note: Exhibit 1276 says Japan should cooperate with the Soviet and China against Britain and the U.S.) In other words, Japan should build up a defense to meet the changing circumstances. KIDO therefore arranged all his views and told them to MATSUDAIRA whom he asked to sound various circles about it. When he told the plan to SHIGEMITSU, his opinion was more pessimistic * and he said that unconditional surrender would be unavoidable. As a result, KIDO was silent on this particular plan to government circles.
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- 31074 * The failure in Saipan in June 1944 made KIDO think it extremely dangerous to be led by wishful observations. On June 26, KIDO talked to SHIGEMITSU about the outlook on the war and Japan's foreign policy. SHIGEMITSU and KIDO reached the conclusion that the government had no intention to take action while the fighting services were recklessly pushing the war and there would be almost no chance of success if peace moves were taken on these quarters. If the secret leaked out it would defeat the purpose and the fighting services would stiffen their attitude. *
- 31075 SHIGEMITSU suggested that the senior statesmen be made to serve the Emperor to strengthen the Court. KIDO replied it would be problematical whether senior statesmen would be able to render such services for they might further stimulate the public who might regard them as Japanese Badoglios. SHIGEMITSU and KIDO reached an agreement that there was no other course but to take action on the strength of Imperial decision, assuming full responsibility for the Imperial Court and Government.
- 31076 * On June 29, KIDO talked with Chief Secretary MATSUDAIRA and MATSUDAIRA, Tsuneo. At that time, KIDO

Page thought of peace moves the same as which he later took, aimed at negotiating directly with America by obtaining the Emperor's personal message. Senior statesmen became more active, but on the other hand the meeting of eight generals and admirals was reported. KIDO received visits in July from SHIGEMITSU, KONOYE, State Minister KISHI, and Home Minister ANDO, and he was aware of the strong indications of an imminent political change.

31077 * On July 3, Chief Secretary MATSUDAIRA told him that OKADA had called on HIRANUMA about the war's outlook. OKADA contended it would be necessary to change the Cabinet, while HIRANUMA held that a memorial be filed by the senior statesmen with the Throne in this connection. The situation became so bad that TOJO decided to reorganize his Cabinet again and he submitted his proposals to KIDO on 17 July. (Exhibit 1277)

31078 * KIDO made no comment about the policies of the Cabinet, the establishment of the High Command, changing the Navy Minister and strengthening the Liaison Conference. The same day the senior statesmen met and OKADA called on KIDO, reporting the agreement of views reached by them. (Exhibit 1277) * The informal decision of the statesmen was that to find their way through the difficult situation, the popular mind must be renewed and all cooperate to build a powerful national Cabinet. Partial reorganization would not be of any use.

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TOJO failed to enlist the services of ABE and YONAI as Cabinet members, while State Minister KISHI contended that since the Cabinet failed to reconstruct itself through the services of senior statesmen, it should resign.

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On 18 July, TOJO told KIDO he had made up his mind to carry out a Cabinet resignation en bloc. This surprised KIDO as it was so sudden, but KIDO refrained from comment as he thought a Cabinet change would be desirable * but he asked TOJO about his idea on a succeeding Premier. TOJO, apparently dissatisfied over the senior statesmen's attitude, replied that he thought their responsibility for the present change was heavy. They may have already formulated their own plan and therefore he did not express his views.

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31081 After the TOJO Cabinet's resignation, the senior statesmen met the afternoon of 18 July to select a succeeding Premier. At the meeting it was thought necessary to modify the TOJO Cabinet's policy of strong economic policy on one hand and on the other exercise sufficient political ability to grasp the trend of popular sentiments. It might have been suggested to select a Premier from among the civil services but no suitable candidate was found. Since the war was at its bitterest stage, the statesmen agreed to choose a new Premier from among the fighting services * and the choice was to be limited to one in active service. It was agreed that TERAUCHI and KOISO be chosen as the first and second candidates. Both YONAI and HIRANUMA recommended KOISO.

31081-103 (Exh. 1278. The diary entry of 18 July 1944, which set forth the Senior Statesmen's Conference, was read into the record. This is in evidence at Page 11377.)

31103 * KOISO, who was in Korea, was summoned and arrived in Tokyo on 20 July 1944. The day before, SUZUKI told KIDO about the political responsibility created by the recommendation of KOISO but KIDO did not retain an exact memory of this talk. (Exh. 1279) However, he referred * to a considerable fear entertained as to whether it was possible for KOISO to meet the situation successfully. KOISO's recommendation made on the Senior Statesmen's recommendation, aroused fear in political circles as to the possibility of his tiding over the difficult situation. KONOYE was of the opinion that after YONAI joined the Cabinet, he might not only help toward solving the problem of unifying the Supreme Command between the Army and Navy, but also make it possible to establish the national united front. KONOYE told KIDO that HIRANUMA approved his idea. KIDO also approved and requested Chief Secretary MATSUDAIRA to find out the views of the other statesmen and on 20 July MATSUDAIRA reported.

31105 ABE was the only one who disagreed to a KOISO-YONAI coalition cabinet. When KIDO reported to the Emperor, he approved of the coalition. * Later, the senior statesmen reconvened and KIDO explained the development regarding the coalition,

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Page and all concurred. KIDO later explained the situation to KOISO and KOISO and YONAI received the mandate as Premier and Deputy Premier respectively.

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* In addition to the conversation mentioned with SHIGEMITSU on June 26 about peace plans, KIDO had others in July. SHIGEMITSU's retention of the Foreign Affairs' portfolio in the KOISO Cabinet made KIDO reassured. SHIGEMITSU gave serious and earnest thought to mediation between Germany and the Soviet and the sending of envoys. As in 1943, however, Germany refused to pay attention to the question of peace with the Soviet, nor did the Soviet pay attention to it. KIDO remembered hearing from SHIGEMITSU that the Foreign Office received allied protest * concerning treatment of POWs through the Swiss Legation. SHIGEMITSU later assured KIDO that the Foreign Office immediately communicated with the Army, who reported either that the reports were untrue or that efforts were being made to ameliorate the situation. KIDO took it for granted that efforts were really being made. SHIGEMITSU advised that the military were not easy to deal with in regard to this and many other matters and it was necessary to use great tact and diplomacy. It was at the Tribunal that KIDO first heard detailed reports.

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* Early in 1944, when the war situation developed against Japan, many of the intellectuals felt deep concern and KONOYE, HIRANUMA, WAKATSUKI, and OKADA usually met once a month, mainly to exchange views on how to terminate hostilities. OKADA would tell Chief Secretary MATSUDAIRA about the meeting and MATSUDAIRA and KONOYE told KIDO about it.

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* In January 1945 the war situation in the Philippines became very grave and the Emperor asked KIDO if it was not necessary to seek the Senior Statesmen's views, and KIDO advised him that he should consult the Chiefs of the Army and Navy General Staffs, then members of the Cabinet, and then * an Imperial Council of Senior Statesmen, and the Cabinet should be convened. He told the Emperor that he wished he would observe the transition of the war situation for a few days at any rate.

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* On January 13th the Emperor again referred to a meeting with the Senior Statesmen after observing the situation in the Philippines and FIC. KIDO advised him that he would study these matters. He had been giving the question of how the Emperor could obtain the Senior Statesmen's opinion serious thought for a meeting with them at this time was fraught with danger if the military found out about it.

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* Since the Senior Statesmen shared the Emperor's solicitude, KIDO could not look on with folded arms and had to do something. After consulting Imperial Household Minister, MATSUDAIRA, he made arrangements that the Senior Statesmen be received in audience separately to submit their views to prevent military suspicion.

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* Thereafter, in February, HIRANUMA, HIROTA, KONOYE, WAKATSUKI, OKADA, TOJO and also MAKINO, had audiences with the Emperor to express their views. KIDO had a further talk with SHIGEMITSU about the prospects of the war.

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Meanwhile, the KOISO Cabinet was taking moves on Chungking for settling the China Affair, planning to open negotiations directly with Chiang Kai-shek. In early September 1944, the plan was referred to the Supreme Council for Direction of War, which decided on the guiding principle for the purpose, but no tangible result was produced. In March 1945, Premier KOISO sent Colonel YAMAGAYA to China to invite Liao Pin to Japan to open direct negotiations with Chiang. The adverse war situation in the Philippines must have been fully known to Chungking. It was beyond conception that China would make peace separately with Japan without consulting America and Britain. Further, Liao Pin was said not to be fully reliable. In consequence, SHIGEMITSU, SUGIYAMA, YONAI and Chief of Staff UMEZU were opposed to the projected peace moves toward Chungking, but KOISO was very enthusiastic and on April 2, reported to the Throne his plan for peace negotiations with Chungking through Liao Pin. * The Emperor referred the matter to the War, Navy and Foreign Affairs Ministers, as a result of which

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Page it was ascertained that the opportunity was not yet ripe and the matter was dropped. To cope with a sudden deterioration of the war situation, KOISO sought his reinstatement in active service and concurrent appointment as War Minister for redoubling his efforts for prosecuting the war, but the plan failed due to Army opposition. This and other reasons were responsible for the collapse of the KOISO Cabinet.

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* On 4 April 1945, KOISO told KIDO he intended to resign and explained his reasons (Exhibit 1281). At that time, feeling the necessity of taking immediate steps to end the war, KIDO considered this a golden opportunity. He had previously made known to the Chief Aide-de-Camp his intentions in the event of a Cabinet change and to meet with the two Chiefs of Staff and the War and Navy Ministers to find out what the Supreme Command was thinking. When KOISO mentioned he thought an Imperial Headquarters Cabinet should be formed, KIDO seized the opportunity to request permission from the Emperor that he would like to see the Ministers and Staff Chiefs prior to the Senior Statesmen's Conference. (Exhibit 1281)

31119

By an Imperial Headquarters Cabinet was meant a Cabinet in which the Premier assumed the power * of the Chiefs of Staff to direct the conduct of the war. KOISO resigned on April 4 and KIDO conferred with Chief of Staff UMEZU, Navy Minister YONAI, War Minister SUGIYAMA, and Navy Chief of Staff OIKAWA (Exhibit 1282).

31120

UMEZU did not stress the "need of a special cabinet" but doubted the practicability of a special cabinet. KIDO expressed no opinion. As a result of the conversations, KIDO ascertained that all of them generally opposed a change of the cabinet's character, holding that a clear line of demarcation be drawn between the High Command and the conduct of State affairs by the Government as done in the past. * It was highly problematical whether the adverse war situation would be retrieved even if a new Cabinet was formed under KOISO's conception. Judging by the home situation, the country could not afford to make such a trial. The necessity for a drastic reorientation was driven home to KIDO so he thought it dangerous to practice KOISO's idea. KIDO asked YONAI's opinion about a new Premier and he

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Page approved SUZUKI.

KIDO attended the Conference of Senior Statesmen that day, and they too opposed an Imperial Headquarters Cabinet and it was contended that a man free from any past commitment or a man capable of taking a long range view be selected and that the choice be not necessarily limited to an active general or admiral.

31121

* TOJO was the only exception, contending that HATA be chosen on the ground that the war situation had entered a state in which a decisive battle would have to be fought in the Japanese mainland and that the next Premier must be an active general or admiral. KIDO stated that if a decisive battle was to be fought in the mainland, it would be political power behind the gun that counted. Pointing out the Army's extreme unpopularity among the people, he said it would be better to choose a non-Army man, but TOJO would not yield, saying that if this was done, the Army might look the other way (meaning a coup d'etat). KIDO retorted that the nation would look the other way if an Army man was chosen. No conferee touched upon peace moves explicitly, fearing that in view of TOJO's presence, any tactless remark might stimulate the Army to an unscrupulous counter-measure. But all except TOJO had a tacit understanding of this point. * SUZUKI said he would like to decline the offer as Premier as he had never taken part in politics.

31122

Exhibit 1282 (admitted but not previously read) gave the full proceedings of the Senior Statesmen's Conference on April 5, 1945, attended by KONOYE, HIRANUMA, SUZUKI, HIROTA, KIDO, WAKATSUKI, OKADA and TOJO. After KIDO explained the political change and after passing KOISO's resignation around, TOJO said that the resignation stated that both the state affairs and supreme command required supervision. He asked what the meaning of this statement was, but KIDO said there was no explanation given by KOISO.

31123

* TOJO said that frequent changing of Cabinets in war time was deplorable. The next Cabinet should be the final one. There was on one hand the opinion

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Page they should fight to the last, and on the other an opinion to accept unconditional surrender. TOJO thought it necessary to decide on this first.

31124 OKADA said the new Cabinet should shoulder the destiny of the country and solidly combine the country's total power. War or peace could be determined only at a later stage. HIRANUMA said there was no way out but to fight to the end and that * problem was simple. He was bewildered by the sudden political change. He wished they could have heard the opinions of KOISO and YONAI, but it was too late and he suggested that they carefully discuss the problems presented. KIDO agreed and said it appeared for a time that a total resignation would occur but he had thereafter heard it was changed to a reorganizing policy, and both SUGIYAMA and HATA were to be transferred to C-in-C of General Defense Command and it became necessary to change the War Minister and ANAMI was offered the post.

31125 * KIDO said that to effect reorganization and then execute a total resignation later would betray the Army and that was why he made up his mind suddenly. OKADA asked how about discussing the total power of concentration and powerful cabinet. HIRANUMA said that formerly the Premier was first decided and that the Premier then recommended the Ministers to the Throne, but this time if the principal Ministers were not decided, the Cabinet would not be powerful.

31126 TOJO said that if they decided on the Cabinet Ministers, would it not mean that the Emperor would bear the responsibilities after the formation. HIRANUMA replied it would not be right for the Emperor to give orders directly and TOJO said they should avoid having the good and bad of cabinet formation falling back on the Emperor. HIRANUMA said that what he meant to say was that how about deciding it after soliciting opinions a little more. * HIROTA stated they must win by any means. All countries have at one time been on the verge of defeat and have rallied. The next Cabinet should fight through to win the war and he thought KIDO's action in interviewing Army and Navy authorities was appropriate, but perhaps their intentions should be ascertained a little more. KIDO said he had asked them considerably but there were no special opinions expressed.

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31127 HIRANUMA said that KOISO's Cabinet Formation was a failure and he should have consulted them a little more. KIDO agreed and said that in the case of the Lord Keeper, after making a recommendation, he was to keep his mouth shut regarding cabinet formation. * When it did not go well, he was criticized on his responsibility for recommending, and he believed the system ought to be corrected. (The translation of KIDO's last remarks is different in the Exhibit than in the Affidavit.) HIRANUMA said he thought it was unreasonable that the responsibility should be taken by the Lord Keeper alone.

31128 OKADA stated that some said that considerable surplus power still existed, but before amassing the total power,* unity among the leaders was desired, and it was necessary to study whether the previous procedure was right or wrong.

HIRANUMA noted that after a decision was made by them and the Lord Keeper informally reported to the Throne, a situation would develop where he could not interfere.

KONOYE said that although HIRANUMA was right, the problem was not what form it should be carried out, and KIDO said there were many who desired firmer unity among the leaders.

HIRANUMA thought it was better to have closer contact in the organization of the Cabinet and OKADA agreed. SUZUKI thought there was no necessity to limit the scope of the Emperor's summons and he would like to ask the Lord Keeper's opinion. He remembered that SAIONJI sought the advice of Count YAMAMOTO and Admiral TOGO, and asked if after obtaining the Emperor's consent, if they should solicit the views of MAKINO.

31129

* KIDO said that SUZUKI was right, but the procedure was different now and had been decided upon in accordance with the Emperor's desire, that the conference membership would consist of those enjoying full confidence of the Emperor and it would be impossible to request MAKINO's participation now.

HIROTA said that unification in the upper classes was necessary and he thought it would be better

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Page to have such a person as MAKINO participate. He asked that if in the case of Cabinet changes, would the Supreme War Guidance Council continue, and was the Premier's attending Imperial Headquarters permitted only to KOISO or would this continue.

31130 KIDO said that there were opinions that since the Premier attended Imperial Headquarters, the Council was unnecessary. * He thought hereafter the Premier would be able to attend Headquarters. TOJO said the Premier would attend as a participator in the War Council and would witness the manipulation of troops.

31131 * SUZUKI said that although he could understand the case of MAKINO, he would say that only when they included him, the scope would not become obscure.

WAKATSUKI did not understand the purport of the resignation and KONOYE said that since the case was so sudden, he had no idea to explain the character of the new cabinet. In regard to TOJO's opinion, it could not be decided while the Supreme Command was not represented. He asked how about limiting the field to military circles and whether it would be from the Army or Navy. TOJO said he did not mean that Premiers should be decided at the meeting but meant it should be submitted to the Emperor for preparation.

WAKATSUKI said the report of the Imperial summons was to have them choose a new Premier and he believed it was against the Imperial will to discuss things which TOJO had mentioned. To discuss whether they should fight to the last or seek peace was not the question for it went too far.

31132 * SUZUKI said that according to WAKATSUKI's opinion, they must fight the war to the end. He, too, thought this problem must be settled first and if the leader of the new cabinet did not possess this will, he thought he was unsuitable. WAKATSUKI said he thought he was requested to state his opinion regarding this but TOJO said it was not so, but was meant to be merely an assumption.

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KIDO said that when the situation was that the homeland was about to be a battle field, there was grave concern for the public did not always cooperate with government measures. The incoming cabinet must place confidence in the people. Lately, anti-militarism tendencies had appeared, and he thought this must be given careful consideration. HIRANUMA said that the basic idea was that imminent subjects should be responsible to the Throne.

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* WAKATSUKI pointed out that twenty years had elapsed since he had been Premier and while he was willing to take responsibilities, he believed he was unsuitable. If HIRANUMA's opinion should be adopted (selecting principal cabinet members beforehand) no one would accept the Premiership for it would thoroughly restrict his activities.

31134

KONOYE said that on the previous occasion, the matter of state affairs and supreme command was also the focus of consideration and for this purpose a military man was thought to be most appropriate. He asked if it would not be better to use the same process. WAKATSUKI noted that he was the one who had before suggested it but the purport of the resignation was different.* KIDO said that KOISO's resignation was but an expression of his opinion and it did not necessarily mean they should stick to it.

HIROTA declared it was better to have either the War or Navy Minister as Chief of the new Cabinet. HIRANUMA said that they must have a person who would fight it out and they could not recommend any peace advocator. He could not voice any opinion if it meant that all they had to do was to appoint a Premier and leave the rest to him. He was strongly opposed for peace and cessation of hostilities.

In the manifestation of whole national strength, influential civilians must be employed.

KIDO said they must have a system whereby the people would follow them.

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* HIRANUMA asked if KIDO meant the Premier must be an active soldier. HIROTA said that difficult situations might arise if the Premier was not a soldier on active service, but that was not always necessary if he was authorized to present himself at Imperial Headquarters.

HIRANUMA said that at least he must be in the first or second reserve, but SUZUKI said the Premier need not always be a soldier. HIRANUMA said that unless the Premier was a soldier, he did not understand war. The premise was that if it was to be fought, it must be fought out.

OKADA said that it seemed that the character of the Premier was distinctive. KONOYE said they could conclude that he must be a soldier in the first or second reserve who would fight it out.

31136

* HIRANUMA hoped no one would say it was improper as WAKATSUKI had said.

WAKATSUKI said he feared he might say something thoughtless. The question was not of the man who would fight it out to final victory. If they proposed peace, it would lead to unconditional surrender. HIRANUMA thought they needed an Army or Navy man but not necessarily one in active service.

WAKATSUKI said the fundamental principle had been clarified but how about its application, and HIRANUMA asked for KONOYE's opinion. KONOYE said a person that had no connection hitherto should be recommended and HIRANUMA added that he must also be one who could be relied upon by the people.

WAKATSUKI noted that on the previous occasion it was decided to name a man from the Army. Today it could be either from the Army or Navy and he asked OKADA's opinion. OKADA merely said that a competent man could be selected.

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* When WAKATSUKI asked if KIDO approved this measure, KIDO said yes. He wanted all to state their unreserved opinions.

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* SUZUKI asked how it would be if the previous Senior Statesmen made an effort. The resolution to die fighting for the Emperor was necessary. Since the Premier must be physically strong, he suggested KONOYE. After that, all would try, and how about the four trying first. He had heard that HARA had also made this suggestion. KONOYE said that it differed from the aforementioned fundamental principle. HIRANUMA said the candidate should be a military man and he agreed with KONOYE that the new Premier should be one with no previous connections. With the purport of winning the people's confidence, he wished to have Admiral SUZUKI accept the Premiership, and asked if they should appoint him after consulting them. He thought it was proper to have him appointed by submitting the Ministerial Scroll to the Emperor without consulting him, and KONOYE and WAKATSUKI agreed. *

31139

SUZUKI said that he believed that for soldiers to meddle in politics was to ruin the country. As a matter of principle, he was prevented from entering politics. Moreover, his hearing was bad and he begged to decline. HIRANUMA said that a man without involvement was desirable, and that while SUZUKI was a soldier, he enjoyed the Emperor's deepest trust as a civil official. The nation believed he had no involvements and he was a man of loyalty.

TOJO said that SUZUKI's attitude was fine. The enemy was getting bold and was likely to attempt a landing and home defense would become vital. Here the Army must be considered as the principal body, and they must have an active soldier, and he believed HATA would be suitable.

HIROTA thought a central figure in the armed services should take the post. That had been his wish always. Anyone who could control both the Army and Navy would do.

After KIDO asked OKADA's views, OKADA said he could not state it, because he knew nobody. HIROTA said that at this grave time, State Ministers should be appointed by Imperial order, meaning designation by name. He doubted if it was a procedure suited to

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Page the consent and believed it proper for the Emperor to make direct appointments without consultation with the persons concerned.

31141 * There was no need of having the consent of the person. WAKATSUKI asked if he meant they shouldn't accept their private consent, and HIROTA replied he didn't mean they must not accept.

KIDO said that since Japanese soil was on the verge of becoming a battle field, strengthening the government had become more necessary and a Cabinet with the people's confidence must be established. He thought TOJO's opinion was plausible and personally hoped to have SUZUKI rise to the occasion.

31142 TOJO said that at present when the land was about to be a battle field, they must take special care or else there was a fear that the Army might take an aloof stand'ng. If the Army took an aloof standing, the Cabinet would collapse. KIDO said it would be grave if the Army took an aloof standing and asked if there was any omen or premonition of it. * TOJO said he could not say there was none.

KIDO repeated that anti-militaristic sentiments were quite strong and there were possibilities of having the people take an aloof standing.

OKADA asked what was meant by an "aloof standing" to a person who received the Imperial Command. He wondered whose responsibility was national defense, was it not the Army and Navy. TOJO said that because of that apprehension he had said take care.

WAKATSUKI said if there was such apprehension, it was a serious matter, and believed that so far as the people were concerned, there wasn't any such thing. The Emperor did not attend the meeting outlined in Exhibit 1282. Because SUZUKI had stated he would like to decline the offer, KIDO invited him to the audience chamber, entreating him to accept if he was commanded by the Emperor. KIDO dwelt on the gravity of the war situation,

Page alluding to the necessity of a volte-face in policy. SUZUKI said he fully understood and said if he was commanded by the Emperor, nothing else would be his mission. KIDO was greatly reassured. SUZUKI accepted the Imperial Mandate after KIDO explained the meeting of the Senior Statesmen to His Majesty and had recommended SUZUKI.

31144 Within a month of the formation of the SUZUKI Cabinet, Germany surrendered. Up to this time, it was thought it would be open to criticism from the point of view of international faith to make peace proposals on the Emperor's part * since Japan had concluded a non-separate-peace treaty with Germany. Now that Germany was gone, KIDO believed it would be desirable for the Emperor to make his mind up at this junction.

31145 * The critical war situation in Okinawa and the bombing attacks in the Japanese Mainland caused great concern to the Emperor, and he asked KIDO if there was any way to retrieve the situation, and KIDO understood that the Emperor also asked SUZUKI the same question. However, the Cabinet took no special measure but events took their own course. On April 21, when the new Foreign Minister TOGO called on him, KIDO had the first of a number of discussions on the peace question, and many called on KIDO to express their views.

31146 * The SUZUKI Cabinet decided to open the Diet early in June. In view of the fact that a strong war sentiment used to be the keynote of previous Diet speeches, KIDO did not think the Diet held at that juncture would have a desirable effect on the outside world as it would hamper peace moves. Prior to the Diet's opening, however, the military petitioned the Emperor for an Imperial Conference in connection with the future direction of war. The military did not mean to terminate hostilities but instead wanted to continue war-like operations to make a bid for a decisive battle on the mainland while admitting difficulty in prosecuting the war. The Imperial Conference was held on June 8 and on that date, KIDO made up his mind and drafted a tentative peace plan to save the situation.

31147 * This draft concluded that it was apparent that the fighting at Okinawa would end adversely to Japan in the very near future. Statistics for national

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Page power revealed that after the latter half of the year they would practically completely lose power to prosecute war. He was not in a position to judge the enemy's future strategy, but judging by the formidable air power displayed, it would not be difficult to make a holocaust throughout the country.

31148 * If his assumption was not grossly mistaken, a keen shortage of food and clothes would appear after the latter half of the year, causing social unrest which might get out of control. He thought Japan was called upon to take a resolute move for restoring peace. It was most certain that it was the enemy's major object to overthrow the so-called gumbatsu or militarists.

31149 * He believed that the orthodox way of opening negotiations would be to propose peace on the part of the fighting services, and then decide on a peace plan and open the negotiation on the part of the government. But it would be almost impossible to do so at this juncture. If they waited for an opportunity to become ripe, it might become possible too late and Japan might share Germany's fate. He believed there would be no other course but to petition for Imperial intervention and take peace moves by ending hostilities in accordance with the following policy.

31150 * Negotiation would be started with the intermediary power in pursuance of the Emperor's personal message. It might be a good idea to open negotiations direct with America and Britain if possible, but more advisable to ask the Soviet to mediate.

The keynote of the Emperor's message would follow that of the Imperial Rescript on the Declaration of War, emphasizing the Emperor's constant concern for peace, etc. If guarantee was obtained that the Pacific be made true to its name, in view of the object of Japan's Declaration of War, Japan would renounce her right of occupation and claim of leadership for the occupied area if only those nations and peoples attained their independence. The armed forces in those areas would be withdrawn at Japan's own initiative.

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* Japan must be prepared to make a pretty heavy armaments reduction. There would be no alternative but to be content with a minimum armament for national defense. He showed this tentative peace plan to Chief Secretary MATSUDAIRA on June 9 and previously had been secretly in touch with KASE of the Foreign Office and MATSUTANI of the War Ministry in connection with peace moves. It was necessary, therefore, to seek their views. The same day he had an audience with the Emperor * reporting on a tentative peace plan and obtained sanction to consult the Premier and War, Navy and Foreign Affairs Minister. The Emperor was greatly satisfied with KIDO's plan and commanded him to set his hand to the plan immediately.

31152

The Diet was in session, so that the Premier and other Cabinet Ministers were very busy, so he refrained from approaching them. The Diet closed on 13 June 1945 * and he talked with Premier SUZUKI and Navy Minister YONAI. He stressed to YONAI that a survey of the war situation showed no time was to be lost. YONAI entirely agreed but complained that the Premier's real intentions were not yet fully known and therefore he could not launch a peace movement while he was a Cabinet Minister. Pointing out that he had an appointment with Premier SUZUKI later, he assured YONAI he would ascertain the Premier's real intentions and pledged with YONAI to be in closer touch henceforth.

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* He saw SUZUKI that afternoon and asked him how long he thought Japan's fighting power would last. SUZUKI replied that August would see a sharp drop in Japan's fighting potential. Thereupon, KIDO told SUZUKI his idea and the details of his report to the Throne which was approved by the Emperor. KIDO's appeal struck a sympathetic note in SUZUKI who pledged to do his bit. KIDO told him about the interview with YONAI and said YONAI was afraid the Emperor might be vigorous in his sentiment. SUZUKI said he had thought the same of YONAI.

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* On June 15, YONAI told KIDO that he had advised SUZUKI to strengthen his determination and KIDO told YONAI of his own interview with the Premier.

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He also interviewed TOGO and asked him to formulate a definite plan and told him of his own plan which was approved by the Emperor.

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In principle, TOGO was not opposed to the plan * but pointed out the vigorous war decision recently adopted at the Imperial Conference, he wondered how to adjust the peace plan without fearing that the Foreign Office would be in a difficult position. KIDO was unaware of the Imperial Conference decision but this impelled him to an extraordinary determination. Assuring TOGO he would do his best to facilitate the Foreign Minister's work, he requested him to formulate a definite peace plan without delay.

31157

On June 18, KIDO asked War Minister ANAMI's approval of the plan. * ANAMI agreed as to the outcome of the Okinawa campaign and the war's outlook, but argued it would be better to take peace moves after dealing the enemy a telling blow in case he undertook landing operations on the mainland.

KIDO replied that the enemy would not hurry to undertake landing operations, but prior to doing so, would make a holocaust, demoralizing the Japanese. When American deployment was completed preliminary to landing operations, their terms would not be easy and Japan would have no other course but to fight to the bitter end, and in such eventuality there would be little hope of safeguarding national polity.

31158

It was with difficulty that KIDO persuaded ANAMI to approve. Although he tried to keep his efforts for peace secret, the Army suspected what he was doing and there was talk that they wanted to * oust KIDO as Lord Keeper, and on June 18, ANAMI spoke to him about this.

31159

* That same day SUZUKI called a meeting of the Supreme Council for Direction of War to discuss terminating hostilities, and SUZUKI told KIDO about the meeting on June 20. The War Minister and Army and Navy Chiefs of Staff expected much of the imminent battle on the mainland, arguing it would be better * to start peace negotiations on top of military achievements. It was understood, however, that all agreed that efforts be put forth to seize an opportunity for restoring peace. KIDO reported to the Emperor on

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Page what SUZUKI had told him. He suggested the Emperor to summon a Supreme Council for Direction of War and command them to end the war, especially since TOGO felt so apprehensive about the recent decision of the Imperial Conference.

31161 * On June 21, after talking with KONOYE on the necessity for an early peace, he also talked to the Emperor, advising him he should state that the previous decision of June 8 should not hamper peace efforts. On June 22, he arranged to call the Council * and they were summoned when the Imperial wishes for terminating the war were conveyed to them.

31162

The same day the Emperor spoke to KIDO on the meeting of the Supreme War Directing Council, saying the basic policy for directing the war had been decided on at a previous council. It was decided that they should study concrete means, unhampered by tradition.

When the Emperor asked for the Premier's opinion, he replied that measures would be taken as the Emperor desired. YONAI said he had the subject in mind at the previous council but that the time was now pressing for its quick realization, and TOGO endorsed YONAI's statement. The Emperor asked Chief of Staff UMEZU his opinion and UMEZU answered that though he had no objection to the plan, great caution must be used to carry it out. Thereupon the Emperor asked if in being too cautious, they might miss the chance. UMEZU answered that they needed promptness.

31164 * On June 25, KIDO obtained HIRANUMA's approval of a tentative peace plan. Prior to this, at GOGO's instance, the government opened secret negotiations with the Soviet Ambassador through HIROTA, but no progress was made. The Supreme Council for Direction of War had been studying peace terms but no agreement was reached. KIDO urged SUZUKI and TOGO to hurry up.

On July 3, KIDO asked the Grand Chamberlain to submit his views to the Emperor that it would be proper for the Emperor to urge the Premier to hurry up.

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31165

* On July 7, SUZUKI reported to KIDO that he had just been summoned by the Emperor, who asked him how the negotiation with the Soviet was getting along. The Emperor said it would not do to miss the opportunity of sounding the Soviet's real intentions and asked how about asking her for her mediation and sending a special envoy. It could be seen that the Government was too much engrossed in sounding the Soviet's real intentions with result that the peace negotiation made no progress, but with the Imperial reminder to SUZUKI, the negotiation apparently got underway.

31166

* The Government referred the question of sending a special envoy to the Soviet Union to the Supreme Council, which decided that KONOYE be sent.

On July 12, after SUZUKI had told KIDO about his audience with the Emperor, regarding sending an envoy to the Soviet, KIDO had another audience with the Emperor, submitting his views on the question as to who should be present at the audience to be granted to KONOYE.

31167

* Later, the Emperor told KIDO about his audience with KONOYE. The same day, earlier, SUZUKI called on KIDO, telling him that he had talks with the Foreign Minister TOGO about the special envoy to be sent to the Soviet, but he should like to enlist KONOYE's services. It would be better for the Emperor to command or ask KONOYE * directly to accept the special mission than to waste time in persuading KONOYE to accept. KIDO told SUZUKI that the Emperor was now so enthusiastic over the matter that he had made up his mind to send his personal message. KIDO had approved this proposal.

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When KIDO reported to the Emperor on the matter in advance, the Emperor approved it and decided to summon KONOYE that afternoon and later KIDO suggested that KONOYE be received without anyone being present * but the Emperor remarked that it was formerly established that audiences be granted to those other than State Ministers in the presence of somebody else. In the case of KONOYE, therefore, there would be no necessity for it, and the Emperor took his suggestion.

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Later in the morning, SUZUKI told KIDO about the cable to Ambassador SATO in Moscow regarding dispatch of a special envoy. It was suggested by SHIDEHARA and others to defer the communication of the name of the special envoy and the Imperial message. The Premier expressed a desire that the Emperor seek KONOYE's views on ending the war and asked him to accept the possible offer in the event of a special envoy being sent, thereby reserving some latitude for his choice.

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Later in the day, KIDO informed KONOYE of the progress of affairs, and prior to KONOYE's audience with the Emperor KIDO proceeded to the Throne, reporting on the matter of which SUZUKI had spoke that morning. After KONOYE's audience with the Emperor, he told KIDO that he had said to the Emperor that he had recently heard explanations from Army personnel on the possibility of the execution of the war. The explanations might not be wholly groundless, but Navy explanations suggested the untrustworthiness of Army figures. The public's morale was not high, and the only remaining hope was that the Emperor do something. * Moreover, there were signs showing resentment toward the Emperor, and KONOYE believed it imperative to end the war as early as possible. The Emperor then remarked that he had the intention to send KONOYE to the Soviet as a special envoy, and KONOYE accepted.

After this KIDO saw the Emperor, who told him he had disclosed his opinion to KONOYE, and KONOYE had replied it was necessary to end the war. When the Emperor asked KONOYE if he would go to the Soviet, KONOYE had replied he would do so.

31172

One day before the departure of Stalin and Molotov for the Potsdam conference, the government's instructions reached the Japanese Embassy in Moscow. * No definite reply was received from the Soviet that it would give its reply after Stalin and Molotov's return from Potsdam. Thus, prior to the Soviet reply, the Potsdam Declaration was issued, and KIDO foresaw the peace problem would be difficult.

31173

On August 6 the atomic bomb was dropped at Hiroshima. Japan had been on tip-toe, expecting a Soviet reply, but this was nullified and the Soviet declared war on August 9. That morning KIDO advised the Emperor there was no alternative but to accept the Potsdam Declaration and end the war. * The Emperor commanded KIDO to talk with Premier SUZUKI.

31174

* To SUZUKI, KIDO stressed the necessity for making peace by taking advantage of the Potsdam Declaration, asking him to explain to the Senior Statesmen the situation in advance, for the Emperor wanted to seek their views. SUZUKI left, saying they would like to decide Japan's attitude by holding a meeting of the Supreme Council for Direction of War.

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31175

* Later in the day SUZUKI reported that the Supreme Council discussed acceptance of the Potsdam Declaration on four conditions: 1, Preservation of the Imperial House; 2, Withdrawal of Japanese troops on Japan's own initiative; 3, Those responsible for the war to be dealt with by the Japanese Government; 4, No guarantee occupation to be carried out. (Exhibit 1283).

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* Later, TAKAMATSU expressed fear that a conditional acceptance might be regarded as a refusal, and KIDO reported TAKAMATSU's apprehension to the Emperor. The same afternoon SHIGEMITSU urged KIDO to act tactfully, contending the peace negotiation was sure to break down if Japan submitted the four conditions. That evening KIDO had further audiences with the Emperor. At this time the Cabinet, being unable to arrive at a decision to accept the Potsdam Declaration on the sole condition of preservation of the Imperial House, decided to submit it to the Emperor for decision.

31177

* Premier SUZUKI told the Emperor to hold an Imperial Conference and permit Privy Council President HIRANUMA to attend. This Council was held from 11.50 p.m. August 9 to 2.20 a. m. August 10, when it was decided to accept the Potsdam Declaration on the sole condition of re-affirmation of the Emperor's sovereignty and the Imperial House, the draft plan prepared by Foreign Minister TOGO.

31178

* At the close of the Imperial Conference, KIDO heard from the Emperor the Imperial decision, which stated that the Army vigorously advocated the necessity for a decisive battle on the homeland, but beach fortifications were not completed nor army equipment complete, nor was aircraft production going on smoothly. Such being the case, how could they win the war?

31179

The Emperor could not bear the sight of their loyal troops being disarmed, or those responsible for the war being punished, but he did think it was time to bear the unbearable, * and approved the draft plan. In the afternoon the Senior Statesmen, HIRANUMA, WAKATSUKI, OKADA, KONOYE, HIROTA, TOJO, and KOISO, were received in audience by the Emperor, and KIDO also attended. * That evening KONOYE told KIDO he was disturbed by the proclamation of War Minister ANAMI.

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- 31181 On August 10, atomic bombs were dropped on Nagasaki. This, together with the Soviet entry into the war, shocked the nation and imparted a powerful stimulus to moves and counter moves between the peace and war parties. KIDO foresaw the difficulties, and thought there was no course but to broadcast an Imperial Rescript terminating the war, and consulted Imperial Household Minister ISHIWATA, who approved the proposal. * KIDO then petitioned the Emperor to approve the proposal, and the Emperor assured him he would broadcast the message in time.
- 31182 On the afternoon of August 10, KIDO again called on ISHIWATA and discussed preparations for the broadcast. No reply was received from the Allies on August 11. Meanwhile, Marquis TOKUGAWA sent KIDO a letter emphasizing the country could not be saved except by a revolution carried out with the Imperial standard unfurled. * In the afternoon KIDO called ISHIWATA, suggesting that the Emperor broadcast the Imperial Rescript terminating the War, and he also submitted his views to the Emperor. Later, KIDO again called on ISHIWATA, telling him the Emperor would be ready to broadcast his message at any time. * Afterwards, the Chief of the Metropolitan Police and Premier SUZUKI talked with KIDO.
- 31183
- 31184 On August 12, the Allied reply was received, and Foreign Minister TOGO submitted it to the Throne. After the audience, TOGO anxiously told KIDO that opposition to a reference in the Allied reply as to the free will of the people might raise its head on Japanese anxious to guard the national polity. KIDO asked TOGO the Foreign Office's interpretation of the paragraph, and TOGO said they saw nothing objectionable. KIDO thought it would not do to let their moves be swayed by the opinions of individuals, and they must abide by the interpretation of the responsible authorities. Not only the paragraph in question became a serious issue, but also the military stiffened since the Allied reply was received. On the afternoon of August 12, HIRANUMA expressed his opposition to the paragraph, * and KIDO replied that it would be better to trust the Foreign Office authorities. At 6.30 p.m. TOGO again called on KIDO and KIDO was surprised to learn that SUZUKI, too, approved HIRANUMA's opinion and felt uneasy about concluding the peace negotiation. Should the negotiation break down, KIDO thought Japan would have to face a situation far worse than if she had gone on fighting to the end. He felt called upon to do everything to make the government proceed toward the peace goal.
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31186

At 9.30 p. m. SUZUKI told KIDO of the consultations he had had and seemed much annoyed by those jealous * of safeguarding national polity. On the basis of his careful study, TOGO assured that there was nothing objectionable in the paragraph in question. SUZUKI therefore thought that there would be no alternative but to trust their interpretation. Should the Potsdam Declaration be refused and the war continued, there would be further sacrifices. Even if a disturbance occurred through acceptance of the declaration, they should have only to throw away their lives. Without hesitation, SUZUKI said, they should carry out the policy to accept the Potsdam Declaration.

31187

KIDO was greatly reassured at SUZUKI's reply. The High Command began to stiffen its attitude, and difficulty was experienced in opening a meeting of the Supreme Council for Direction of War. * The same afternoon the Emperor summoned the princes of the blood, asking them to unite solidly and assist him, and they agreed to do so.

31188

* Early on the morning of August 13, War Minister ANAMA called on KIDO, contending that paragraph 4 of the Allied reply could not be accepted as it was, or Japan would be ruined, and safeguarding the national polity would be impossible. KIDO replied that according to the Foreign Office interpretation, there was nothing objectionable in the paragraph, and as for the other parts of the Allied reply they were inevitable in view of the circumstances. If Japan refused to accept, there would be no valid reason for her doing so and the Allies would find it impossible to understand why Japan changed her attitude. Not only the Allies, but the whole world would criticize the Emperor. They must act in pursuance of the Imperial decision and accept the Allied reply.

31189

* They reached no agreement of views, although they agreed on the necessity of safeguarding the national policy. A meeting of the Supreme Council was not held on August 13 in spite of SUZUKI's extraordinary efforts. This delay stimulated the Allies, who speculated that Japan might eventually refuse to accept.

31190

On the morning of August 14, KIDO learned that aircraft were dropping handbills containing the Allied reply throughout the country. He saw that if Japanese troops saw the handbills they would feel indignant. Therefore, KIDO went to the Emperor and submitted his views, urging him to command the government to go through formalities * for ending the war. The Emperor had identical views.

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31191

KIDO asked Premier SUZUKI the progress of the peace plan, and was told that the High Command did not yet approve of the convocation of the Supreme Council. The Army contended that it be convoked after 1 p. m., but the Navy did not even manifest its attitude on the question. KIDO stressed to SUZUKI that there was no alternative but to petition the Emperor not only to convoke a joint Imperial Conference of the Cabinet Ministers and Members of the Supreme Council, but to command the termination of the war and drafting an Imperial Rescript ending it. SUZUKI approved KIDO's proposals, and KIDO jointly petitioned for an Imperial audience with SUZUKI. * At the audience, SUZUKI reported on the day's happenings, and petitioned him to convoke an Imperial Conference. It was convoked for 10.30 a. m., but got under way about 11 a. m., when it was finally decided to terminate the Pacific War.

Following the joint conference, the government pushed preparations for ending the war, which were submitted by the Premier to the Emperor at 8.30 p. m., and obtained Imperial sanction. Then, preliminary to the broadcast of the Rescript, the Emperor had the message recorded on a phonograph disc.

31191

The policy of terminating the war was thus decided upon, but whether it would be carried out without hitch caused apprehension, for the Army's attitude was the most important factor. KIDO conferred with the Grand Chamberlain and the Chief Aide-de-Camp, and it was decided, if necessary, to petition the Emperor to issue a precept to the Army and Navy, and KIDO requested the Chief Aide to ascertain the attitude of the fighting services ministers. In reply, the Aide said the ministers did not see any necessity for such a step.

31194

* On the evening of August 14, KONOYE reported that he heard the Imperial Guard Division was rebellious, but KIDO doubted this. When KIDO later met SUZUKI, SUZUKI replied that he did not hear such a rumor.

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* During the night, KIDO found that the rumor about the rebellion in the Guard Division was true, and that the Division had cut off the communications of the Imperial Household Department, and that the Imperial library was surrounded. KIDO sensed it was a very serious situation, and took refuge in an underground vault with the Imperial Household Minister. Although the Household Department was completely isolated from the outside world, it later transpired * that the only direct telephone circuit between the office of the Naval Aide and the Navy Office was left intact, so that communication was maintained and arrangements made.

31196

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As a result, Commander of the Eastern Army TANAKA, Seiichi, came to the Household Department to control the rebels, and all returned to their barracks in obedience to his commands. That morning, KIDO learned that the rebels had searched his office for him a half dozen times after he took refuge in the underground vault, and intimidated an official of the Office of Lord Keeper to force him to confess KIDO's whereabouts.

31197

The object of the rebel force was to seize the phonograph record of the Emperor's Rescript terminating the war. * but the record was safe, so that at noon an Imperial Rescript was broadcast to the people.

At 4.30 that same morning KIDO's home at Akasaka was raided, and they searched for him. SUZUKI thought he had fulfilled his mission when the Rescript was broadcast, and therefore tendered his resignation. In the afternoon, the Emperor commanded KIDO to select a succeeding Premier, and in reply KIDO said he would do this after consulting HIRANUMA, without calling a conference of Senior Statesmen. HIRANUMA and KIDO agreed that there would be no subject capable of tiding over the critical situation, and especially in view of the future attitude of the army and navy agreed that Prince HIGASHIKUNI be petitioned as the new Premier, with KONOYE assisting him. This was reported to the Emperor, who gave his sanction.

31201

* The same gang which had raided KIDO's burnt home at Akasaka went to the residence of WADA the next morning, asking for an interview with KIDO, for KIDO had been staying there. Their plan seemed to advise KIDO to commit harakiri, and to kill him if he rejected their advice.

31203

The morning of August 16, HIGASHIKUNI was commanded to form a new Cabinet. KONOYE accepted HIGASHIKUNI's request to become his adviser. * The morning of August 17, HIGASHIKUNI submitted a list of his Cabinet personnel to the Emperor, who approved it, and that day the HIGASHIKUNI Cabinet took the first step toward peace. Thus, the war was brought to a termination, together with KIDO's fight against the militarists. It was unprecedented in history that a power engaged in a conflict of such a scale should make an unconditional surrender without remarkable confusion in its wake.

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31204

* When the adverse turn of the war became known to the people, opinion gained strength among intellectuals that those close to the Throne be strengthened, or the office of Lord Keeper, and some called on KIDO urging its necessity. KIDO understood their deep concern that the Emperor be advised to act wisely, but did not follow their advice, believing that in the worst eventuality Japan would not be saved except by Imperial intervention. To facilitate this, he was convinced it would defeat the purpose if Senior Statesmen were assigned close to the Throne, because Imperial intervention would be misunderstood as machinations of those close to the Throne, and there would be every probability of internal strife being let loose. Therefore, KIDO did not reveal his real intentions except to a very few, and kept his silence. This accounted for various criticisms heaped upon him, but all his trouble * must be regarded as amply rewarded, as there occurred no remarkable confusion after the war.

31205

In dealing with the delicate situation which he was called upon by his official duty to handle, he was able to do his bit for humanity, as well as for Japan. It was his inward satisfaction that he was instrumental in saving millions from war ravages and sparing the Americans thousands of casualties which would have been caused if Japan had gone on fighting to the bitter end.

31206

He had tried to answer all the evidence which had involved him without any intentional avoidance. With respect to the acts of aggression and conspiracies alleged in the indictment, he was never at any meeting where war plans were formulated. * He never approved or acquiesced in any such events, made no speeches in favor of militarism, signed no laws approving aggression, supported no war preparations nor was a member of any organization favoring it, had nothing to do with the treatment of POWs or civilian prisoners; never participated in or created any political, police, or military organization having for their purposes the alleged crimes charged in the indictment; had no connection with the Kempei Tai; never voted for initiating nor continuing the war; had no participation in any premeditated plan for aggressive war; never promoted war propaganda, never fostered or encouraged school military training; had nothing to do with the construction of armaments for war; never advised a single person nor acted as the agent of anyone to accomplish initiation, commencement or waging of warfare. The advice he gave had as its primary object the discouragement of war efforts and the solution of problems by peaceful methods.

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31207

* At no time did he ever converse with any of the other accused or anyone else involving the planning, scheming, and conspiring, as alleged. He met the accused KIMURA, MUTO, DOIHARA, HASHIMOTO, OSHIMA and OKA for the first time in Sugamo. To the best of his recollection, he met HOSHINO in 1941, SHIMADA in October 1941, MINAMI in 1939, TOJO, ARAKI, HATA, ITAGAKI, MATSUI, SATO, and UMEZU in 1938, HIROTA and TOGO in 1936, HIRANUMA in 1934, KOISO and SHIGEMITSU in 1932, SHIRATORI and SUZUKI in 1931, and KAYA in 1925.

31208

KIDO's assumption of office as Chief Secretary to the Lord Keeper in 1930 coincided with the start of a period of upheaval of unprecedented magnitude, which was featured by an advance of army men on the political field and punctuated by a dozen bloody incidents. Believing it would lead Japan to a catastrophic end, he exerted himself to reroute politics into normal channels. During this * period he served close to the Throne, first as Chief Secretary and then as Lord Keeper, except for two years when he was Minister of State. His official duty had nothing to do with politics, but cautioned him against meddling with them. He was not in a position to give free expression to his idea, but did his best to be true to it within the limits of his official duty. His idea was outlined in his advice to the then Lord Keeper, MAKINO, the day after the May 15 Incident. He had been consistent in that idea for the past fifteen years. He risked his life during the February 26 Incident, before, during, and after the resignation of the Third KONOYE Cabinet and during the termination of the war.

31209

The China Affair broke out when he was President of the Bureau of Peerage, and he knew nothing of the circumstances leading up to it. * Four months after it, KONOYE asked him to join his Cabinet, and KIDO accepted, at his request that he would work hard to terminate the China Affair as soon as possible. KIDO worked hard for this, but the war situation expanded and it became impossible to have any clear outlook on the future. The force of circumstances gathered momentum, threatening to plunge Japan into a Pacific war. KIDO could not bring himself to support the new war and was opposed to it from beginning to end, and never supported it in any positive way and trying hard to seize every opportunity to avert it, but the U. S. note of November 26 made him helpless, depriving him of all possible means to save the situation. Subsequent events resulted in the war dogs being unleashed.

Page When hostilities had opened, he decided there
31210 was only one course, and he would render his best services
and work for peace, * and try to save the country from
impending misfortune by assisting the Emperor, however
difficult the task might be. It was to be regretted that
developments falsified all anticipations and Japan had to
surrender unconditionally. It was his sole consolation
that at the war's close he was able to give full play to
his bold activity and succeed in preventing the homeland
from becoming a battleground and saving the lives of
hundreds of thousands.

31211 * KIDO stated, on further examination, that in
his diary entry of 9 March, 1932, concerning the October
Incident where he had mentioned HASHIMOTO, SATO, and CHO,
it was not the accused SATO.

DIRECT EXAMINATION BY MR. FURNESS.

31216 * Regarding the planned conference between KONOYE
and Roosevelt in 1941, KIDO stated he knew that it was
proposed that a Foreign Office member of ambassador rank
accompany KONOYE. At that time KONOYE told KIDO that
probably SHIGEMITSU would accompany him.

31217 Regarding the diary entry of 25 September, 1941,
which said that SHIGEMITSU talked to KIDO about the progress
of negotiations in Washington, KIDO was asked what SHIGE-
MITSU said on this occasion. * The accused replied that
only a short time had elapsed since SHIGEMITSU had returned
from London, and he told KIDO of Britain and America's
firm determination, and earnestly pleaded that Japan should
settle outstanding problems with America and diplomatic
relations be adjusted.

31218 KIDO recalled that Foreign Minister TOYODA told
him that he desired to send SHIGEMITSU to America, and this
was prior to TOJO's becoming Premier. * When shown the
diary entry of 23 July, 1941, KIDO agreed that it said
that SHIGEMITSU reported to the Emperor, and KIDO was
deeply impressed by the high spirit of Prime Minister
Churchill. This was the time when SHIGEMITSU, having
just returned from England, was making his report to the
Emperor. SHIGEMITSU said that although England was then
in a difficult situation, Churchill was leading the people
on, and that the British spirit was truly remarkable in
31222 their determination to win. * On that occasion SHIGEMITSU
did not say anything to the Emperor regarding the
advisability of Japan entering the war.

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31223 Reference was made to the affidavit where he testified that in February, 1942, after initial Japanese victories, he expressed an opinion regarding the enemy's fighting will, saying despite these victories efforts should be made to make peace as soon as possible. He was asked if he based these expressions on any information received from SHIGEMITSU. * He replied that one of the bases for his opinion was that on hearing SHIGEMITSU report to the Emperor, he was reminded of the tenacious British character, and also became aware of America's fighting will, and in view of their national strength felt they should try to make peace as quickly as possible.

31224 When asked if SHIGEMITSU continued to express the opinion that substantially unconditional surrender would be unavoidable, KIDO replied that ever since the * occasion mentioned in the affidavit, the war situation developed unfavorably, and every time he met SHIGEMITSU he continued to tell him that in the final analysis they would have to go as far as unconditional surrender.

31225 Reference was made to the affidavit regarding an agreement of views with SHIGEMITSU under which the Lord Keeper would assume full responsibility for the Imperial Court, and the Foreign Minister would assume responsibility for the Government. Also, where he testified that prior to 9 June, 1945, he had been secretly in touch with KASE of the Foreign Office * and MATSUTANI of the War Ministry, in connection with peace feelers. Asked why it was necessary to work with these younger men, he replied that his purpose was that he wished to know through them the ideas and atmosphere in the various offices to which they belonged.

31226 * He did this after consulting with SHIGEMITSU, for KASE was his private secretary. MATSUTANI was the private secretary to the War Minister. He worked secretly, because in view of the situation, the time was not yet ripe for conducting such movements openly.

31228 * It was KIDO's understanding that SHIGEMITSU continue to advocate such policies after he became Foreign Minister.

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31231 The accused stated that SHIGEMITSU said a number of times before
December 1941 that from his experience in Europe, Japan absolutely should
31232 not be involved in the European war. * In regard to the new China policy
advocated by SHIGEMITSU, the fundamental idea underlying his views was
that matters relating to China should be settled there. SHIGEMITSU's
views were that in carrying out the new policy vis-a-vis China, peace
there should be brought about through internal communication or discus-
sions between the Chinese.

31235 * DIRECT EXAMINATION BY MR. OKAMOTO
COUNSEL FOR MINAMI

31236 Reference was made to the affidavit of the accused where he stat-
ed that on 9 March 1932 he invited Colonel NAGATA to his house and heard
his explanation of the March and October Incidents (T. 30,770). Asked
if NAGATA was connected with those incidents, KIDO replied that he
thought he was opposed to them. He placed confidence in NAGATA's explan-
ations. Reference was made to the frequent use of the words "machina-
tions of militarists and plots", and the accused was asked if he obtained
information in 1931 that * MINAMI participated in them. KIDO replied
that MINAMI did not and never, after 1931, received information that
MINAMI participated in machinations or plots either as an army officer
or as a civilian.

DIRECT EXAMINATION BY MR. LAZARUS
COUNSEL FOR HATA

The accused stated that when he referred to the fact in his af-
fidavit that he consistently opposed the militarists, he did not include
HATA in this category.

31237 * DIRECT EXAMINATION BY MR. ROBERTS
COUNSEL FOR OKA

Reference was made to the affidavit where he referred to infor-
mation received from Chief Secretary MATSUDAIRA (T. 30,935), and that
exhibit 1115, the 15 July 1941 diary entry, stated that there still re-
mained vagueness about Foreign Minister MATSUOKA's attitude towards the
proposed formula for a Japan-American understanding. Up to the day be-
fore, the Premier believed that if MATSUDAIRA agreed to the formula pre-
pared by the directors of military and naval affairs, with a few altera-
tions, he would push the policy as it was. Asked if he was referring
to the original formula for the negotiations, the accused replied he had
no connection with the matter, did not know the details, but it was his
understanding that some revisions were contemplated on the original
formula, the negotiations for which commenced in April 1941.

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* The Foreign Office drafted the original formula and the reference in the diary was to alterations in it. The Director of Naval Affairs Bureau was an assistant at the time the original formula was drawn up, but he did not think he took a leading part in drafting it. The Naval Affairs Bureau Director was under the supervision of the Navy Minister.

31239 * DIRECT EXAMINATION BY MR. SAKUMA
COUNSEL FOR SHIRATORI

31240 Reference was made to the affidavit of the accused, for it stated * that the negotiations for the Tripartite Pact by MATSUOKA were conducted so secretly that even Foreign Office divisional chiefs were not aware of it, with the exception of his diplomatic advisers (T. 30,907). The accused stated he heard this from KONOYE, and asked if KONOYE mentioned SHIRATORI's name as being one of the diplomatic advisers. KIDO replied he did not particularly mention any names.

31242 * DIRECT EXAMINATION BY MR. BROOKS
COUNSEL FOR KOISO

Reference was made to exhibit 179-F, the diary excerpt of 7 August 1931 from which was quoted that immediately upon arriving at Tokyo, KIDO called on HARADA, learning the facts concerning the latest political conditions and the plot to be carried out by military circles during the middle of last March. It was regrettable that it became very noticeable recently that the army made certain types of plots. The accused stated that these matters were learned from HARADA on that date, but he did not know where HARADA received the information, nor whether it was rumor or hearsay.

31243 Reference was made to the affidavit where HIRANUMA, at a Senior Statesmen's meeting, said there were two phases of the opinion at home in regard to the conclusion of the war, and at that time they must have a person who would fight it out, and they could not recommend any peace advocator who favored cessation of hostilities (T. 31,134).

31245 The accused stated he did not think HIRANUMA was talking of KOISO then, although KOISO was not particularly considered as a peace advocate. * Reference was made to the affidavit where KIDO said that certain parties were opposed to the projected peace moves toward Chungking (T. 31,115). When asked why they were opposed, he replied that the government or members of High Command opposed the project because there
31246 were no prospects of it ever * coming to fruition in the light of the

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existing situation, and because full confidence and trust could not be placed in the one who was to act as mediator. He should have used the words "a part or section of the Government" instead of the word "Government" in this regard.

Where he said in his affidavit that Premier KOISO was very enthusiastic and proceeded to the Palace to report on his plan for direct peace negotiations with China (T. 31,115), the accused, KIDO, was not present but he learned of it later from the Emperor. Asked why KOISO was making direct peace negotiations rather than going through the Foreign Minister, and if it was because he was being opposed, KIDO said he was unfamiliar with such internal matters of government.

- 31247 * KOISO was not reprimanded by the Emperor for taking a direct negotiation to Chungking as far as KIDO knew. Asked if, following the meeting, the Emperor was in favor of it, he replied that the question had not progressed that far, and did not go further because KOISO withdrew the matter and turned in his resignation.
- 31248

DIRECT EXAMINATION BY MR. USAMI
COUNSEL FOR HIRANUMA

- 31250 * The diary entry of 31 May 1937 was read to the accused, this stating that in the evening the Lord Keeper telephoned KIDO saying he wanted to have a talk with him and that he would proceed to the Palace. KIDO proceeded to the Palace and was informed of the Lord Keeper's interview with Privy Council HIRANUMA. * HIRANUMA wished KONOYE to form his cabinet at any cost and said he would like to urge upon him the necessity of doing so. As for War Minister SUGIYAMA, he thought it would be too much for him. It would be preferable to have Imperial Household Minister MATSUDAIRA as premier because of the international aspect. HIRANUMA also said that it was desirable to appoint MATSUDAIRA as Foreign Minister of the KONOYE cabinet and let him succeed to the premiership should KONOYE become unable to discharge his duty due to ill health. The accused identified the above as an exact description of what happened on 31 May 1937.
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- 31252 * CROSS EXAMINATION BY MR. CUNNINGHAM
COUNSEL FOR OSHIMA

- 31253 Reference was made to the affidavit which set forth the diary entry of 17 December 1938 (T. 30,866). The accused stated that * either UGAKI or KONOYE was Foreign Minister when OSHIMA was appointed for the first time in October 1938, but he did not know for sure. * At the time he made the diary entry, he did not have any exact knowledge that
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KONOYE was Foreign Minister when OSHIMA was appointed ambassador to Germany, and that it was KONOYE that appointed him. He did not ask KONOYE who appointed OSHIMA or make any additional inquiry of him.

31255 He had not seen the telegrams sent to OSHIMA concerning the negotiations up to 17 December 1938, and was unfamiliar with the internal workings going on concerning the negotiations. * When he made the diary entry he had no knowledge that negotiations were in progress in Berlin, because no instructions were sent to OSHIMA since the beginning of November. Asked if he knew KONOYE in his memoirs stated that the telegrams sent by the army and Foreign Minister UGAKI were misleading, and OSHIMA acted on the strength of them, KIDO said he had not seen anything like that in the memoirs.

31256 Reference was made to the affidavit where it was stated that OSHIMA and others intended to conclude an agreement (T. 30,866). Asked if he was aware that the final decision of the international agreement rested with the cabinet, subject to the approval of the Emperor, after the advice of the Privy Council, and never with the Ambassador, the accused stated that as far as procedure was concerned that was so. Asked if when he made the diary entry that they intended to make an agreement, he had these preliminary steps in mind if necessary, * he replied that in making the entry he laid emphasis not on the procedure but the actual political situation. He was aware that protracted negotiations were ended * in August 1939 with no agreement having been entered into. He knew that OSHIMA had been appointed only two months prior to the time he made the diary entry.

31258

* CROSS-EXAMINATION BY DOCTOR KIYOSE

31259 Reference was made to the affidavit where KIDO mentioned he fought against the militarists, and some persons were not included among the militarists mentioned. He was asked whether he had any standards by which he included or excluded persons, and he replied that he was speaking of political conditions as they prevailed and was not attempting to make any definition. When he stated in his affidavit that he struggled with the militarists, this was when the militarists forgot their proper duties and interfered in political affairs (T. 31,207-8). If a person not in the armed forces interfered in politics or if militarists were concerned with matters proper to their province there was no struggle. He did not struggle against persons making efforts to control the young officers. Asked if he struggled against the War Minister or persons assisting him when they carried out government policies, he replied that there was no need to fight against any recommendation founded on an established state policy. Reminded that he had

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entered the first KONOYE cabinet to assist KONOYE at KONOYE's request in bringing the China Incident to a conclusion in 1937, with reference to the conclusion of the Incident, he remembered that the government issued a statement on 3 November 1938, after a cabinet decision. The accused was handed a document and from it was quoted to him a statement that the establishment of a new order in East Asia was in complete conformity with the spirit in which the Empire was founded, and to achieve this task was an exalted responsibility with which the present generation was entrusted. The carrying out of necessary internal reforms was necessary and with a full development of national strength, it should be fulfilled at all costs. Asked if he participated in the issuance of this statement, he said that this was decided by the cabinet and that he was present.

- 31261 Asked if this was the first instance in which the construction of a new order was first mentioned in an official document, * he replied that the question was not clear. The underlying concept at that time was to bring about unity among Japan, Manchukuo, and China. * He did not consider that the participation of the war and navy ministers in carrying out this policy was meddling in politics. When various departments discharged their assigned duties, the carrying out of these could not be considered participating in politics. The war and navy ministers were permitted to participate in the decision of state policies. If the war and navy ministers made efforts for establishing a new order as state ministers, they would not be outside their jurisdiction.
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- 31263 * In 1940 KIDO approved the emergence of KONOYE as premier in his second cabinet. Regarding the decisions of that cabinet, concerning the outline of Japan's basic national policy and of the policy concerning the change in the international situation, in July 1940 he heard that these policies were decided, but had not heard their contents. * Decisions concerning policies made at the liaison conference were not transmitted to the Lord Keeper every time. He did not collect all information concerning cabinet decisions as well as the liaison conference decision when he was Chief Secretary to the Lord Keeper. He did not recall the outline of Japan's basic policy, the decision of the KONOYE cabinet, although at that time he was Lord Keeper. Asked if as Lord Keeper it was his responsibility to the Throne to be aware of this most important policy, * he thought he knew of it at the time but had no present recollection.
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- 31266 * It was part of the duty of responsible state ministers to carry out these policies. Reference was made to the affidavit where he referred to a letter sent to Lord Keeper MAKINO the day after the May 15 incident in which he submitted measures to deal with the incident (T. 30,780). Asked how the Lord Keeper was in a position to carry out

- Page such political measures, the accused replied that this was a time when an unusual incident broke out and the cabinet collapsed, and this was submitted as advice with reference to the policies the next cabinet should undertake. This was within the Lord Keeper's authority.
- 31266 * Asked if it was not true that in decisions concerning the cabinet formation that SAIONJI rather than the Lord Keeper was consulted, * he replied that the inquiry was addressed to SAIONJI but also was
31267 addressed by the Throne to the Lord Keeper, whereupon the Lord Keeper would request that the inquiry be referred to SAIONJI. The Lord Keeper consulted SAIONJI and thus had opportunity to give advice in connection with the existing situation. KIDO's collection of information was in preparation for this and he gave due attention to political developments at all times. Asked why it was necessary to do so, he said because it
31268 was necessary * for the Lord Keeper to be well informed. KIDO as Chief Secretary had no staff nor did the Lord Keeper.
- 31269 * Reference was made to the affidavit which reported a request made by TOJO that he should be appointed a full general (T. 31,026-7), and the accused was asked whether Prince KANIN was asked merely to tender a memorial to the Throne. KIDO stated that TOJO requested KANIN to submit a memorial.
- 31271 * Reference was made to the affidavit on the subject of the resignation of the KOISO cabinet, and a senior statesmen's meeting concerning the next premier. In it TOJO was quoted as saying, at the present when Japan was about to become a battlefield, they must take special care or there was a fear that the army might take an aloof standing.
- 31272 * There were possibilities of the people taking an aloof standing and OKADA asked what was meant by "taking an aloof standing" to a person who had received the Imperial Command. (T 31,141).
- 31273 Asked if the words "aloof standing" have included the meaning "coup d'etat", he replied that there was no such meaning, he did not know in what sense OKADA used the words. Reference was made to the affidavit where he stated that the Kwantung Army might look the other way, meaning coup d'etat. Asked if that was the correct interpretation of the word "soppo" or "take an aloof standing", he replied that it reflected his feeling at the time. What he meant there was "looking the other way", or as translated "taking an aloof standing", and what he meant was that those taking an aloof standing included elements which might possibly undertake a coup d'etat. He made that interpretation because of the current circumstances.

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* DIRECT EXAMINATION BY MR. YAMADA
Counsel for ITAGAKI

Asked if he included among the militarists who consistently suggested ITAGAKI, the accused replied that it was his impression at the time of the Manchurian Incident that the term militarists included ITAGAKI and others concerned with the incident. Asked if he included ITAGAKI among the militarists at present, he replied that the war was over and he had not specially thought of it at all. Asked if he meant to say that he thought so at the time of the Manchurian Incident, he stated that when he and others of like mind spoke of militarists or military cliques, they were not specifying particular individuals but speaking of certain moving influences.

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Reference was made to the affidavit where he stated that on 23 June 1931 HARADA conveyed information to him about a plot on the part of military officers in Manchuria, * and that he learned, as his diary stated, from HARADA deplorable information concerning a serious scheme in Manchuria on the part of some military officers (T. 30728). The accused stated he did not know where HARADA obtained the information and it might have been information he heard from somewhere else. Reference was made to the affidavit where it stated that KIDO related the information to the Lord Keeper as shown in his diary of 26 June 1931 (T. 30728). It was pointed out that in his diary entry he said he called on the Lord Keeper reporting to him the information on a conspiracy in China contrived by the military in with adventurers.

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* In reference to this information KIDO said he had no recollection if included in it was any reference to the Kwantung Army or ITAGAKI and did not know whether that was done. Reference was made to the affidavit where he stated that, as shown in his diary for 23 September 1931, that he asked HAYASHI to explain the incident and when HAYASHI did not clarify the truth about the railway blowups, KIDO deplored his attitude (T. 30733-4). When he said HAYASHI failed to explain how the incident occurred, he meant HAYASHI did not give a satisfactory explanation.

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* He learned later that Colonel ANDO had gone to Mukden to carry out an investigation. The accused was reminded of the testimony of the witness, OYAMA, that he carried out the investigation on the 24th. Asked if that might not be the reason for HAYASHI's insufficient explanation, KIDO replied that that might have been the case. Reference was made to the affidavit where it was stated that there was an idea developing among the militarists to establish a new regime in Manchuria, and that when he heard this from HAYASHI he thought it regrettable (T. 30738-9). He thought the HAYASHI referred to was Major General HAYASHI, Chief of the Bureau of Maintenance.

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31280. * When he referred to the idea developing to establish a new regime, he thought that the opinion was growing that Chang Hsueh-liang's administration was a bad one, was included, but this did not come from a very clear knowledge of KIDO's. Reference was made to the affidavit where it stated that KIDO seeing the condition of the Manchurian Army, he would like to suggest that under the circumstances in which staff officers, such as ITAGAKI and ISHIHARA, were exercising full power and carrying out maneuvers worked out by them, it was necessary to send a Foreign Office official like SHIRATORI, and have him negotiate with them, apart from their respective official positions connected with the war and try to come to a mutual understanding.
- 31281 * It was important to have reasonable restrictions placed on military activities (T. 30,746). Asked where this information came from, he replied that then he received information from various sources such as HARADA, KONOYE, and news reporters.
- 31282 * When he saw HONJO, he did not hear anything especially in the nature of ITAGAKI and ISHIHARA exercising full powers, but HONJO did say that ITAGAKI had loyally helped him in the performance of his duties, and there was no special reference to insubordination.
- 31283 * Reference was made to the affidavit where it stated that having been saddled with the Manchurian Incident, the government, early in 1932, was faced with the problem of further army intrigues and establishing some form of government in Manchuria. KIDO was opposed to this plan and when ITAGAKI delivered a lecture on the new state, KIDO was astonished to find such a wide difference between his ideas and theirs. Concerning the establishment of an independant government in Manchuria, KIDO obtained this information from ITAGAKI's lecture. He thought ITAGAKI reported on the true situation * concerning the new state and General HONJO's views and opinions. Asked what he meant by his statement that he was astonished to find such a difference between their ideas and his, he stated that he was very astonished to hear that a new state was going to be created and Japanese were going to be naturalized citizens of the new state.

31284

Reference was made to the affidavit where it stated that on the morning of 30 May 1935 he was shocked to read in the newspaper that Japanese forces in North China had made an important proposal to the Chinese and that fortunately the incident did not later develop and was settled by the efforts of UMEZU (T. 30,800).

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- 31285 The accused stated that at this time UMEZU was Commander of the forces in North China, * but was not under the command of the Kwantung Army, for the North China Garrison and the Kwantung Army were independent. The accused was read a part of his affidavit that he feared that certain groups of rightists, extremists, and army officers opposed to settling the incident would create disturbances if peace was established with China (T. 30,856). The accused stated that he knew ITAGAKI had no connection with these groups opposed to the settlement of the incident. Reference was made to the affidavit wherein it was stated that opinion was gaining even in a section of the General Staff that the China Affair should be terminated even by negotiating with Chiang Kai-shek, if necessary (T. 30,858).
- 31286 Asked if he was aware that ITAGAKI from the first * was in favor of negotiations with Chiang Kai-shek, KIDO replied that he had mentioned in his diary that ITAGAKI had at first hesitated but in the end agreed.
- Reference was made to the affidavit wherein it was stated that the HIRANUMA cabinet referred the question to the Five-Minister Conference, which, after meeting seventy times, failed to reach an identity of views, due to the navy's stout opposition to the projected alliance with Germany, which the army zealously advocated (T. 30,871).
- 31287 Asked if the deadlock was due to the fact that Germany would not make any compromise, and if the difference between the army and navy were not in existence before instructions were sent to the ambassadors in the field, KIDO replied he was not familiar with such details * as he did not attend the Prime Minister's Conference and he did not know what kind of things occurred or how things developed.
- 31288 * Reference was made to the affidavit where it was stated that a cabinet council was held at 10:30, after which KIDO consulted with ITAGAKI on this matter and they agreed to exert their efforts to tide over the situation, (T. 30,874). The accused was reminded that he had written he feared a coup d' etat should the army and navy come into direct opposition. The accused stated that in the passage just read he was referring to this problem. As to efforts to tide over the situation, the army became irritated because the problem did not resolve itself, and the Superintendent of the Metropolitan Police reported on the matter to KIDO. Thereupon KIDO met War Minister ITAGAKI and prevailed upon him to bring about cooperation between the army and navy to prevent any undesirable
- 31289 influence * on the preservation of law and order within Japan, and ITAGAKI also made efforts to prevent the occurrence of such a question.

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To the accused was quoted a part of his affidavit where he stated that on 22 July 1939 the cabinet adopted a statement for submission to the Japanese-British Conference, which was expected to lead to the settlement of the China Affair, so far as Britain was concerned, and this opposed by the army, which was also spreading propaganda in its efforts to obtain public support for the Tripartite Pact.

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* Asked if it was not as a result of ITAGAKI's approval and support that the Japanese-British Conference came to be held in Tokyo, KIDO replied yes, but added that ITAGAKI approved the conference, but the conference was held as a result of a request by the Foreign Minister. When he said this was opposed by the army, he was not saying that ITAGAKI was the army or that he was opposing it. At that time there were various oppositions from various army sections.

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* Reference was made to the affidavit where it was stated in the diary entry of 4 August 1939 that it was rumored that the army and navy still disagreed on the problem of the German alliance and the army became impatient and planned to lead the cabinet to resignation en bloc by having the War Minister resign, proclaim martial law, and establish a military government (T. 30,881).

Asked if ITAGAKI was told of this rumor, KIDO replied that he had spoken to him about it, but ITAGAKI stressed that the rumors were without foundation, but no talk was conducted with regard to control measures. ITAGAKI did say something to the effect that there would be no untoward incident and KIDO should set his mind at rest.

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* CROSS EXAMINATION BY MR. KEENAN

The accused stated he had knowledge of the English language but it was insufficient, but was able to converse in English outside of court proceedings. He had no confidence of his being able to compare an English translation with the Japanese original to determine accuracy of expression. In the criticisms of the correctness of the translations, he had received the assistance of both * Japanese and American counsel. From early boyhood he had a standing friendship with KONOYE, and HARADA.

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* Up until 1930 the accused stated that he had been in government service and had no connection with political matters, but he had made a study of political science at college and was very interested in the government. In late October 1930 he was appointed Chief Secretary to the Lord Keeper but was not necessarily due to the position of his family for he was recommended by KONOYE and others, in which job as Chief Secretary

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he was required to assemble information and report it to the Lord Keeper, MAKINO, who himself did not meet very many people. It could not be said that KIDO was necessarily the chief source for information. In October 1931 KIDO was concurrently secretary to the Imperial Household Ministry and he was engaged * in that work and was a mere novice at matters political when he became Chief Secretary.

31297 Asked that if within two years' time he was giving advice as to whether the Genro should come to Tokyo at a crisis in Japan's history, on 22 September 1931, he replied that he had had consultations on that matter and had occasion to report the results to the Lord Keeper. He had consultations and merely talked the matter over with the Lord Keeper but what he did after that, the accused did not hear. * Although he had occasion to have consultations with reference to the Manchurian incident about 22 September 1931, and remembered that he went to HARADA's on the night of that date, meeting with KONOYE, SAKAI, OKABE, and TAKAGI (Exh. 179 I). The KONOYE mentioned was Prince KONOYE and KIDO thought at that time he was vice-president of the House of Peers, which position did not carry very heavy duties in the political world. The SAKAI mentioned was Count SAKAI who had no connection with the government and the OKABE was Vicount OKABE. By TAKAGI, he referred to Baron TAKAGI, and he and OKADA were both members of the House of Peers. KIDO stated he discussed and studied various things with them.

31299 Reference was made to the diary entry that the army was so determined in its positive policy toward Manchuria that orders given by the central authorities might not be carried out. The accused said he thought he got that information from HARADA. KONOYE at that time had no part in government except as a member of the House of Peers. * Asked if he meant by the statement that the army was strongly determined that the central authorities' orders might not be carried out, that mutiny was in the offing, he said not so, that the reference was made to the Kwantung Army and the fear was entertained that central authorities' orders may not be carried out thoroughly by them. When it was pointed out that he didn't use the word "thoroughly" in the diary, he replied that he didn't remember the exact words used but was now stating his feelings in his own words.

The accused was reminded that shortly before when he was asked if he included ITAGAKI among the rightists or militarists against whom he fought, he had replied that it was his impression at the time of the Manchurian incident that the militarists included ITAGAKI and others concerned with the incident, and that when asked if he felt the same today he had answered that today the war was over and he had not especially

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- 31300 thought of that at all (T. 31,276). The accused stated that when he had testified that he hadn't thought much about these things after the war, * he meant what he said. Asked if he thought his memory of events was more or less active at the time of the entry, or if he could give a more accurate story of those events now, he replied he should think his memory at the time of making the entries was accurate.
- 31301 * The accused stated he recalled the question asked whether ITAGAKI was among the rightists or militarists against whom KIDO fought consistently and his answer that it was his impression of the Manchurian Incident that the militarists included the accused ITAGAKI. As to the question following that where it was asked if he had the same view today as he had at the time of the Manchurian affair about ITAGAKI, he stated that if such were the purport of the question there might have been some misapprehension on his part. His understanding on the question was what was ITAGAKI thinking now, to which he replied he didn't know what was in his mind now. He thought the question was what kind of ideas would ITAGAKI entertain now.
- 31302 * The accused recalled his diary entry of 22 September 1931 (Exh. 179-I) that in it the meeting with HARADA, KONOYE, SAKAI, OKABE, and TAKAGI, he had also written that the army was reported to have construed to be indignant that the Emperor's opinion had been induced by his personal attendants, and that in view of such circumstances it was decided among those gathered that the Emperor had better not say anything further about the Manchurian policy, unless ... was necessitated to do so.
- 31303 * Asked if it was not true that within ten months of the period he became Chief Secretary he was joining in giving the Emperor advice as to the policy he was to take on one of the most important matters in Japanese history, the accused replied not necessarily so. The gathering was purely private and the discussions did not involve important questions such as submitting advice to the Emperor, and he merely told the Lord Keeper that those who had gathered there entertained such ideas and this information was sent to the Lord Keeper for his information.
- Asked if the reason was that the army was blaming the government policy of restricting the invasion of Manchuria to the personal advisers of the Emperor, that is curbing the army's aggressiveness, was not true that feeling it was dangerous for those around the Emperor he felt it would be wise for the Emperor to keep out of the Manchurian situation to save their own skins, the accused replied such an atmosphere seemed to exist in the army and if left not dealt with it might be a

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disturbing incident in Tokyo, and in handling such a situation tact was necessary.

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* Asked if he was dealing with a rather rough crowd, he stated he was not dealing with them directly, but it appeared from time to time they were coming around the fringes of the Lord Keeper and nobility. Asked if they came near enough that in that conference they decided it wasn't safe for the Genro to come to Tokyo, he replied that SAIONJI's life was in danger, their decision was that he should not come to Tokyo unless it was vitally important. His life was in danger from the people who employed force.

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Asked if he had described about that time that the Emperor himself was in danger, he stated he had not used such phraseology in his affidavit. *They didn't think the Emperor himself was exposed to danger. * He would see that the Lord Keeper got the advice from these unofficial advisors, that the Emperor should keep out of the Manchurian situation, or say anything further about it. He had no recollection as to any such idea on that point.

31308

The Premier was the most important figure in the government aside from the Emperor and if there was a small epidemic of assassinations or murders on the way and it reached to the Premier, it was as serious a situation as the country could face in a constitutional way. Asked if the Emperor could have done anything about it, he replied that at that time * the best means was to encourage the Premier and bolster his morale.

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He had written in his affidavit that he was indignant because Premier WAKATSUKI talked with HARADA about the danger of the situation and KIDO criticized him, saying he was most indignant at WAKATSUKI's unreliable attitude. This was in the diary entry of 19 September 1947 when WAKATSUKI called on HARADA in fear of the strong army attitude and they discussed the impossibility of making the government's principles perfectly understood among the outpost military forces.

* He had agreed that he had testified shortly before that the wisest course to meet this offensive conduct was to uphold the Premier's hand and bolster him. Asked if it was not plain that WAKATSUKI was not seeking help from those around the Emperor and possibly the Emperor himself in making the trip to HARADA, KIDO replied he did not go so far as to solicit the Emperor's help but asked those close to the Emperor if they had any good advice. Asked if that made him indignant, he replied that this was on the day following the outbreak of the incident

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31310 and there were no indications that the government or cabinet held any prolonged session. KIDO resented very much the fact that WAKATSUKI would ask for help immediately * without having threshed out the matter with the cabinet. WAKATSUKI, being president of the Minseito political party, it was KIDO's fear that constitutional government would fall unless the Premier himself took a firm stand when confusion arose and that was why he was indignant.

Asked if it was not apparent that if the Premier didn't watch out, not alone would the cabinet fall, but he himself would fall by an assassin's bullet if he didn't get some strong help, the accused replied he didn't know whether or not he felt that way but KIDO was indignant over the fact that the political parties were weak and powerless. It was not true that he was not indignant that someone was trying to get the Emperor to help on the side of law and order in Japan, and the accused was asked if it was not a fact that from the beginning of his political career until Japan's surrender he consistently opposed any movement by the Emperor in a practical way to bring about law and order and stop lawlessness and violence, he replied yes.

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*Asked if he consistently opposed the Emperor exerting force directly to stop this lawlessness, he replied he was not opposed to that.