

No. 3380

Ex 3380-A

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Item 7
(Military)

Copy sent to the General Staff. ITO /seal/

24 January 1934

Telegram from the Chief of Staff of the KWANTUNG Army/ KOISO appears in pencil/ to the Vice War Minister.

Despatched: 00:20 P.M. January 24.
Received: 01:33 P.M.

TCP SECRET Urgent

KWAN-SAN-MAN (No. 1)

Reply to RIKU MAN 44.

Although I am informed of your views concerning various acts and ordinances, each of the following points seem to have been decided as follows as a result of putting together the opinions from all quarters expressed at the meeting of the committee held on the 23rd and of negotiation with Councillor TSUTOMI. /marginal note: "agreeable"/

I. The title "Government Organization Law" is not suitable, for it contains a chapter on the Sovereign who does not belong to any government organ. However, it is also unsuitable to call it the "State Organization Law" because it has no regulations concerning rights and duties of the people. It is to be renamed "Basic Law of the MANCHURIAN Empire", or something similar. /marginal note: "not agreeable"/

II. The succession to the Throne, prescribed in the first Article of the said Law, constitutes a problem which naturally arises from a monarchical system, regardless of whether a hereditary system is assumed or not. Therefore, it will not only not interfere with the other articles, but will be retained as proof of the establishment of a monarchical system. (Continued) /marginal note: "not agreeable"/

KWAN-SAN-MAN 119 (No. 2)

III. As to the responsibility for assistance of the Chiefs of Departments, it is apparently helpful, in intensifying the principle of making the General-Affairs Board the axis, to have only the Premier assist. However, viewed from the practical application and considering transitions in the future, the selection of the Premier will not always cater to the opinion of the army commander, and a stubborn man may be sometimes selected for that post. Then there will be a danger of delay and standstill of all sorts of political affairs owing to the

attitude of the Premier alone. In such cases, if the Chief of each Department is responsible for assistance in matters in his charge, the army commander will be able to carry through his opinion by controlling one man or the other. Therefore, it is appropriate to divide part of the responsibility for assistance among the Chiefs of Departments. That is to be prescribed clearly in the Organization Law.
/marginal note: "agreeable"/

IV. The names "Premier of State Affairs" and "Chief of Department" will be changed to "Minister".

The reason for the above is that the names "Premier" and "Chief" appeared with the establishment of the Republic and are the suitable Chinese names for a republic. However, in the new empire, since it is ruled by a sovereign, everyone shall call himself a subject, and it is appropriate at this stage to make the whole nation fully aware of this fact; it is also necessary to sweep away the trappings of a democratic system. /marginal note: "agreeable"/

V. Although I hear that there seems to be a belief that there is no need specially to establish the Office of the Privy Seal, it will be established, for the Chief Executive has already made up his mind /to set it up/ since he particularly considers it necessary.

I beg you to give your consideration so that most of the opinions mentioned in the above clauses may meet with your approval, and to reply by wire by the afternoon of the 25th.

(Special)

C E R T I F I C A T E

Statement of Source and Authenticity

I, Shinaji Kobayashi, hereby certify that I am officially connected with the Japanese Government in the following capacity: Secretary of the Document and Archives Section of the 1st Demobilization Bureau, and that as such official I have custody of the document hereto attached consisting of 5 pages, dated 24 Jan. 1934, and described as follows: Telegram #7 from Chief of Staff of the Kwantung Army to Vice War Minister re Organization Law of Manchukuo. I further certify that the attached record and document is an official document of the Japanese Government, and that it is part of the official archives and files of the following named ministry or department (specifying also the file number or citation, if any, or any other official designation of the regular location of the document in the archives or files): _____

Signed at Tokyo on this
4 day of June, 1947

/sgd/ Shinaji Kobayashi (seal)
Signature of Official

Witness: /sgd/ Torakichi Nakamura
(Seal)

Secretary of the Document and
Archives Section of the 1st
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Statement of Official Procurement

I, Johnson F. Munroe, hereby certify that I am associated with the General Headquarters of the Supreme Commander for the Allied Powers, and that the above described document was obtained by me from the above signed official of the Japanese Government in the conduct of my official business.

Signed at Tokyo on this
4 day of June, 1947.

/SGD/ Johnson F. Munroe
NAME

Witness: Henry A. Dolan, Jr. /sgd/

Investigator, IPS
Official Capacity