

Mr. Keenan

Ex 2366

Translated by
Defense Language Branch

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

ARAKI, Sadao, et al

Sworn Deposition

Deponent: TSUGITA, Daizaburo

Having first duly sworn an oath as an attached sheet and in accordance with the procedure followed in my country I hereby depose as follows.

On this 13th day of Jan., 1947.

At Tokyo.

DEPONENT /S/ TSUGITA, Daisaburo (seal)

I, TSUGITA, Daisaburo hereby certify that the above statement was sworn by the Deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date, at the same place

Witness: /S/ HANAI, Tadashi (seal)

I was the chief of the Bureau of Legislation in the HIROTA Cabinet from March, 1936 to February, 1937.

The HIROTA Cabinet which came into existence following the 'February 26 affair', had as its mission a rigid enforcement of military discipline, the calming down of the people's mind and the establishment of a peaceful diplomacy, Premier HIROTA adhered to this policy consistently. At the first Cabinet conference held soon after the inaugural ceremony in March 9, 1936, he made an important statement as follows: "When I presented the

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Cabinet members list today, the Emperor told me firstly to conduct civil administration in accordance with the provisions of the Constitution, secondly, not to conduct diplomacy forcibly and thirdly to avoid any sudden change in the financial situation. I am going to render my services to the State ^{IN}obedience to the Imperial intention, so I hope therefore every one of you will cooperate with me." All ministers respectfully agreed. In this connection, in my diary of March 9, 15th Year of Showa 1936 I wrote the following description:

"March 9

About 9 a. m. Mr. DAIASAKI, Takukichi rang me up. Secretly asked if I would accept the directorship of the Bureau of Legislation and consented. At 9.30 I was summoned, went to the Premier's official residence and paid respects to each Minister. Went into the Cabinet room. The Imperial opinion confided to the Premier when he presented the list of Cabinet members: Firstly to govern according to the articles and chapters of the Constitution. Secondly not to conduct foreign policy by force. Thirdly avoid a sudden change in the financial situation. Each Minister understood the point of the Finance Minister's talk. The War Minister said he was sorry for the Incident and he would take care that such an event should not occur again in future." The part of the said diary referring to the War Minister's talk shows a firm resolution declared by him to enforce military discipline considering the February 26 Incident.

The reason why the HIROTA Cabinet reformed the Army and Navy ministries official organization was to enforce military discipline. It was at the extraordinary session of the Diet in May 1936 that this reform bill was

introduced into the Cabinet from the Army and Navy Ministries. The military and naval authorities explained, "The Army and Navy Ministers have the duties of supervising troops belonging to the supreme command, of maintaining military discipline and of strengthening the Unity of the army; therefore equally they themselves must be soldiers belonging to the supreme command, that is, on the active list. Indeed this is brought out by the fact that all of the War and Navy Ministers were soldiers on the active list since the reform of the government organization in the second year of Taisho (T.N. 1913) (i.e. the reform in which generals and lieutenant-generals on the reserve list were also allowed to become Ministers). Now, soon after the Incident, keenly feeling the necessity of restricting the Ministers to officers on the active list in order to strengthen the power of the Ministers, to enforce military discipline and to solidly preserve unity, we intend to make the system correspond with actuality by reforming the government organization." When I asked them the meaning of, "Soon after the Incident we keenly feel the necessity of restricting the Ministers to the officers on the active list." they answered as follows: "We will place several generals and lieutenant-generals who are responsible for the Incident on the reserve list but under the existing system some of them could become War Minister in future and could bring about such a disgraceful event as the February 26 Incident or an even more serious one than that. In order to prevent such a calamity, we intend to make the system one under which generals and lieutenant-generals on the reserve list cannot become Ministers."

Moreover the Vice-Ministers of War and Navy said, "As the Premier has already consented to this bill, we want it to be passed quickly." After I

asked the Premier about that. I prepared a Cabinet bill and submitted it to the Cabinet conference.

In the conference Premier HIROTA asked TEPAUCHI, the Army Minister, and next NAGANO, the Navy Minister, "Will this reform not lead to a situation in which those commanded to form the Cabinet will find it difficult to appoint future War and Navy Ministers?" They both answered, "There is no fear that such a situation will arise." With this exception, no special utterance was made and the bill was passed in its original form.

I did not ascertain how each Minister thought about the bill and why he consented to it. Only Mr. BABA, the Finance Minister, expressed his opinion directly to me when I spoke with him about it before the conference. "Enforcement of military discipline is a serious question in hand and a very difficult task, but the War Minister is resolved to take it upon himself and carry it out at any cost. Now that he eagerly desires this reform in order to perform the task, the Cabinet reforms the government organization to save his face but in return for that, he shall enforce military discipline thoroughly. That is the best course for the Cabinet to take, I think." Thus he indicated his consent to the original bill.

There are some who hold that the reform caused the Army to participate in politics afterwards. I will relate one or two facts as material for judging whether this observation is right or wrong. The formation of the HIROTA Cabinet naturally took place before the reform of the Army and Navy Ministries and to choose ministers from generals and lieutenant-generals on the reserve list was still permissible from the legislative point of view. Informing his Cabinet however, HIROTA met with several demands from

the Army concerning the selection of the Ministers and if he rejected those demands, it was feared that he would be unable to get an Army Minister. His attempt to form the Cabinet met with great difficulty; he continued negotiations for about a week after he had received the Imperial mandate and during that time the formation was several times in danger of aborting, but finally, after acceding to most of those demands, he succeeded. In this case the system under which Ministers could be selected from generals and lieutenant-generals on the reserve list was of no use in preventing the Army from participating in politics.

Next, when the KOISO Cabinet was formed in July, 19th Year of Showa (T.N. 1944), the War and Navy Ministers were required to be generals and lieutenant-generals on the active list in accordance with the government organization of the War and Navy Ministries, but Admiral YONAI who was on the reserve list was appointed Navy Minister. In order not to conflict with the rules of the government organization however, Admiral YONAI was placed on the active list just before he was inaugurated, with the special consideration of the Emperor. In this case even the reform could not prevent a general officer on the reserve list from becoming Navy Minister.

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

/S/ TSUGITA, Daizaburo (seal)

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TRANSLATION CERTIFICATE

I, William E. Clarke, of the Defense Language Branch, hereby certify that the foregoing translation described in the ^{attached} certificate is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

/S/ William E. Clarke

Tokyo, Japan

Date 27 Jan., 1947