

MATSUI, Qwane

Request by MUTO, Akira

- a. One of the accused in the present trial.
- b. He can give relevant testimony similar to that of
SAITO and NAKAYAMA.

MATSUI, Swame

Request by MOTO, Akira

a. one of the accused in the present trial.

b. He can give relevant testimony similar to that of SAITO and NAKAYAMA.

MATSUI, Iware

Request by: MUTO, Akira

Address: Defendent in present trial, and he is confined
in Sugamo prison

MATSUI, Iwane.

Request by: MUTO, Akiro.

address: Defendant in present trial & is
confined in Sugamo prison

General Iwane **MATSUI**: (cont'd) President of General Headquarters for New Asia
Association of Overseas Japanese. President, Central
Association of Overseas Japanese.

An extreme nationalist who at one time was a dominating figure in Japanese Army with considerable influence over younger officers. As commander in chief of Japanese forces in Central China in 1937 achieved brilliant military successes from Shanghai to Nanking under difficult conditions. The outrages committed by his troops at Nanking with resulting world-wide condemnation, and his public utterances flouting foreign governments were responsible for his replacement in February 1938 by General Hata who quickly and efficiently restored discipline. General Matsui retired from the army soon afterward but continued his activities in behalf of Japanese expansion. (73)

1924 Commander 35th Brigade, Infantry (Fukuoka)
1925-31 Spent some time in France early in his career. His friend-
liness toward U.S. changed to distrust following American reaction
to Manchurian occupation. (1, 52)
1929-31 Commander 11th Division (Zentsuji); Member Japanese
Disarmament Commission, Geneva and London.
1933 Commander in Formosa, Supreme War Councilor
1933 General, Commander, Taiwan Army
1935 Temporarily retired.
1937-39 Recalled to active duty as Commander in Chief
in Central China.
1938-39 President of Association of Great Asia
1938-40 Member Cabinet Advisory Council
1942 Vice President, East Asia Development League.
1943 Supreme Advisor to puppet Nanking Government.
1944 Jan. Advisor IRAA Youth Corps.
1944 Aug. Appointed President of General Headquarters for
New Asia Movement of IRAA.
1945 Jan. Appointed President of Central Association of
Overseas Japanese

Address: 2708, 1-chome, Sanno, Chori-ku, Tokyo

Has been associated with Chinese affairs for nearly 40 years. Long an active proponent of the doctrine of "Asia for the Asiatics," became president of Pan-Asiatic Society after his retirement in 1938. He visited China seeking to interest prominent Chinese in the organization, but with little if any success. Is credited with having persuaded Premier Tanaka to call the Mukden conference of Japanese officials in 1927 for discussion of Japan's so-called positive continental policy, and there is some evidence to substantiate belief that this conference drafted the famous "Tanaka Memorial". (25.1)

General Iwane MATSUI: President of General Headquarters for New Asia Movement of Imperial Rule Assistance Association. President, Central Association of Overseas Japanese.

1878 July Born Aichi Prefecture. Son of Takekuni Matsui.
Married Fumiko, daughter of Masaharu Isobe.
1897 Graduated Military Academy
Company Commander in Russo-Japanese War
1905 Graduated Military Staff College
1912-18 On Staff of General Staff Headquarters
1915 Lieutenant Colonel, Infantry
1918 Colonel
1919-22 Commander of 39th Regiment, Infantry (Himeji)
1923 Major General attached to Headquarters
Kwantung Army
1924 Commander 35th Brigade, Infantry (Fukuoka)
1925-28 Chief of Second Department, General Staff
Headquarters.
1927 Lieutenant General.
1929-31 Commander 11th Division (Zentsuji); Member Japanese
Disarmament Commission. Geneva and London.
1932 Commander in Formosa, Supreme War Councilor
1933 General. Commander, Taiwan Army
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General Iwane MATSUI: (cont'd)

An extreme nationalist who at one time was a dominating figure in Japanese Army with considerable influence over younger officers. As commander in chief of Japanese forces in Central China in 1937 achieved brilliant military successes from Shanghai to Nanking under difficult conditions. The outrages committed by his troops at Nanking with resulting world-wide condemnation, and his public utterances flouting foreign governments were responsible for his replacement in February 1938 by General Hata who quickly and efficiently restored discipline. General Matsui retired from the army soon afterward but continued his activities in behalf of Japanese expansion. (73)

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* DIRECT EXAMINATION OF MATSUI, Iwane
By Mr. Mattice

The accused identified Exhibit 3498 as his affidavit and after corrections verified it.

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* The affidavit stated that regarding the object of the government for sending troops to southern Chiangsu Province in 1937, owing to discord between Japan and China in North China in July 1937, * an anti-Japanese movement among the Chinese Army and civilians in Shanghai district grew intense. The Chinese Army, disregarding the Truce Agreement of 1932, persistently concentrated troops around the Japanese settlement in Shanghai, threatened troops and residents there, finally leading to the assassination of Lt. OYAMA on Aug. 9. The Government, realizing the necessity of quickly reinforcing its naval forces and to protect Japanese lives and interests, decided on 15 August to send to Shanghai an Expeditionary Force of the 3rd and 11th Divisions. The accused was appointed C-in-C and troops were sent successively on and after 20 August. The object of the force was to reinforce the naval force and protect lives and property.

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* During his four years in the Army up to 1935, in which year he was placed on the reserve list, he was successively member of General Staff Headquarters, Chief of the Second Section, Commander of the 11th Division, C-in-C of the Taiwan Army, etc. During his career he was stationed in North and South China about 12 years, doing his best to bring about cooperation between Japan and China. All through life he had worked hard so the two countries could be on friendly terms and that Asia could be built up. The greater part of his Army work was in line with these ideals.

In 1937 the Shanghai Incident broke out and the Expeditionary Force was despatched. The War Minister told the accused that the reason he, who had been on the reserve list, was appointed Commander was because of his past experience. His appointment was due to the fact that at that time the government policy toward China was to settle the Incident locally as soon as possible.

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* MATSUI was always firm in his belief that strife between Japan and China was a quarrel between brothers and it was unavoidable for Japan to rescue by force the Japanese residents in China and protect her interests. It was no different than an elder brother thrashing his young and recalcitrant brother, and the action was to make China come to her senses out of love. When he assumed command, he promised to settle the trouble on this on this belief and hoped to make the despatch of the force not a cause of enmity but something to bring about friendly relations and cooperation. He required his officers to make their men thoroughly understand the true meaning of

Page the expedition.

33816 The gist of his instructions to his troops was that the fighting in the Shanghai vicinity * was only aimed at the subjugation of the Chinese troops and the Chinese officials and people should be pacified and protected. They would always bear in mind not to bring trouble on foreign residents and keep in close contact with them to avoid misunderstanding.

33817 * The Expeditionary Force arrived in successive units in the Maan Islands at the mouth of the Yangtze River on and after Aug. 22. A report was received that troops and residents in Shanghai were in danger. At dawn of the 24th MATSUI hurriedly disembarked the arriving troops at Woosung and along the bank farther up the river to establish communications with the Naval Force by driving out Chinese troops.

33818 According to reports, the number of Chinese troops in Shanghai and along the banks of the Yangtze, west of Shanghai, was about 100,000 and they made violent attack on the landing troops. After 15 or 16 days of bitter fighting the force, China succeeded in securing a position along the bank, but counter-attacks intensified and their force reached more than 30 or 40 divisions after reinforcements. The Expeditionary Force was reinforced in proportion and on Nov. 5 the 10th Army under YANAGAWA landed on the * coast of Chekiang Province.

33819 The Expeditionary Force, after fighting desperately for more than two months, was barely able to drive the Chinese Army from the Shanghai vicinity and to occupy the city toward the end of October and beginning of November. During the fighting, MATSUI noticed that anti-Japanese sentiment of Chinese officials and people around Shanghai was very strong and the guard unit of Chiang was most daring in counter-attacks. Chinese units were finally driven back in confusion but before their retreat they adopted "clearance tactics", destroying or burning transportation facilities and buildings. Some changed their uniforms to plain clothes and turned guerillas, sniping and threatening the rear. The local people cooperated with their troops by cutting telegraph wires, etc., jeopardizing the Japanese to no end. MATSUI was aware of many instances where troops and nationals of England, America, France, etc. in sympathy with the Chinese troops * intentionally gave assistance to them, obstructing military movements. MATSUI felt keenly that the Chinese attitude and long, bitter fighting had estranged the Chinese Army and people in Central China from the Japanese Army, causing hostile feeling between the two nations. He instructed his command to give protection and be decent to the Chinese and have a regard for foreign rights and interests. As an example of

Page this instruction the battle in Nanshi, the southern district of Shanghai, ended without any damage to the district.

33820 Immediately after the 10th Army's landing at Hangchow Bay, on 5 Nov. 1937, this Army and the Expeditionary Force were organized into the Central China Area Army and MATSUI was appointed Commander for a while, serving concurrently as Commander of the Expeditionary Force. The Central Army Headquarters was over the Expeditionary Force Headquarters and the 10th Army Headquarters, and its mission was to unify * the command of the two units. Since it had only a small staff, its duty was limited to giving operational instructions and had no authority to dispose of intendance and medical matters in general.

33821 Before he was relieved of command of the Expeditionary Force, his relation with officers and men in the field with regard to command was indirect. After driving the Chinese Army out of the Shanghai area, the Central Army occupied the line between Chiahsing in Chekiang Province, Soochow and Changchow in Kiangsu Province and sought to maintain peace and order in the Shanghai area. The Chinese Army, with Nanking as its base, kept up large scale battles in North China, concentrating a great number of troops to prepare for attack in Kiangsu and Chekiang Provinces. The situation grew so bad that unless the Chinese base around Nanking was captured, it was impossible to maintain peace and order and protect interests in Central China. Consequently, Japan decided to capture Nanking to restore peace in southern Chingsu Province * and Headquarters ordered the Central Army to seize Nanking in cooperation with the Navy. The Army commenced a quick offensive operation in spite of difficulties. In accordance with the policy to localize the area of battle and because of MATSUI's idea to bring about cooperation in capturing Nanking, he took every precaution not to make the campaign a cause of struggle for the entire Chinese population.

33822 Notwithstanding his scrupulous care in the busy and unsettled condition at the time, it may have been some excited young officers and men * committed outrages, and it was to his regret that he heard rumors of such misconduct. At the time of Nanking's capture, he was sick at Soochow, 140 miles away, and was unaware of such outrages committed contrary to his orders and he received no reports thereof. After entering Nanking on 17 Dec. he heard about it for the first time from a Kampel unit commander and he at once ordered investigation and punishment of the guilty. However, it was well known that in war time Chinese troops and some outlaws almost always committed violence and looting. Not a few of those crimes were committed by Chinese troops and people when Nanking fell, and to hold the Japanese responsible for all the crimes was to distort the facts.

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- Page A ceremony for entering Nanking was held on 17 Dec. and a memorial service for the dead was held the next day. On the 19th MATSUI inspected the city but fires had been put out and the streets were calm with refugees returning to their homes. They saw only 20 dead Chinese troops in the streets and order within the city * was being restored. The water works, electric facilities and important government and municipal buildings had been destroyed by Chinese troops before the entry and there were comparatively few fires.
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- 33824 * During his stay in Shanghai after the fall of Nanking until Feb. 1938, he only heard a rumor toward the end of Dec. 1937 that there were some illegal acts in Nanking but it was no official report. The U.S. Army broadcast in Tokyo after the war's end concerning the alleged large scale massacre and outrage was the first time he heard anything about it. After the broadcast he tried to investigate Army activities after the capture of Nanking but the responsible persons were already dead, detained or punished, and the documents were destroyed by fire and it was impossible to investigate the true situation in detail. It was possible that a great number of Chinese were killed or wounded during the Nanking Campaign by gunfire, but he did not believe there was truth in the charge that there were cases of planned massacre. Nothing could be farther from the truth than the slander that the Army ordered or tolerated these deeds.
- 33825 * Needless to say, MATSUI did everything in his power as Commander of the Central Army to take measures to prevent the occurrence of such unfortunate incidents and to punish the guilty and compensate for damages. To his regret, the result was not perfect due to the hectic condition of wartime.
- 33826 After entering Nanking on 17 Dec., he left on the 31st for Shanghai. In Shanghai he was busy negotiating with local Chinese with regard to the maintenance of general peace and order and taking relief measures for the people and getting in contact with commanders * of foreign military and civilian officials to look after incidents occurring after the campaign. This was because the Central Army, after MATSUI's return to Shanghai, was ordered to concentrate its efforts in securing the entire area south of the Yangtze and east of Nanking, especially in the Shanghai neighborhood.
- When he heard the rumor of outrages in Nanking after returning to Shanghai, he again issued a warning to the officers and men staying in Nanking by sending subordinate staff officers at the end of 1937 and ordering a thorough investigation of the rumors and quick punishment for the guilty. Up to the time he left the post, he received no authentic reports concerning these matters. Besides the maintenance of peace and order in the occupied areas, he felt the necessity of negotiations for a general peace movement with the

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Page Chiang Government. He urged Chinese key officials in the Shanghai neighborhood to make efforts in this connection and sent envoys to 33827 Foochow and Canton and had them communicate with Chen yi and Sung * Tzu-wen; but simultaneously with the reorganization of the Central Area Army in the latter part of February, he was dismissed from his post and returned home.

When he was dismissed as Chief of the 2nd Section of the General Staff Headquarters in Dec. 1928, he started a tour of inspection of Asia and Europe. When passing through Berlin in April 1929, military attaches in Europe got together to renew friendship with him. This was not an official conference and had no particular purpose.

It was presided over by the attache in Berlin and was not called or sponsored by MATSUI. At that time MATSUI had no official power to sponsor such a conference. It was an informal discussion at which the attaches expressed their opinions on the European situation. No minutes were taken and no report was made to his superior after his return. A supreme war councillor was mainly given a temporary mission regarding education and training within the army and was not to meddle with anything, especially with foreign affairs. A cabinet advisor was appointed mainly as a consultative agency and had no substantial authority. While in these positions, his opinion was never taken up concerning China and Asiatic problems, etc. and he never offered his opinion.

33830 For many years it had been MATSUI's regret to see Asia invaded by Europeans and Americans and he prayed for the reconstruction of Asia by the Asiatics. In view of the alienation between Japan and China after the Manchurian Incident, it was his desire that the two peoples look at the whole situation instead of misunderstanding each other. To give impetus to the movement of the "Greater Asianism" among interested persons in Japan and China, he established the Greater Asia Association together with men of the same views in 1933. This was not a political organization but one to study social culture. Its object was to reconstruct * Asia by spreading the principle of bringing about co-existence and co-prosperity for the Asiatic people and by contributing to humanity as a whole. The number of Japanese members reached more than 2000, but due to lack of funds it was unable to do anything special.

In 1935 and 1936 he travelled in China and tried to accomplish the movement. For years in China, Greater Asianism had been widely advocated by Sun Wen, former President of China. Hoping that the Chinese movement and Japanese movement would be in line, he talked with interested men in Peiping and Tientsin in

Page the fall of 1935 and in the spring of 1936 there was established the Chinese Greater Asia Association. It was true that in this regard he persuaded Chin Te-chun, the mayor of Peipin, * but Chin's affidavit did not agree with his words at the time. Their claim was not necessarily to drive out Europeans and Americans from Asia, but he advocated that the latter should join in the idea of co-prosperity and co-existence.

33832 * The Dai Nippon Asia Development League was established at the time of the First KONOYE Cabinet, combining the numerous organizations engaged in developing Asia. The IRAA was organized also and the League came under its supervision. Due to frequent Cabinet changes, the Asia Development League was constantly compelled to reorganize and change its sphere of activities. All it could do and did was to get in contact with cultural organizations in China and Manchukuo to ask their cooperation, and besides that, nothing concrete was accomplished.

33833 The reason MATSUI was Vice President or Advisor of the League was due to his past relationship with the Greater Asia Association. As the result of the frequent changes in the organization * of the Development League, it reorganized and changed its name as Dai Nippon Asia Development Association at the time of the Koiso Cabinet in 1944. It was placed under the supervision and guidance of the government but was of a cultural nature. With the progress of the Pacific War, the acute situation prevented its starting any concrete movements and it was only able to publish its organ and give guidance for Asiatics residing in Japan. Because of his past connection with this association, MATSUI took charge of its management, but the war came to an end and he was obliged to dissolve it.

33834 About 12 Dec. 1937 he received a report that an artillery unit of the 10th Army bombarded a British gunboat near Wuhu. He ordered his C/S to investigate, and according to his report about 11 Dec., Chinese troops were retreating * on the Yangtze River by ships, many of which were displaying foreign flags. The 10th Army Commander YANAGAWA ordered that these ships be fired upon which had retreating Chinese soldiers on board. When Colonel HAYASHI located several ships sailing with Chinese soldiers on the morning of the 12th in the fog-covered Yangtze River, he opened fire and the Ladybird was among those ships. MATSUI immediately ordered the Commander of the 10th Army to apologize to the British Naval C-in-C. MATSUI, returning to Shanghai from Nanking, called on Admiral Little and apologized. Little fully understood and promised he would transmit the apology to Britain.

The bombing of the USS Panay was done by a Navy plane by mistake. The plane was not under MATSUI's command and he had

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Page nothing to do with it. Since it was an unfortunate incident, MATSUI went to Admiral Yarnell, the U.S. Navy Commander, expressing his regret.

33835 * MATSUI protected peaceful people and respected foreign rights and interests. After the Shanghai and Nanking battles, he visited Admiral Little and Admiral Yarnell to promote better understanding, and he also met the French Ambassador and Navy C-in-C and exchanged opinions about the French Concession and Nanshi.

33836 The number of Japanese officers and men killed or dying from disease during the fighting at Shanghai, Nanking, etc. was more than 21,000 * and the total casualties were more than 80,000. He decided there were many cases of massacre. He thought there were many victims of Chinese soldiers and people and among them were not a few who suffered from cholera, etc. prevailing at Shanghai and in the Chinese Army. To his way of thinking, when the Chinese and Japanese ought to have cooperated as brethren it was a calamity that they struggled against each other and a tremendous cost. It was his hope that the incident would give an opportunity for the two to live in harmony. * After returning home he built a temple and a statue of the Goddess of Mercy, dedicating them to the victims of both countries.

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CROSS EXAMINATION BY BRIGADIER NOLAN

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*Reference was made to the affidavit where it was stated that Japan decided on 15 August to send an expeditionary force to Shanghai, which consisted of the Third and Eleventh Divisions. The witness stated that before he left Tokyo to take command he asked that the number of divisions be increased to five. Since there were reports coming in that the number of Chinese troops in Shanghai and vicinity was about 100,000 it was believed a strength of five divisions would be appropriate to meet the situation. *To meet the demands of the situation, troops were increased to the point that the expeditionary force alone consisted of five divisions and the Yanagawa Army had three divisions, a total of eight. The expeditionary force reached five divisions during the first of October. The Tenth Army under YANAGAWA landed in China about 5 November 1937.

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*Reference was made to the affidavit where he referred to the reason for his appointment as C-in-C of the expeditionary force. The accused stated that during his military career he had spent about twelve years in China. In 1907 he went to Peking as assistant Military Attache at Shanghai and after three years there he returned to Japan. * In 1914 he went to China again, staying there for about four and one-half years. During this time he cooperated with Sun Yat-sen and other members of the Kuomintang in trying to overthrow Emperor Yuan Shih-kai. While he was in Shanghai he was military agent there. A military Attache acted in conjunction with the legation or embassy but a military agent was under the direct control of the General Staff *and worked independently. One of his duties was to examine the terrain in the vicinity of Shanghai and Nanking. Asked if that wasn't the reason he was appointed C-in-C in 1937, he replied he didn't think his knowledge of topography was of great importance but believed his appointment was due to his friendship for leaders of the Kuomintang with whom he had become acquainted in Shanghai and Nanking. Asked if his knowledge of the area had not come in useful later on, he replied there might have been occasions on which it was of service.

Reference was made to the affidavit where it stated the intention was to settle the incident locally as soon as possible and to prevent the armed *conflict from spreading. When it was suggested to the accused that before he left Tokyo in 1937 he made known his desire to press on to Nanking, he stated he did have such thought at the time he left Tokyo.

*Asked if the Chinese resisted at every turn, he replied that "resist" wasn't the word, but from the very beginning it was the Chinese who took the offensive. When the Japanese took the offensive the Chinese did resist. In connection with his statement in the affidavit that the expeditionary force was a means of bringing about friendly relations he was asked if at this time, late 1937, he was not in favor of continuing negotiations with Chiang Kai-shek. He answered that on one hand the Japanese forces attacked the Chinese who threatened them

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and on the other hand they conducted behind-the-scenes negotiations with Chiang and his regime for conclusion of peace.

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*He never advised his government to have nothing to do with Chiang Kai-shek at that time. Asked if he expressed strong opinions to that effect, he replied that since his thoughts were to open peaceful negotiations with Chiang he did not voice such opinions. His thoughts were to crush as quickly as possible the opposing forces in the Shanghai-Nanking area and immediately to open peace negotiations after they were crushed.

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Reference was made to the affidavit where it was stated that he was aware of instances where troops and nationals of England, America, France, etc. in sympathy with Chinese troops intentionally gave assistance to them and obstructed Japanese military movements. Asked what countries constituted "et cetera" he stated that almost all European and American countries in or near Shanghai at the time * were in sympathy with the Chinese. Germany directly aided the Chinese and there were many German advisers to the Chinese forces. None of these countries made war on Japan but they were not only out of sympathy with the Japanese side but were actually giving moral and even actual material help. Asked what they gave, he stated that if he gave all the facts they would be many in number, but as an example, Britain furnished food, supplies, equipment and arms. When the Japanese were attacking the Chinese battery at Woosung a French warship intentionally went through the Japanese lines, hindering the attack. The ship was lying outside Shanghai Harbor * but when the Japanese began attacking the battery it went up the Yangtze.

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Reference was made to the affidavit where it referred to the Central China Army * and stated that Headquarters had only seven staff officers and its duty was limited to operational instructions to the two Headquarters and had no authority in intendance and medical matters of the army in general. The accused stated, by this he meant it had no authority over such matters as rations, quarters, pay and medical services. Where he said that his relation with the officers and men in the field * with regard to command and supervision was entirely indirect, he meant he exercised command through the commanders of the Shanghai Expeditionary Force and the 10th Army. It was true that the 10th Army and the expeditionary force were under his command.

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In his affidavit he had stated that some excited young officers and men might have committed outrages in Nanking. He did not see this with his own eyes but knew of it from reports. These outrages were murder, rape, looting and forceful seizure of materials and he received these reports from the gendarmery.

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*Reminded that he had stated in his affidavit that at the time of the Nanking capture he was at Soochow, 140 miles away, and was unaware of the outrages committed, he was asked how he heard that the city had fallen. He stated he heard it from reports of the expeditionary force commander, Prince ASAKA, and from the 10th Army Commander, YANAGAWA, and both kept him in close touch with the progress of the operations. Reminded that he stated in his affidavit that he heard about the outrages after entering Nanking on 17 December from the Commander of the Kempei Unit, he was asked if he received reports from other persons after entering Nanking. He stated that when he went to the Japanese Consulate he heard stories of similar nature from the consul. *Asked why he didn't put that

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in his affidavit, he stated that was because he did not hear it as an official report but merely heard stories from the consul in the course of the conversation. He did not hear from the consul that complaints had been lodged by foreign residents with the Consulate. He heard from the consul that among the officers and men who had entered Nanking were some who had committed outrages. Asked if the consul mentioned any particular units, divisions or armies he replied the conversation did not go into such details. He believed it took place about the 18th or 19th of December. Asked if he also received reports of outrages from army and divisional commanders while he was in

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Nanking * he replied he did not receive such reports. He acknowledged being in Court when the witness NAKAYAMA, an intelligence officer of the Central China Area Army gave evidence. Asked if he heard NAKAYAMA say that he received additional reports from commanders and divisional commanders of MATSUI's Command as well as from diplomatic organs he replied he didn't think NAKAYAMA said that since MATSUI was army commander he received reports from the two army commanders but not from divisional commanders as they were not his subordinate commanders. He did receive reports from the two army commanders immediately after his entry into Nanking. These reports were in regard to the general war situation and he did not receive reports on outrages from them.

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*His Chief of Staff on 18 or 19 December was dead and he could not recall his name. Asked if he succeeded Lt. General IINUMA, he replied that IINUMA was Chief of Staff of the area army and Chief of Staff of the expeditionary force was appointed by the General Staff. When told that it was understood from the witness IINUMA that he relinquished his post about the time of Nanking's capture, the accused stated that at the time of the capture IINUMA was Chief of Staff of the expeditionary force and later in February of the following year when the army was reorganized IINUMA was relieved.

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Asked if his Chief of Staff immediately after the fall of Nanking told him of outrages committed by troops under MATSUI's command, he replied he did so report, saying it was a report he had received from the Kempei.

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His name was TSUKADA.

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The accused was reminded of testimony by the witness HIDAKA (T 21,453) that reports of atrocities from foreign residents in Nanking were sent to the Foreign Office in Tokyo and to the army in Nanking. The accused stated that such reports, if sent to the army in Nanking, should have gone to the Headquarters of Prince ASAKA, commander of the expeditionary force. The witness was reminded of testimony of NAKAYAMA (T 21,927) that he thought the reports went to the Special Service Department of the Shanghai Expeditionary Force and the accused was asked where that department was subsequent to December 17, 1937, the accused replied the Headquarters were in Shanghai but believed a part of it had gone to Nanking. Headquarters of the expeditionary * force were inside the walls of Nanking, and he believed 10th Army Headquarters were in Nanking for two days but moved to Hangchow around the 20th.

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Reference was made to the affidavit where it was stated that hearing about these atrocities MATSUI ordered every unit to investigate thoroughly and punish the guilty men. Asked if they reported back the result of investigations, he replied that each specific unit would not report to him directly but if he received reports it would be from the two army commanders. Up to his departure from Shanghai in February the following year he received no reports on these investigations. * He had asked that they be reported to him but the reply was that they were in the midst of investigations and as soon as they were completed they would reply. He had also received no reply until he left China in February 1937. Asked if the General Staff in Tokyo communicated with him regarding the behavior of troops in Nanking, he stated he was not aware of any communications from the General Staff to him on that point. He knew nothing at all of any communications from anyone in Tokyo addressed to anyone that came to his knowledge in China. He did remember that toward the end of January 1938 when Major General HOMMA was sent to his headquarters from the General Staff he said Tokyo authorities were very worried about reports * of outrages committed by Japanese soldiers in China.

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In December and early January he did not receive any complaints from any government or military authority in Tokyo regarding the conduct of troops in Nanking. He heard nothing about a communication sent to Prince ASAKA, commander of the expeditionary force from Japan, * nor did he hear about any complaint sent to ASAKA from any place whatsoever.

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The accused stated that on 18 December he called together all units stationed in Nanking for a memorial service and he believed that all officers above the rank of regimental commander were there. They were assembled because on the previous

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day he had received through his Chief of Staff the report of the gendarmery commander in regard to outrages committed by Japanese soldiers and he gathered the officers together to give them direct instructions. He did not know how long the atrocities went on in Nanking but thought most were committed immediately after the entry.

33859 *The accused stated he had heard but did not believe the evidence of the witness Magee (T 3922) and the witness Bates (T 2644) in which they said atrocities went on for about six weeks after the fall of the city.

Reference was made to the affidavit where it was stated that not a few of the crimes in Nanking were committed by Chinese troops and people when the city fell. Asked how he knew that, he replied he knew it from receiving reports made by Staff Officer NAKAYAMA and Counselor HIDAKA, whom he had sent to investigate. He believed he received the report in mid January. In their report they mentioned crimes committed by Japanese soldiers but as they reported orally he didn't remember the contents too well.

33860 *Since they went to Nanking to investigate after the incident had broken out and since they caught no one actually in the act MATSUI was not able to get an exact report. Asked if he sent them back to make a further and better report, he stated that at the time it was after the incidents had occurred and almost impossible for the Chief of Staff and Foreign Office authorities to make exact investigations. The only method left was to order unit commanders to investigate in regard to their own units but such reports took quite some time and he did not have them when he left China for Japan.

33861 The accused was reminded of the testimony of the witness OKADA (T 32,747) who said he had a conversation with MATSUI in the Metropole Hotel in Nanking on 18 December and MATSUI told him he was sorry because unknowingly he had wrought a most * grievous effect upon the city. The accused acknowledged making this statement to OKADA. MATSUI stated he had no desire to occupy Nanking by war but wished the occupation to be peaceful and had no desire to turn Nanking into a field of carnage and that is what he meant when he referred to a most grievous effect upon the city.

In his inspection on 19 December he did not enter the refugee zone. Asked if he had no conversations with those refugees as set out in the affidavit of the witness OKADA, he replied that it was not in the refugee zone but elsewhere that he met two refugees and talked with them.

33863 *The accused was reminded that the witness NAKAYAMA (T 21,893) testified that MATSUI informed Chief of Staff TSUKADA to issue an order to all staff officers that as Nanking was China's capital its capture was an international event and careful study must be made so as to dazzle China even more greatly with Japan's military glory. The accused acknowledged issuing that order.

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The witness HIDAHI was an embassy councillor in Nanking before the incident. After the incident the embassy was located in Shanghai.

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*HIDAHI was the official who received the complaints of the foreign residents of Nanking and was the same official who MATSUI asked to make an investigation in January 1938. HIDAHI's report was verbal and the accused did not hear him mention that he had been receiving constant reports of complaints of the foreign residents of Nanking. MATSUI had HIDAHI investigate into matters of damages and losses inflicted upon the embassies and legations of foreign powers in Nanking and indemnify them. This included the Chinese. *Asked if it was not true that HIDAHI was to investigate upon the basis of the information contained in reports of complaints he had, the accused replied he did not know what method was used but he assumed he based his investigation on reports of foreigners in the refugee zone. MATSUI at that time did not hear of such reports. Asked why he then assumed that he predicated his investigation upon such reports, he replied he was assuming now and after being informed that many such reports had been submitted to the consul.

33865

Reference was made to the affidavit where it was stated that when he inspected the city only about twenty dead Chinese soldiers were seen lying on the streets. Asked how many bodies of dead civilians, including women and children, he saw, he replied he did not see any. *Witness was reminded that in his interrogation (Exh. 257) he was asked if he saw any bodies of dead civilians, women or children, when he went to Nanking on the 17th and he answered that they had all been removed but he saw a few dead soldiers near the west gate. Asked if it could be understood from that answer that the bodies of dead civilians had been removed by the time he got there, he replied he did not know of any Chinese women and children being killed within Nanking. Asked why he said in his interrogation that they had all been removed by the time he entered the city, he replied he did not know whether he said that or not but if there had been it was his idea then that they would naturally have been removed from the scene.

33866

Reference was made to the affidavit during his stay in Shanghai after the fall of Nanking until February 1938 where he stated the only thing he heard was a rumor at the end of December 1937 that there were some cases of illegal acts in Nanking but he received no official * report about such fact. Asked where the rumors came from, he replied that at the time there were many rumors among Chinese and foreigners and he learned this from persons hearing these rumors. Such rumors might have appeared in Chinese newspapers but he did not think at that time such matters

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got into print. There might have been some in the foreign press but from his careful scrutiny of Chinese and foreign newspapers at the time he did not notice any. Reminded that the accused MINAMI had testified (T 20,015) that the rape of Nanking had been reported in the press of the world he was asked if he read any of those reports and he answered that he had not read such reports but they might have been reported after he had already left Shanghai because he did not notice any while he was there.

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*He had a conversation with Mr. Hallett Abend in Shanghai twice in January 1937. He met him to hear what he had heard and to impart information to Abend. Asked if he wanted to quell the rumors abroad at that time, he replied "quell" was hardly the word to be used. His desire was to see the truth reported. To the witness was quoted a part of his interrogation (Exh. 257) in which when asked when he first saw Hallett Abend after the Nanking capture he replied he met him for the first time about a month after. Asked if Abend asked for an interview he replied "no", he requested Abend to see him as he had

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* heard rumors and wished to quell these by putting the facts before Abend. The accused conceded that this was what took place. Asked what rumors he was referring to when he mentioned this conversation with Abend, he replied that regarding the many outrages alleged to have been committed in Nanking his desire was to tell Abend the truth of the situation as he believed it and although there were many foreign correspondents in Shanghai at the time he felt Mr. Abend the most trustworthy. He could not say who was talking about these outrages but thought the source of the rumors was mostly Chinese and foreigners who had heard them from Chinese. He could not recall but thought it was one of his subordinates who passed the information on to him,

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*and it probably was his Chief of Staff. He was going to tell Abend the facts so there would be no misapprehension about the true state of affairs. Asked if he had received any report from his investigators at that time, he stated "no", but he had been receiving fragmentary reports from the gendarmerie, not directly himself but his staff officers were receiving them daily since the fall of Nanking. Asked if those reports were communicated to him as C-in-C, he replied that as the gendarmerie were not his direct subordinates but the subordinates of the army commanders the reports were made to them and not to himself. * Asked what the army commanders did with the reports received from the Kempetai, he replied that when the facts were made known the offender was tried and punished. When he had mentioned fragmentary reports from the Kempetai he meant staff officers on his staff as C-in-C. Asked if the reports were brought to his knowledge, he replied that ordinarily discipline and morals was the responsibility of the division commander and the army commander supervised the divisional commander and maintained the courts martial under his jurisdiction. MATSUI was the commander above them and his area had no military police under its direct control and therefore reports were not made to his headquarters or to himself directly.

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Page It was more proper to say that the facts were brought to his attention for reference purposes.

33872 *Asked if staff officers of his headquarters were constantly receiving reports from the Kempeitai, he replied it was more correct to say that inasmuch as he told his staff officers to put these matters under investigation they went to the Kempeitai to get information rather than to receive reports from them. Asked if after investigation they returned to headquarters with reports, he replied that at that time there was a battle going on. It was not easy to get the desired facts and it was only natural that reports were fragmentary and abstract. Asked what reports he had as to what was going on in Nanking from his staff officers who got it from the Kempeitai, he replied that inasmuch as these incidents had already occurred and reports were heard indirectly through various informants and with troops constantly * on the move it was of the utmost difficulty to ascertain the facts. Asked how he was then able to give Abend in January 1938 the true facts of the situation, he replied he talked to Abend on the basis of reports communicated to him from the Kempei. Discipline and morals were the responsibility of the divisional commander. He was C-in-C of the Central Army. Asked if he was suggesting that power of command did not carry with it the power to enforce discipline on his troops, he replied that as C-in-C he had power to command operations of the two armies under his command * but did not have direct authority to handle discipline and morals. Asked if had the power to see that discipline and morals were maintained in units under his command, he replied it would be more correct to say obligation or duty rather than authority. This was the reason he summoned his officers in Nanking after the entry and talked to them about disciplinary measures. Asked if he was not attempting to say that power of discipline was not inherent in his command, he replied that he was not evading all responsibilities in connection with the capture of Nanking as area commander but was not directly responsible for the discipline and morals of the armies under his command. Asked if this was because there was an army commander in the units under his command and he carried out * disciplinary measures through his army commanders, he replied that he himself did not have authority to take disciplinary measures or hold courts martial but such authority resided in army or division commanders. He had no legal right to order a court martial to be held in the army or division. Asked how he explained his efforts to show that he ordered severe punishment to the guilty for outrages in Nanking and did everything in his power as C-in-C to give severe punishment to the guilty, he replied he had no authority except to express his desires as C-in-C to the army and divisional commanders. It would be a difficult thing in the light of the law for a general officer commanding to express his desires to subordinates in the form of orders.

33876 *Asked when he wanted those under him to do something what he did, he replied that authority vested in him was overall operational command of the two armies and that was all. It would be

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difficult to determine his legal responsibility with regard to the question of discipline and morals. Asked if his military superiors in Tokyo were dissatisfied with the conduct of the army in China who they would hold responsible, he replied it was difficult to try to determine this legal question and he did not know how the general staff offices in Tokyo felt at that time but while he was in Shanghai or after his return to Tokyo he was never reprimanded by the Chief of Staff.

33877

Asked why General HOMMA went to Shanghai early in February of 1938, he replied " it was only natural that the central authorities would be greatly worried about the reports of outrages and MATSUI ~~was~~ shared that misgiving and because of his great worry he instructed officers to rectify such actions and he told them that discipline had to be maintained. General HOMMA came to his headquarters but did not speak about the particulars of the reports received in Tokyo, but did speak generally about the conduct of MATSUI's troops in Nanking.

33878

"HOMMA came to China because the higher command was concerned about the conduct of the troops and MATSUI presumed he learned of these matters from reports sent by the Foreign Office to the army. The accused was quite sure that he himself did not send a report to Tokyo Headquarters. He may have talked about the matter to the General Staff after his return but never sent an official report, nor an

33879

"unofficial report. Asked if although he did know of some incidents having occurred he didn't report these to Tokyo, he replied if there was any necessity for sending reports with regard to discipline and morals that authority did not reside in the area commander C-in-C but was in the divisional commander. Asked about the responsibility of the army commanders he stated that legally this would be difficult to say and his interpretation was that the responsibility resided in the divisional commander to send reports to central authorities through their immediate superior, the army commander. Asked if the divisional commander would send a report through the army commander through the

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C-in-C to Tokyo, he replied " he could not speak of this definitely from the legal standpoint. Asked if they were not channeled through the C-in-C of the central army, he replied he could not say whether it was legally correct or not but as a matter of fact such reports were not sent by him.

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33882 * Reference was made to the affidavit where it was stated that after entering Nanking on 17 December, he heard about it for the first time from the Kempei commander and at once ordered every unit to investigate thoroughly and punish the guilty men. Asked how he explained this statement if he had no power to give orders relative to the maintenance of discipline, he stated that he meant to say that he gathered together his army commanders and unit commanders, expressing his desires in regard to the maintenance of discipline and ordered them to take appropriate measures.

33883 * Asked about his testimony before that he had no power to give orders, he replied that at the time, being area army commander, he was given authority to unify the joint strategy of the two armies, therefore he could not say that the maintenance of discipline had no connection with strategy, and in so far as the two were interconnected, he thought he would have power to interfere in matters of discipline, but in the strict legal sense he did not conceive himself as having the power to give specific orders in detail with regard to discipline and this was his belief to the present day.

33884 Reference was made to the affidavit where he referred to a meeting in Berlin in 1929 at which time he had just left his post as chief of the second section of the general staff. Asked if the basic work of that section was collection of information with respect to countries other than China, he replied his duties were general observation. When he made his trip in 1929, he passed through FIC, Siam, Burma, and India,

33885 then Italy, France,* and passed through Berlin in April. His expenses were defrayed by the general staff as he was attached to it. Asked if he was on duty on this tour, he replied that an officer of the general staff is that, but he had no special duties there.

33886 It was true that the duty of a general staff officer was to be told what he was to do and to do it, but his trip was authorized by the general staff because he had just completed a long tour of duty in it, and it was partly for the purpose of recuperation and also to enable him to get a better idea of world situation. *When he visited Eurp. countries, he saw the military attaches there. Asked if it was not necessary then for him to get together with them in Berlin to renew friendships, he replied it was thought desirable that the European attaches should have the opportunity of getting together, and therefore the attache in Germany, OMURA, sent invitations to the countries and they all accepted.

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33887 They knew MATSUI was coming to Berlin because he had told them he would arrive and there were attaches there from Britain, Germany, France, Poland, Russia, Austria, Turkey, and Italy. The accused, HASHIMOTO, was there from Turkey, and * SUZUKI, the attache from Poland was there but this was not the accused SUZUKI. No such thing as sabotage and espionage against Russia were discussed, but each representative told of the situation in the country in which he was stationed. After talking all day on various topics, they spent the evening at a restaurant.

33888 The accused was told that in exhibit 733-A, an excerpt from his interrogation, he was shown a copy of exhibit 732-A, "Items Concerning the U.S.S.R. Presented at the Conference of Japanese Military Attaches in Europe." After being shown this document, among the items of which were mentioned sabotage and espionage, the accused stated he had come to the conclusion that the notes were made by one who was present at the conference and apparently reflected correctly * the contents of some of the questions which were considered at the conference.

33889 The accused was asked if he wish to make any change in the above statement in his interrogation because he had referred in his affidavit to exhibit 733, and he replied that during the time of his interrogations by the Soviet authorities they presented him with a document quite different from the one the prosecutor described. When shown exhibit 732-A, the accused said it was a copy of a different document * and they never especially discussed such problems as were written in it. The very title was sheer nonsense.

The accused was reminded that the accused HASHIMOTO had testified before the court that at this meeting the topic of sabotage and espionage against Russia came up (T. 28,839), and MATSUI was asked if HASHIMOTO was wrong. He replied that since HAGHIMOTO was attache in Turkey, he spoke of intelligence work vis-a-vis Russia, but did not recall the contents of his talk. He recalled that HASHIMOTO spoke of utilizing White Russians in Turkey but did not recall concerning sending White Russians into Russia surreptitiously.

33890 * Asked if it was not true that this meeting was to discuss what might be done by way of espionage and sabotage against Russia, he replied that officers stationed in countries neighboring Russia probably talked about Russia, but each attache spoke of the subjects he was most concerned with. The accused stated he believed he resigned as a supreme war

33891 Page councillor in March 1935 and did so because he was appointed commander of the Taiwan Garrison force. It had nothing to do with disagreement in policy. Reminded that he was then appointed a cabinet advisor, and that he had stated that his opinion was never taken * up concerning China and Asiatic problems, and that he never offered his opinion, he was read what the accused KIDO had said about the position of a cabinet councillor in court (T. 31,413). When Kido had been asked what was the duty of a cabinet councillor, he replied he thought that according to government regulations, his main function was to serve as consultant to the Premier in connection with bringing about an early termination of the China Incident.

When KIDO had been asked if a cabinet councillor was a special position created for that precise purpose, he had replied "yes". Asked how he reconciled KIDO's statement with his own statement that he had never offered his opinion on any matter concerning China or Asia, he replied that the original reason for setting cabinet councillors might be as KIDO said, but actually they were only advisor in name and although they gathered once or twice a week at the Premier's official residence, they did a lot of talking which never came to anything more.

33892 * It was not an official meeting and it would be better to call it a political gesture of the government. The purpose of the Greater Asia Association was to create a greater east Asia for all the Asiatic peoples, including China, Indo-China, Siam, Dutch Indies, Philippines, Malaya, Mongolia and Siberia. He thought most of the peoples inhabiting the Siberian regions were Asiatic, including the Mongolians, the Burjats, the Yakuta, and when asked if the Tsukches were included, he said he did not know that name.

33894 Asked if in order to enter into this Greater East Asia, it would be necessary for these countries to break away, as for example, Siberia and Mongolia from Russia, he replied that his principle of Greater Asia did not call for the separation of these peoples from the country from which they were affiliated, and they did not necessarily think necessary, for instance for the Yukuts Republic to leave the Soviet Union or if India remained in the British Commonwealth. What they aimed at was that all the Asiatics should work together for Asia's prosperity. Asked if Manchuria would be an example of what he was advocating, he replied that it could be considered that way. * Asked if in the case of war with the USSR, Manchuria would be a very valuable base of operation, he replied that history had proved that in case of war between Soviet and Japan, Manchuria would be a base.

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It was suggested to the accused that the policy of his association was that these Asiatic countries and peoples were to be brought into the structure of Greater East Asia and as their entry could not be brought about by peaceful negotiations, the question would have to be settled by war. He said that the basic principle underlying the movement was the same as the one for a federation of Europe, which arose in Europe, and of the Pan-American movement.

- 33895 * In 1935 and 1936 he was traveling in China and preaching the gospel of this association. After the out break of the Greater East Asia War, in 1941, he made tours of FIC and the southern regions and was in the Philippines. Asked if in these countries, his effort was to convince those people of the propriety of their entering the structure of the Greater Asia Association, he replied that by that time they had established a Great Asia League and he went around exhorting the peoples of Greater Asia to cooperate with it, but at the same time he had many friends in the south asiatic countries, and
- 33896 * Professor Duran expressed sympathy for asianism. He had met with he and former president Laurel in Tokyo and talked with them on this point.

- 33897 He did not recall the time the league was established. The Japanese government assembled representatives of the Great Asia countries for a conference in Tokyo. Reminded that he had said in his affidavit it was at the first KONOYE cabinet, and asked if that was correct or if it was the second KONOYE cabinet, he stated * he believed there was confusion regarding the three societies with which he had been concerned: the Asia Association, the Asia Development League, and the Great Japan Asia Development League. These three had common principles and all advocated asianism, but their form and structure differed from time to time according to the changing international circumstances and the internal political situation.

- 33898 Asked when the Dai Nippon Development League was established, he stated he thought it was during the first KONOYE cabinet. Mention was made of the affidavit where he said the Dai Nippon Development Association published an organ, and he was asked if this was the Dai Asia Shimbun. He stated it was not a newspaper but a magazine and the association published the Dai Asia Shugi, or The Principle of Great Asia. After the Development League was established, the name * of the magazine became Dai Asia, or Great Asia. When shown a document he identified it as the magazine "Dai Asia Shugi" for January, 1941. Exhibit 3499-A, an excerpt therefrom being an
- 33900 article written by the accused, MATSUI, entitled a * "Proposal for unification and rapid progress of various organizations

Page for development of Asia" by MATSUI, Iwane, stated that the year 2600 of the Imperial Japanese Era brought faith in Imperial history and awakened the whole nation with a determination to face the present world situation. The conclusion of the tripartite pact between Japan, Germany, and Italy and the recognition by the Nanking Kuomintang Government had forced them irresistibly to go on the road to construct a new order in Asia against long dominance by Britain, America, and France.

Reconstruction of the various internal organs was urgently necessary to meet this serious situation, together with the establishment of a so-called new structure in politics, economics and in various other spheres. They welcomed the year with great pleasure and pride in living in this sacred age of Showa to promote the building of Greater Asia. However, they could not consider the determination of the people both in and out of power quite insufficient.

33901 * The tripartite pact had been concluded in alliance with the declaration made at the formation of the KONOYE cabinet and the rescript was issued to urge the people to make up their minds. But they felt that since the government had been carrying out foreign policy without firm faith to resolutely execute the national policy, and since many politicians and learned people had not come up to expectation in their enthusiasm, the internal situation was reflected on foreign countries and it was regrettable that not only many Asiatic countries headed by China, but also European powers were beginning to make light of their determination and foothold.

33902 * Out of his dissatisfaction in the present situation, MATSUI urged political thought, cultural, and other bodies for the development of Asia to rise up. The wise as well as energetic young men belonging to these bodies he believed were certainly willing to carry out these measures. Their conviction and enthusiasm would be a sole guiding power for carrying out the national policy which had been hindered. MATSUI now proposed the unification of these Asia revival bodies. Though they had different objectives and different natures, their chief aims were the unification and rehabilitation of the Asiatic races.

33903 Up to the present, they had not been the same in their measures, but were acting independently far from answering the requirement of the present New Structure of Society. Such different organizations of these bodies had disturbed the peoples' faith and ideals in * the Asiatic Revival Policy. Such being the case, recently they had organized the League of the Asiatic Development Bodies, exerting efforts for more than a year to unite and adjust all of them into one and to control and guide

Page it by a uniform thought and faith, together with starting a new collective activity by concentrating the separate and duplicated efforts of them. They hoped to correct and guide the concepts of Asiatic Revival and unify and lead the peoples' ideals. What the organization aimed at must harmonize with government policy and sometimes it would advise and encourage them to assist the Asiatic Revival policy. Its ambition was to become the nucleus of the nation's cultural idea of revival and start an international movement east and west with a view to join the IRA movement started by the Asiatic Revival organizations.

33904 * In spite of the many revival bodies in the country, new ones were being organized and some measures to control them was urgent. Although these old bodies had their own history and special circumstances, their unification would not be difficult and it would not be hard to continue the work of the old ones under consistent control. In controlling, they must depend upon the effectiveness of each person and organization and all members of the various bodies were earnestly desired to agree with them, and the authorities of the China Affairs Board were to contemplate this matter.

33905 MATSUI here suggested the unification of all the Asia Revival bodies and desired apostles for the cause to rise and cooperate and guide the people. The present situation had become clear and did not allow them to hesitate. If overcautious they would entangle the situation * misleading the country. It was necessary to listen to the nation's voice for those who wanted to guide national policy with sincerity and good faith, but they could not approve shirking responsibility, especially when the decision of national politics depended upon determination to put national policy toward Greater Asia into effect.

MATSUI felt most deeply their responsibility as apostles of the revival and this was why he appealed to their comrades to rise at once.

33906 Regarding the above article, the accused was asked in what way the government was too scrupulous in carrying out its foreign policy. He replied that at the time hostilities between Japan and China were in progress and some of the government policies toward Asia, as a whole, were imbued with a strong Asianistic spirit. But in view of Japan's internal situation, there were many who tried to think in * negative terms. Hemmed in by these two extremes, the government's policies were very vacillating and MATSUI felt strongly that they were too weak and dilly-dallying. Reminded that the tripartite pact had been signed and there had been a move into FIC, he was asked what he wanted the government to do. He stated his movement was mainly cultural and ideological and he had no idea of

33907 Page advocating a policy of force or of intentionally setting themselves up against European and American nations. But in view of the international situation and Japan's national strength, he felt they should not sit idly by. His ideas were quite different from Gandhi's movement which was negative. The fundamental spirit which animated MATSUI was the spirit of Bushido and of Buddhism doctrines. * Even if he was sacrificed, he would give up his life for the welfare and reconstruction of the Asiatic people and even if Japan was to be sacrificed, she should give herself up for Asia's sake.

33908 * Reference was made to his reference to the Ladybird incident in his affidavit, and that he had stated he was responsible for all operational matters. He agreed that the bombardment of the Ladybird came within this classification and he took full responsibility for it without hesitation. Reminded that he had ordered the 10th Army Commander to apologize to the British c-in-c and that he took no responsibility for the bombing of the Panay, he was asked why he went to Admiral Yarnell about that incident as was it not proper to go to the U.S. Navy commander, he stated that the main purpose of his request for an interview * with Admiral Yarnell was discussed on American rights and interests in the Shanghai-Nanking area.

33909 Even though the navy was responsible for bombing the ship Panay, it belonged to the United States navy and as MATSUI was directing joint navy-army operations, he felt that although it was not his direct responsibility, it was in accordance with Bushido to express a word of regret to Admiral Yarnell. Navy units were not under his operational command but entirely independent and under the navy. The commander of the Japanese fleet, HASEGAWA, issued the operation orders, which were carried out by those naval units and he was not under MATSUI's command but independent.

33910 Asked how he could direct operations without the navy being under his operational control, he stated that in order to do this they acted in cooperation with each other. * Reference was made to the affidavit where it spoke of a contribution of 10,000 yen to a Reverend Jackinough in Shanghai, and he was asked where the money came from. He stated that since he did not possess such even that amount, he used the money of headquarters' official funds.

Asked what his attitude toward the negotiations with America was in 1941, he stated that when he was fighting in the Shanghai-Nanking area against the Chinese, the attitude of the American officials was more or less neutral and he could find nothing criticizable in their attitude. When he met Admiral Yarnell he told him that whatever incidents may break

Page out the fighting men of Japan and America should cooperate to
maintain peace in the Pacific and Admiral Yarnell fully agreed.
33911 This was his sentiment * in 1938 and when again asked about
his attitude in 1941, he would have to go back to explain this
point. In January 1938 the U.S. President made a speech men-
tioning Japan's attitude toward Asia and her actions and in
language with which he found it difficult to agree and he ex-
pressed his dissatisfaction to a New York newspaper corres-
pondent.

33912 Asked again if he was in favor of carrying on negotia-
tions with the United States in 1941, he replied that it was
his earnest desire that pending issues between Japan and the
United States be settled through peaceful negotiations, but
what he thought of the situation at the time was almost as
though a Japanese-American war had broke out. When shown an
article in the Dai Asia Shugi, * he acknowledged that he wrote
it.

33913 Exhibit 3500-A, an excerpt from the Dai Asia Shugi,
July 1941 issue, being an article entitled " The Settlement
of the China Incident and the Problem of the United States"
* written by the accused, MATSUI, stated that a lukewarm
argument for compromise with the United States was being put
out. It was difficult to comprehend, when he heard that today
when the hostile feeling of the U.S. was so acute, compromise
with her was being taken seriously. When compromise was advo-
cated from one quarter, its influence extended to Chungking,
Nanking, Thailand, French Indo-China, and the NEI, and cast
a gloomy shadow on national policy. The reason why the NEI
suddenly took a firm attitude and the Japanese-Netherlands
Parley was on the brink of a break-down, was solely because
the NEI received the impression that Japan would submit to
the U.S.

33914 The strengthening of Chungking's war attitude, the
wavering of FIC, the uneasiness of Nanking, were all the ef-
fect brought about by the lukewarm argument for a Japanese-
American compromise. To complete the Holy War, strengthen
the peoples' spiritual unity, and make the Asiatic races
place their confidence in Japan, it was first necessary to
sweep away the servile argument for compromise with the
United States. * The basis of the argument for a compromise
seemed to lie mostly in the idea that by compromising, it
would be possible to stop aid to Chungking, make them coop-
erate in development of the Nanking Regime, obtain U.S.
loans, and direct U.S. cooperation, and secure material re-
sources in the southern regions. This was a fantastic
mistake. America considered England her first line of defense

Page and also Chungking and Batavia her first line of defense. There was no reason for America to consider a compromise. America wanted to divert the Hawaiian fleet to the Atlantic and then enter the war, but if she did, the tripartite treaty would make itself felt. The U.S. had neither the preparation nor the power to wage a two-front operation. She wanted to hold Japan down for a while by utilizing the Japanese groups advocating the status quo, the pro-Anglo-American groups, and the groups advocating dependency on the U.S. and Britain. She wanted to deceive Japan and prolong matters * without taking a definite step, and in the meantime was making war preparations.

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This was their direct intention and if Japan was fooled by such a trick, it would be disastrous and they would fall from a position of certain victory to one of certain defeat. They must not absolutely compromise with the U.S. for if they did, the significance of the China Incident would be lost and the significance of the war for constructing the New Order would come to nought. Also it would violate the spirit of the tripartite alliance and would be a retrogression of Japan's world policy. The spirit rather than the wording of the alliance was the important thing, for its spirit enabled each nation to have its rightful place in the world. Germany in Europe and Japan in Asia were both fighting for a new order and MATSUI asked how they could violate this lofty aim and international faith for momentary profit.

Japan had work to be done regardless of America's attitude. * This work was cutting the route of aid to Chiang, elimination of enemy nations with aid to cooperating nations, and strengthening of the tripartite axis. First was the economic development of China and the exchange of culture, and joint national defense; second was economic development in accordance with the economic agreement with FIC, and joint joint defense; and third was strengthening of friendly relations with Thailand, and cooperation to fulfill Thailand's wish to recover her lost territories.

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If one was persistent in the idea of wanting to settle the China Incident early, he became weak minded. A good soldier forgets his enemy. As long as it was declared that Chiang would be ignored, they may as well forget his existence. The best would be to take the attitude of ignoring the Chungking Regime and Chiang, * for their immediate enemies were clearly Britain and the U.S. and the group of democratic nations. This was common knowledge already. If a compromise was reached with Britain and the U.S. and they tried to settle Incident through Anglo-Saxon cooperation, how could they ever face the spirits of departed heroes. In the name of the

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Page 100,000 dead heroes, he absolutely opposed compromise with the U.S. If the U.S. declared war on Germany, Japan must also rise unhesitatingly in accordance with the obligation of the tripartite alliance.

EXAMINATION BY THE TRIBUNAL

33918 Reference was made to a statement that on 24 November NAKAYAMA and HIDAKA reported atrocities committed by Chinese troops in Nanking. Asked how many cases were reported to him, * he stated he did not hear any specific facts, but they only conveyed general rumours in regard to those cases.

33919 * Asked if he knew of any cases in which a Japanese soldier was tried by court martial and sentenced for atrocities committed in Nanking beyond a mere reprimand by his superior, he stated that the witness TSUKAMOTO and OGAWA had testified that the number of officers and men tried before a court martial and convicted reached over 100.

33920 Asked if he had any other knowledge about the number, he replied that he did hear at the time that two or three cases were being tried in Shanghai. After returning to Japan he tried to investigate the matter but as the documents had been burned, he was unable to carry it further and he was unable to ascertain the actual figures. * The offences for which these men were tried were rape, robbery, looting, outrages, and murder.

REDIRECT EXAMINATION BY MR. LOGAN
Counsel for Kido

33921 Reference was made to exhibit 3500-A in which he had spoken about pro-Anglo-American groups in Japan. Asked if he included in that group court officials around the throne, he replied he didn't think court circles were necessarily pro-British or pro-American, but there may have been such people among them. Asked whom he included in the pro-Anglo-American groups, he stated that he did not like to say specifically that such and such a person was pro-American or pro-British, but he thought it inevitable that those with close ties with the two countries should be imbued with such ideologies. Asked if he was acquainted with the views of the Lord Keeper, KIDO, at the time, he stated that he had never talked directly with KIDO on such problems and didn't know much about them.

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Asked if he ever heard what KIDO's views were at that time, he said there were all sorts of rumours so he couldn't say for sure, but from his own observation, he felt KIDO was somewhat more pro-British and pro-American than such people as himself, but at the same time, he was a patriotic Japanese.