

Ex 1984-A

Extract from
Interrogation of Hideki Tojo
29 March 1946

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Q Were you not responsible for the rules, the orders and the action taken which led to the sentences of execution or imprisonment of American fliers since 7 December 1941?

A Of course I am responsible for army orders and regulations.

Q You mean for such orders and regulations?

A Well, I am not just sure what ones you refer to. I don't remember any regulations particularly directed against fliers before 18 October 1942 when Japan was raided by American fliers. There may have been some before that, but I don't remember clearly. I do remember that there were some after that.

Q For what actions taken at that time or afterwards in this connection were you responsible?

A The raid on 18 October 1942 was contrary to international law. It was not against troops but against non-combatants, primary school students, and so forth. We knew this and, since this was not permitted by international law, it was homicide (satsu-jin). Japan acted on this concept and I ordered (kaketa) courts martial (gunritsu kaigi), or at least they were just about like courts martial. You probably won't be able to understand this unless you understand something about Japanese feelings at this time. This was the first time Japan had been bombed, and it was a great shock. Public feeling ran very high. Now, of course, since the indiscriminate bombing of medium and small cities which were undefended and the use of the atom bomb, all things which are not permitted under international law, the tragic spectacle of this country today makes this first raid look like a very small thing, but it was a great shock to the people at the time.

Q And the extreme punishments meted out to these first fliers were mainly given as a deterrent to prevent future raids, were they not?

A Yes, they were for that reason. There was a demand from Imperial Headquarters. The Army Chief of Staff came to me directly and demanded severe punishment for the fliers.

Q Who was the Army Chief of Staff?

A SIGIYAMA.

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Q What did you say in reply, and what did you do as a result of this request?

A I issued this order. It was an order for military administration. As to the form, I am not positive whether the order was issued over my name or by Imperial Headquarters, but no matter who issued it, I am responsible for it.

Q Who else from Imperial Headquarters was the Chief of Staff speaking for when he made the request that he did of you for this punishment?

A He came on his own responsibility, not representing anyone else. I remember this because the Chief of Staff didn't often come to me directly about things.

Q Did you receive any order from the Emperor in this connection, or discuss the matter with him or report to him before taking the action that you did?

A The Emperor is not related at all to this problem. When the report of the court martial came from China to the Chief of Staff and to myself, the verdict, as I recall it, was that all eight men were to be executed. The Chief of Staff came to me and demanded that the findings of the court be carried out. I knew, however, of the Emperor's benevolence and, with that in mind, and because of his feelings, wished to have only the minimum number of men executed. Therefore, it was decided that only the three who had killed primary school students would receive the death penalty. This was discussed with the Emperor, since the Emperor in Japan is the only one who can commute a sentence, and it was decided that way. That one point was the Emperor's only relation to the thing.

Q So the Emperor reviewed all eight cases and commuted the death penalties from eight to three?

A No, he didn't review them. In Japan, courts martial have only one hearing. That is because of their military character. Ordinary trials have three hearings.

Q On what basis did the Emperor take this action? Did you propose it?

A Yes, I did. It was on my responsibility as adviser to the Throne, but the commutation was the Emperor's because of the fact that the Emperor is invariably benevolent.

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Q Was not this order, which was issued by you for the trial and punishment of these fliers, an ex post facto law?

A Yes, it was.

Q Then the order of occurrences was as follows: the raid, the capture of the fliers, the order which you issued, the trial, and the executions?

A Yes.

Q And the order that you issued provided for the trial and punishment?

A Yes, it was the basis. However, the order, in turn, was based on the fact of the raid. Of course the order was not an order to execute eight men, it was an order whereby trials could be held based on the fact of the raid.

Q So that, as the result of the raid, this order or law was promulgated by you and made retroactive to the date of the raid?

A Yes.

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