

MATSUZAKA Hiromasa 25 (1958)

⑥

(13)

List of Officials of Japanese Government
Project No. 1648
21 July 1945

HIROMASA MATSUZAKA: Minister of Justice.

| | |
|--------------------------|--|
| 1884 Mar. | Born Kyoto Prefecture. Son of Kinzaburo Matsuzaka. Married Miki, sister of Naoyuki Kumagai. |
| 1910 | Graduated Law College, Tokyo Imperial University. Entered Justice Ministry. |
| * | Procurator Tokyo and Nagoya Local Courts; Tokyo District Court; Tokyo Court of Appeal. |
| 1921 | Sent to Europe and America on inspection tour. |
| * | Chief Procurator, Yokohama District Court. |
| * | Procurator Supreme Court. |
| 1935 | Procurator, Tokyo Court of Appeal. |
| * | Director, Criminal Affairs Bureau of Justice Ministry. |
| 1939 | Chief Procurator, Tokyo Court of Appeal. |
| 1941 July - 1944 July | Procurator General of Supreme Court. |
| 1944 July | Minister of Justice of Koiso Cabinet |
| 1945 Apr. | Minister of Justice of Suzuki Cabinet. |

Address: 43, Seishu 1-chome, Suginami-ku, Tokyo.

Follower of Baron Hiranuma. Has had consistent record of strong
suppression of Japanese Communists. (100)

松 阪 廣 政

一、昭和十六年(一九四一年)十二月七日及同二十年(一九四五年)九月二日

ニ携ハリ居タル職務ハ

答、昭和十六年十二月七日ニハ 検事總長(大審法院検事局長)

昭和二十年九月二日ニハ 中興民族院議員

二、氏名ハ マツザカ ヒロマサ MATSUZAKA, HIROMASA

答、松 阪 廣 政

三、本名以外ニ使用シタル氏名及有名ナル通名ハ

答、ナシ

四、生年月日ハ

答、明治十七年(一八八四年)三月二十五日

五、出生地ハ

答、京都府久世郡宇治町

六、身長ハ

答、五フイート五インチ半

七、体重ハ

答、百十二ポンド

八、傷痕 目印、不具ノ有無

答、左右近眼、下顎左右奥歯ニ義歯

左側膝関節一部内側ニ約一寸平方ノ傷痕アリ

九、現住地ハ

答、東京都豊島區西巢鴨河巢鴨拘置所

一〇、住所地ハ

答、東京都杉並區成宗一丁目四十三番地

一、身分証明ノ要式及番号ハ

答、ナシ

二、逮捕セラルル事例及犯罪ヲ犯シ告発セラルルコトノ有無

答、ナシ

三、公務員トシテ現在、最高階級ハ

答、ナシ

四、業務ノ年代記録、昭和六年(一九三一年)一月一日ヨリ現在迄ノ職務、政府軍部ニ於ケル役目、及其地位ハ

答、昭和六年(一九三一年)一月一日ニ東京地方裁判所検事
局検事

昭和六年五月大審院検事局検事ニ補セラル

昭和七年(一九三二年)一月横濱地方裁判所検事正(検
事局長官)ニ補セラル

昭和八年(一九三三年)十二月大審院検事局検事ニ補セラル

昭和十年(一九三五年)七月東京控訴院検事局検事ニ
補セラル

昭和十二年(一九三七年)二月司法省刑事局長ニ任セラル

昭和十四年(一九三九年)五月東京控訴院検事局長(控
訴院検事局長官)ニ補セラル

昭和十六年(一九四一年)七月検事總長ニ補セラル

昭和十九年(一九四四年)四月司法大臣ニ任セラル

昭和二十年(一九四五年)八月十八日司法大臣ヲ免セラル

昭和二十年(一九四五年)八月十八日貴族院議員ニ任セラル

昭和二十一年(一九四六年)三月願ニ依リ貴族院議員ヲ免セラル

一五、大政翼賛會、翼賛政治會、及大日本政治會、本部及^{地方}支部、東京支部、^{地方}支部、創業者及組織者トナリタルカ、之等各團體、公刊物ノ編輯ヲ為シ、又ハ其ノ支部ノ組織及特別事務ヲ執ルコトアルカ

答、昭和十九年（一九四四年）七月ヨリ大政翼賛會顧問及大日本政治會ノ顧問トシ

一六、政黨、組合、協會、學會、其他社會、政治、軍事、愛國、教授、文化、名譽、運動等ノ學會ノ會員トナリタルカ、ソレ等ノ事項カ秘密ナリトモ明記セヨ、ソノ創業者、組織者、編輯者ニアラサルカ
答、學士會會員、大日本辯護士會名譽顧問、赤十字社社員、司法保護會顧問

一七、家族中前記ノ團體、役員及重要地位ニ就キタル者アルカ、若シアルハ其ノ姓名、住所、結核、役柄ヲ記入セヨ
答、ナシ

一八、前記各團體ニ對シ正規ノ會費以外ニ直接間接ニ金錢、財産ヲ寄附シタルコトアルカ
答、ナシ

一九、前記各團體ヨリ階級、賞牌、賞狀、又ハ榮譽言ヲ與ヘラシタルカ
答、ナシ

二〇、前記第十四項及第十五項乃至十九項ヲ除キ昭和六年（一九三一年）以降軍事、警察、法律、施行、公安保持又ハ思想、言論、宗教、集會ノ取締ニ関スル組織ニ関係シタルトアリヤ
答、其ノ團體名、並ニ其團體ニ於ケル役目
答、思想犯保護委員會（司法省中ニ在リ）顧問

二一 昭和六年(一九三一年)一月一日ヨリ現在迄ノ間公刊物ノ編輯
及演説ヲ為シタルコトアリヤ、アラハ其ノ題名、年月日、発行部数
聴衆数及ソノ出版、演説ノ主催者ノ氏名ヲ記セ

答 昭和十二年(一九三七年)四月、中央放送協會ニ於ケル全國
放送ニシテ衆議院議員選舉干四割則ノ解説放送ヲ
為ス

昭和十三年(一九三八年)九月頃同放送協會全國放送
ニシテ經濟統制及通及四割則ノ解説放送ヲ為ス

二二 前記第一項ヲ除キ昭和六年(一九三一年)一月一日以後日本國
内外ノ國外ニ於テ團體ノ管理執行ヲ為シタルコトアルカ、
アルハ其ノ團體名、地位任務及年月日ヲ記セ
答 十乙

以上

1958MATSUZAKA Hiromasa

1-A

D

Born March 1884

Minister of Justice, Suzuki Cabinet

Address: 43, Seishu, 1-chome, Suginami-Kw, Tokyo

This member of House of Peers had long career in the judicial field, occupying such posts as Prosecutor, Judge, Dir of the Criminal Affairs Bureau of the Ministry of Justice, Procurator general of the Supreme Court, & Minister of Justice.

Since Oct 45 has been a member of the Private Advisory Board to the Justice Minister

1931 - Europe & US as Judicial Officer

1935-37 - Procurator, Tokyo Court of Appeals

1937 - Dir, Bw of Criminal Affairs, Min of Justice

Jun 39 through Jul 41 - Chief Procurator
Tokyo Court of Appeals

File: JAGD list C-2; Newfile; 201 ←

Orig Req per PRO GTRQ Ltr 2 Dec 45

Apprehen Req per CIS Memo dtd 1 Dec 45

Interned Sugamo 12 Dec 45 per DR 13 Dec 45

IPS assumed ¹⁵ per Memo 17 Jan 46. Trial
should follow current trial by IMTFE

~~Matsuzaka~~
Matsuzaka, Hiromasa(check 1st name & date IPS ¹⁵ 17)IPS 195 - See att Resume of IPS File 195

Q - ^{May be} Involved in the retroactive Doolittle law?
because of long career in jud
field & advocate of strong controls
during war & close friend of HIRANUMI

MATZUSAKA - 1958 -

201

Matsuzaka, Hiromasa

Contents: 1. Bio Rep OSS (OSS BR-5#15)
2. Str re release from S to Home Div
(no pertinent data)

References:

① Address / Family History /

Major Post - M/Justice SUZUKI
Cabinet, resigned 15 Aug 1945

Career Long career since 1910
as a Public Prosecutor & Judge.
Two official trips to Europe & America
in 1921 & 1931. Became M/Justice
21 Jul 44; Resigned w/ Koiso Cabinet
en bloc 5 April 1945; reported
reappointed M/Justice SUZUKI Cab-
7 April 1945; Resigned 15 Aug 45

Comments

#^a as Deputy Prosecutor
reportedly distinguished se at the
Communist Party incidents 5 Mar + 16
Apr (1949?).

When accepting post of Proc
of Supreme Court in 1941 reportedly "

stressed as his primary object ~~the~~
the construction of a "defense state of
the highest degree," which was
interpreted to mean that anti-war
speech, conduct & writings would
be strictly controlled.

"In 1943 announced very severe penalties
would be enforced against violators of
price, food & other Eco reguls."

"Said to be a close associate of Baron
Horanuma

~~By~~ By ~~order~~

(OSS) Sources :

- 1) Who's Who in Japan 1941-42
- 2) Jijū Koshin Roku 1937
- 3) Yomiuri Shimbun (daily ~~news~~) 23 July 1944
- 4) OWI Personal Intelligence Vol I (Koiso Cabinet) ^{Dec} 1944
- 5) Tokyo-to Home & Empire, 5 Apr 1945
- 6) Tokyo domei in Romaji to GEF 7 Apr 1945
- ~~FCC, Daily Report, 7 Apr 1945~~
- 7) Civil Affs Handbook, Japan Sec 3, "Legal Affairs"
~~Hq FSP, 26 Sept 1944~~
- 8) Civil Affs Handbook M 354-2, Japan, Section 2, Jan 45
- 9) FCC Daily Report 7 Apr 1945
- 10) FCC Daily Report 7 Sept 1945
- 11) Amerasia, 1 June 1945

Brocade Banner
(Story of Jap Nationalism)

1558

Matsuzaka, Hiromasa,

(Same note as for Youai, which see)
under P. 129 B/Banner)

1958

CEIS - War Pol Japan

32, 121, 123

Matsuzaka Horomasa

Jul 44 June 45

Page ³⁰₃₁ 32

- S was a KOMON (advisor - Promotee = eligibility) official of Taisei Gokusan Kai (DRHF) from July 44 to June 45

Page 121 - S was M/Justice from 22 Jul 44 formation of KOISO Cabinet, to 19 Aug 45, fall of SUZUKI Cabinet

25th CIC Files

Re

MATSUZAKA, Heromasa : Position : House
of Peers; Source : Press Translations, Political Series
1335 . Other References : * CIC File 27 (Gugano Internes)
* CIC D.I.O. Report # I (not seen)
* C.C.D. Report I Mar 46, 10858
("CCD" = "Civilian" — —)

25 November 1946
By: R. H. Larsh

RESUME

Case File No. 195

MATSUZAKA, Hiromasa

- Serial No. 1 SCAP Press release: brief summary of career; Justice Department including Minister.
- Serial No. 2 Ditto
- Serial No. 3 CIS file study; detailed summary of long career in judicial field. Advocate of strong controls during war. Close friend HIRANUMA.
- Serial No. 4 Japanese personal names.
- Serial No. 5 CIC agents report. Closes case administratively.
- Serial No. 6 Barnard report; refers Subject to Groups A,B,C and G.
- Serial No. 7 Same as Serial No. 3.
- Serial No. 8 Cabinet members.
- Serial No. 9 CCD intercept; personal letter to MATSUZAKA, Mikiko, wife of Subject, consoling her on arrest of husband.
- Serial No. 10 Pass To Sugamo.
- Serial No. 11 Ditto
- Serial No. 12 Lead sheet; interrogate Subject.
- Serial No. 13 Report on microfilming of Cabinet Secretariat records of Subject. On file as Exhibit No. 678.
- Serial No. 14 Pass To Sugamo.
- Serial No. 15 Interrogation of Subject, dated 1 May 1946. Denies close friendship with HIRANUMA. Admits his department (Criminal Affairs Bureau) fell under SHIONO (Minister of Justice under Premier HIRANUMA), reputedly in control by "clique" with HIRANUMA.

DISTRIBUTION: 3 File 195

SECRET

NAME: MATSUZAKA, Hiromasa.

PRESENT STATUS: Confined in Sugamo Prison.

SUMMARY OF INFORMATION:

SUBJECT entered the Justice Ministry upon his graduation from law school and progressed steadily to the top. In 1936 he was Procurator, Tokyo Court of Appeal. From 1936 to 1939 he served as Director, Criminal Affairs Bureau, Justice Ministry. In July 1941 he was made Procurator-General of the Supreme Court and held that position until July 1944 when he became Minister of Justice in the KOISO Cabinet. He retained this Ministry upon organization of the SUZUKI Cabinet in April 1946.

SUBJECT is reported to have been a follower of Baron HIRANUMA and to have had a consistent record of strong suppression of Japanese Communists.

His only connection with the IRAA and the IRAPS is by virtue of his Cabinet position attained in 1944.

REMARKS:

Information now in hand does not furnish a sufficient basis to arbitrarily classify SUBJECT as a Class A or Class B war criminal suspect. Further investigation is necessary to determine the relationship of cases prosecuted by SUBJECT as Procurator and his activity as Director for the Criminal Affairs Bureau to the planning, preparation and initiation of aggressive warfare. No recommendations regarding the final disposition of SUBJECT have been received from OIS/g-2, FEC.

RECOMMENDATION:

It is recommended that SUBJECT be retained in custody as a Class A war criminal suspect until a further, immediate investigation can be made into the relationship of his official station as outlined under "REMARKS".

SECRET

MATSUZAKA Hiromasa LS (1958)

⑥

(22)

Minister of Justice, Suzuki Cabinet

File: JAGD list C-2

Newsfile

Had a long career in the ~~my~~ judicial field, occupying such posts as procurator, Judge, Director of the Criminal Affairs Bureau, Procurator General of the Supreme Court and Minister of Justice. Since Oct 45 has been a member of the Private Advisory Board to the Justice Ministry

File: 201; File & Record Dept, LS

It: Sugamo 12 Dec 45 per Sugamo rpt dtd 13 Dec 45

MATSUZAKA, Hiromasa

1 Dec. CI

In Section 3B, Sugamo. Not yet interrogated.

NO FILE ON ABOVE

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GENERAL HEADQUARTERS ~~SECRET~~

~~UNITED STATES ARMY FORCES, PACIFIC~~
FAR EAST COMMAND

CHECK SHEET

11793

8979

(Do not remove from attached sheets)

File No:

Subject: MATSUZAKA Hiromasa, Internee in Sugamo

Note
No.

From: G-2

To: Legal Section
(Attn: Invest Div,
Lt Col R.E. Rudisill)
Info Copy To: IPS (Attn: Invest Div,
Mr. D. L. Waldorf)

Date: 27 FEB 1947
CIS/OD: TPD/mk

1.

1. Curriculum vitae of MATSUZAKA Hiromasa (TAB A) indicates that he is a man of undistinguished forebears who rose by dint of his own efforts from a lowly position in the Ministry of Justice to the position of Minister.

2. "Japanese Government Officials--1937-1945" published by Military Intelligence Division, War Department, Washington, D.C., 21 July 1945 evaluates MATSUZAKA as per TAB B.

3. Evaluation of MATSUZAKA Hiromasa at the time of his arrest in December 1945 reads as per TAB C.

4. Further reference to MATSUZAKA is found in the evaluation of HIRANUMA Kiichiro at the time of his arrest in December 1945 (TAB D).

5. Direct and implied accusations embodied in these documents (TABs B, C, and D) are as follows:

a. "Follower of Baron HIRANUMA."

"He is supposedly a close friend of Baron HIRANUMA, the ardent nationalist and patron of nationalistic societies."

"It is noteworthy that HIRANUMA has built up a powerful machine within the bureaucracy consisting chiefly of senior officials of the Ministry of Justice, notably two former Ministers of Justice, SHIONO Suehiko and MATSUZAKA Hiromasa."

b. "In his statement accepting the appointment as Procurator of the Supreme Court, MATSUZAKA stressed as his primary object the construction of a 'defense state of the highest degree' which was interpreted to mean that anti-war speeches, conduct, and writings would be strictly controlled."

c. "Has had consistent record of strong suppression of Japanese Communists."

d. "In 1945, he announced that very severe penalties would be enforced against violators of price, food and other economic regulations."

PAC AGO Form No. 37

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6. In addition records show that MATSUZAKA was a KOMON (Adviser) to the IRAA from July 1944 to June 1945.

7. Careful consideration of MATSUZAKA's case leads CIS to the following conclusions regarding MATSUZAKA and the charges:

a. The accusation that MATSUZAKA was a close friend to HIRANUMA and a member of HIRANUMA's "powerful machine within the bureaucracy" is a general statement which is apparently founded upon the implication that members of the Justice Ministry must be "birds of a feather", and for which tangible supporting evidence is lacking:

- (1) Since HIRANUMA is 19 years older than MATSUZAKA, it is doubtful that the two men were close personal friends.
- (2) MATSUZAKA's career (TAB A) was a normal one of gradual promotion in the Ministry of Justice showing no evidence of preferential treatment by HIRANUMA or any other person or group in power. Comparison of the careers of HIRANUMA and MATSUZAKA shows that MATSUZAKA attained no special distinction until 1941 when he became Prosecutor General under the 3rd KONOYE Cabinet in which HIRANUMA was a Minister without Portfolio:

| Date | HIRANUMA | | MATSUZAKA | |
|------|----------|---|-----------|--|
| | Age | Position | Age | Position |
| 1888 | 23 | Graduated Tokyo Imperial University (Law) | 4 | --- |
| 1910 | 45 | Vice Minister of Justice | 26 | Graduated Tokyo Imperial University (Law) and appointed 1 of 603 Public Prosecutors of District and Local Courts (Assigned to Kobe). |
| 1912 | 47 | Vice President of Privy Council | 28 | District Court Prosecutor assigned to Mito, Ibaragi Ken. |
| 1923 | 58 | Minister of Justice | 39 | District Court Prosecutor assigned to Tokyo. |
| 1926 | 61 | President, Nihon University | 42 | District Court Prosecutor assigned to Tokyo. |

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1. contd.

| Date | Age | HIRANUMA | | MATSUZAKA | |
|------|-----|-----------------------------|-----|---|--|
| | | Position | Age | Position | |
| 1931 | 66 | President, Nihon University | 47 | Supreme Court Prosecutor | |
| 1936 | 71 | President of Privy Council | 52 | Court of Appeal Prosecutor assigned to Tokyo. | |
| 1941 | 76 | Minister Without Portfolio | 57 | Prosecutor-General | |
| 1944 | 79 | --- | 60 | Minister of Justice | |

In considering MATSUZAKA's career up to 1939, it should be remembered that there were 603 prosecutors in the District and Local Courts, 42 prosecutors in the Courts of Appeal, and 10 prosecutors in the Supreme Court. If MATSUZAKA was a component of HIRANUMA's "powerful machine within the bureaucracy", he was apparently a small cog.

(3) If MATSUZAKA had been close to HIRANUMA, his name might be expected to appear in the roster of influential names belonging to HIRANUMA's KOKUHON SHA (National Foundation Society). In the preparation of the CIS study "KOKUHON SHA", of which LS and IPS have copies, no reference whatsoever was found to MATSUZAKA.

As a "close friend of Baron HIRANUMA, the ardent nationalist and patron of nationalistic societies," MATSUZAKA might be expected to have joined some of the many nationalist societies which flourished in the pre-war decades. It is noteworthy that MATSUZAKA's ^{name} does not appear in the roster of any such society, that the only society which he appears to have joined was the HOSO KAI (Bench and Bar Society), professional association of judges and lawyers founded in 1891.

b. MATSUZAKA's statement concerning "a defense state of the highest degree" was not made when he became one of the 10 procurators of the Supreme Court in 1931, but upon his appointment as Procurator General, on 29 July 1941. The tenor of this statement, which was made to a reporter of the ASAHI SHIMBUN and appeared in that paper 30 July 1941 edition, was:

"The fundamental policy of the peace of the nation changes with the times and with the requirements of the government. At the present time it is essential to organize national defense to the highest

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"degree. Therefore, strict punishment must be meted out to offenders who interfere with this purpose. Thought offences, espionage, crimes against the national security, and, most important of all, speeches and writings decrying war and militarism should be strictly controlled. Economic control of the black market is important but difficult. The meting out of punishments alone will not solve this problem because living standards vary in different parts of the nation. I hope that all cases will be judged fairly in the light of circumstances and will be punished accordingly."

The tenor and implications of this statement should be judged according to the circumstances of 29 July 1941.

c. This same newspaper article in the ASAHI SHIMBUN of 30 July 1941 provides the key to the accusation that MATSUZAKA "had a consistent record of strong suppression of Japanese Communists." It asserts that "MATSUZAKA, as assistant to Prosecutor-General SHIONO was responsible for the direction of the trials of the 3.15 Incident (1928) and the 4.16 Incident (1929), which brought to trial large numbers of communists. He also directed the trials which followed of the Tokyo Municipal Assembly Scandal (1928), The Decorations Board Incident (1929) and the Railway Ministry Scandal (1929)."

Shortly after the Russian Revolution of 1917, Communism became the most disturbing political and social element in Japan, as witness the newspapers of the following 20 years. It was common opposition to this extremist agitation which formed the main basis for ideological Japanese nationalism. It was fear of communism which motivated the legislation of the much-mooted thought-control laws in Japan. From 1925 to 1935 large numbers of communists were arrested and imprisoned.

From 1936 onward Communist agitation decreased because many of the Communist leaders were in jail and because the laws covering sedition, disturbance of the peace and crimes against national safety became more stringent:

| | |
|-------------|---|
| 29 May 1936 | SHISO HAN HOGO KANSATSU HO (Protection and Surveillance Law for Thought Offences) |
| 14 Nov 1936 | SHISO HAN HOGO KANSOKU HO SHIKO REI (Regulations Relative to Application of Protection and Surveillance Law for Thought Offences) |

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|-------------|--|
| 15 Jun 1936 | FUON BUNSHO RINJI TORISHIMARI HO (Law for Temporary Control of Reprehensible Literature) |
| 14 Nov 1936 | HOGO KANSOKU-JO KENSEI (Ordinance Establishing Protection and Surveillance Stations) |
| 5 Apr 1937 | BOKU HO (Air Defence Law) |
| 17 Aug 1937 | GUNKI HOGO HO (Law for Protection of Military Secrets) |
| 1 Apr 1938 | KOKKA SODOIN HO (National General Mobilization Law) |
| 25 Mar 1939 | GUNYO SHIGEN HIMITSU HOGO HO (Law for Safeguarding Secrets of Military Material Resources) |
| 1 Apr 1939 | KOKKYO TORISHIMARI HO (National Border Control Law) |
| 8 Apr 1939 | SHUKYO DANTAI HO (Religious Bodies Law) |
| 24 Jun 1939 | GUNYO SHIGEN HIMITSU HOGO HO SHIKO REI (Ordinance for Enforcement of the Law for Safeguarding Secrets of Military Material Resources) |
| 26 Jun 1939 | GUNYO SHIGEN HIMITSU HOGO HO SHIKO KISOKU (Regulations for Enforcement of the Law for Safeguarding Secrets of Military Material Resources) |
| 12 Dec 1939 | GUNKI HOGO HO SHIHO KISOKU (Regulations for Enforcement of the Law for Protection of Military Secrets) |
| 7 Mar 1941 | KOKUBO HOAN HO (National Defence and Peace Preservation Law) |
| 10 Mar 1941 | CHIAN IJI HO (Peace Preservation Law) |
| 7 May 1941 | KOKUBO HOAN HO SHIKO REI (Ordinance for Enforcement of National Defence and Peace Preservation Law) |
| 9 May 1941 | BENGOSHI SHITEI KITEI (Regulations for Appointment of Lawyers under Peace Preservation Laws) |
| 14 May 1941 | YOBO KOKIN SHOGO REI (Regulations for Treatment of Persons Under Precautionary Detention) |
| 14 May 1941 | YOBO KOKIN TETSUZUKI REI (Ordinance for Enforcement of Regulations for Treatment of Persons under Precautionary Detention) |

As a public prosecutor it was MATSUZAKA's duty to prosecute persons arrested under the "thought control" and "peace preservation" laws. It is more than probable that he did prosecute "communists" and "political offenders" in pursuit of duty. No evidence has been discovered that MATSUZAKA had a hand in making the laws.

d. Control of the black markets was as vital in the crucial last year of the war as at present. Hence, MATSUZAKA announced that economic offences would be severely punished.

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8. MATSUZAKA's appointment to KOMON (Adviser) of the IRAA, the only post which he held in the Imperial Rule Assistance organizations, was automatic upon his assumption of office as Justice Minister in the KOISO Cabinet, since all cabinet ministers became, by IRAA regulations, KOMON of the association.

9. Unless it is decided as a matter of policy to place on trial public prosecutors for their part in prosecuting offences under the "peace preservation" laws, CIS/G-2 recommends that MATSUZAKA be released from internment without preference of charges.

TAB A - Curriculum Vitae of MATSUZAKA Hiromasa

TAB B - Extract from "Japanese Gov't Officials 1937-1945"

TAB C - Evaluation of MATSUZAKA Hiromasa at time of arrest

TAB D - Extract from Evaluation of HIRANUMA

G. P. S. B.
C.A.W.

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MATSUZAKA Hiromasa, Internee in Sugamo

G-2

Legal Section
(Attn: Invest Div,
Lt Col R.E. Rudisill)
Info Copy To: IPS (Attn: Invest Div,
Mr. D. L. Waldorf)

27 FEB 1947
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1. Curriculum vitae of MATSUZAKA Hiromasa (TAB A) indicates that he is a man of undistinguished forebears who rose by dint of his own efforts from a lowly position in the Ministry of Justice to the position of Minister.
2. "Japanese Government Officials--1937-1945" published by Military Intelligence Division, War Department, Washington, D.C., 21 July 1945 evaluates MATSUZAKA as per TAB B.
3. Evaluation of MATSUZAKA Hiromasa at the time of his arrest in December 1945 reads as per TAB C.
4. Further reference to MATSUZAKA is found in the evaluation of HIRANUMA Kiichiro at the time of his arrest in December 1945 (TAB D).
5. Direct and implied accusations embedded in these documents (TABs B, C, and D) are as follows:
 - a. "Follower of Baron HIRANUMA."
"He is supposedly a close friend of Baron HIRANUMA, the ardent nationalist and patron of nationalistic societies."

"It is noteworthy that HIRANUMA has built up a powerful machine within the bureaucracy consisting chiefly of senior officials of the Ministry of Justice, notably two former Ministers of Justice, SHIONO Sushiko and MATSUZAKA Hiromasa."
 - b. "In his statement accepting the appointment as Procurator of the Supreme Court, MATSUZAKA stressed as his primary object the construction of a 'defense state of the highest degree' which was interpreted to mean that anti-war speeches, conduct, and writings would be strictly controlled."
 - c. "Has had consistent record of strong suppression of Japanese Communists."
 - d. "In 1945, he announced that very severe penalties would be enforced against violators of price, food and other economic regulations."

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6. In addition records show that MATSUZAKA was a KOMON (Adviser) to the IRAA from July 1944 to June 1945.

7. Careful consideration of MATSUZAKA's case leads CIS to the following conclusions regarding MATSUZAKA and the charges:

a. The accusation that MATSUZAKA was a close friend to HIRANUMA and a member of HIRANUMA's "powerful machine within the bureaucracy" is a general statement which is apparently founded upon the implication that members of the Justice Ministry must be "birds of a feather", and for which tangible supporting evidence is lacking:

- (1) Since HIRANUMA is 19 years older than MATSUZAKA, it is doubtful that the two men were close personal friends.
- (2) MATSUZAKA's career (TAB A) was a normal one of gradual promotion in the Ministry of Justice showing no evidence of preferential treatment by HIRANUMA or any other person or group in power. Comparison of the careers of HIRANUMA and MATSUZAKA shows that MATSUZAKA attained no special distinction until 1941 when he became Prosecutor General under the 3rd KONOYE Cabinet in which HIRANUMA was a Minister without Portfolio:

| <u>Date</u> | <u>HIRANUMA</u> | | <u>MATSUZAKA</u> | |
|-------------|-----------------|---|------------------|--|
| | <u>Age</u> | <u>Position</u> | <u>Age</u> | <u>Position</u> |
| 1888 | 23 | Graduated Tokyo Imperial University (Law) | 4 | --- |
| 1910 | 45 | Vice Minister of Justice | 26 | Graduated Tokyo Imperial University (Law) and appointed 1 of 603 Public Prosecutors of District and Local Courts (Assigned to Kobe). |
| 1912 | 47 | Vice President of Privy Council | 28 | District Court Prosecutor assigned to Mito, Ibaragi Ken. |
| 1923 | 58 | Minister of Justice | 39 | District Court Prosecutor assigned to Tokyo. |
| 1926 | 61 | President, Nihon University | 42 | District Court Prosecutor assigned to Tokyo. |

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MATSUZAKA Hironasa, Internee in Sugamo

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| | HIRANUMA | | MATSUZAKA | | |
|--|-------------|------------|-----------------------------|------------|---|
| | <u>Date</u> | <u>Age</u> | <u>Position</u> | <u>Age</u> | <u>Position</u> |
| | 1931 | 66 | President, Nihon University | 47 | Supreme Court Prosecutor |
| | 1936 | 71 | President of Privy Council | 52 | Court of Appeal Prosecutor assigned to Tokyo. |
| | 1941 | 76 | Minister Without Portfolio | 57 | Prosecutor-General |
| | 1944 | 79 | --- | 60 | Minister of Justice |

In considering MATSUZAKA's career up to 1939, it should be remembered that there were 603 prosecutors in the District and Local Courts, 42 prosecutors in the Courts of Appeal, and 10 prosecutors in the Supreme Court. If MATSUZAKA was a component of HIRANUMA's "powerful machine within the bureaucracy", he was apparently a small cog.

(3) If MATSUZAKA had been close to HIRANUMA, his name might be expected to appear in the roster of influential names belonging to HIRANUMA's KOKUHON SHI (National Foundation Society). In the preparation of the CIS study "KOKUHON SHI", of which LS and IPS have copies, no reference whatsoever was found to MATSUZAKA.

As a "close friend of Baron HIRANUMA, the ardent nationalist and patron of nationalistic societies," MATSUZAKA might be expected to have joined some of the many nationalist societies which flourished in the pre-war decades. It is noteworthy that MATSUZAKA's ^{name} does not appear in the roster of ~~any~~ such society, that the only society which he appears to have joined was the HOSO KAI (Bench and Bar Society), professional association of judges and lawyers founded in 1891.

b. MATSUZAKA's statement concerning "a defense state of the highest degree" was not made when he became one of the 10 procurators of the Supreme Court in 1931, but upon his appointment as Procurator General, on 29 July 1941. The tenor of this statement, which was made to a reporter of the ASAHI SHIMBUN and appeared in that paper 30 July 1941 edition, was:

"The fundamental policy of the peace of the nation changes with the times and with the requirements of the government. At the present time it is essential to organize national defense to the highest

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MATSUZAKA Hiromasa, Internee in Sugamo

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"degree. Therefore, strict punishment must be meted out to offenders who interfere with this purpose. Thought offences, espionage, crimes against the national security, and, most important of all, speeches and writings decrying war and militarism should be strictly controlled. Economic control of the black market is important but difficult. The meting out of punishments alone will not solve this problem because living standards vary in different parts of the nation. I hope that all cases will be judged fairly in the light of circumstances and will be punished accordingly."

The tenor and implications of this statement should be judged according to the circumstances of 29 July 1941.

c. This same newspaper article in the ASAHI SHIMBUN of 30 July 1941 provides the key to the accusation that MATSUZAKA "had a consistent record of strong suppression of Japanese Communists." It asserts that "MATSUZAKA, as assistant to Prosecutor-General SHIONO was responsible for the direction of the trials of the 3.15 Incident (1928) and the 4.16 Incident (1929), which brought to trial large numbers of communists. He also directed the trials which followed of the Tokyo Municipal Assembly Scandal (1928), The Decorations Board Incident (1929) and the Railway Ministry Scandal (1929)."

Shortly after the Russian Revolution of 1917, Communism became the most disturbing political and social element in Japan, as witness the newspapers of the following 20 years. It was common opposition to this extremist agitation which formed the main basis for ideological Japanese nationalism. It was fear of communism which motivated the legislation of the much-mooted thought-control laws in Japan. From 1925 to 1935 large numbers of communists were arrested and imprisoned.

From 1936 onward Communist agitation decreased because many of the Communist leaders were in jail and because the laws covering sedition, disturbance of the peace and crimes against national safety became more stringent:

| | |
|-------------|---|
| 29 May 1936 | SHISO HAN HOGO KANSATSU HO (Protection and Surveillance Law for Thought Offences) |
| 14 Nov 1936 | SHISO HAN HOGO KANSOKU HO SHIKO REI (Regulations Relative to Application of Protection and Surveillance Law for Thought Offences) |

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| 15 Jun 1936 | FUON BUNSHO RINJI TORISHIMARI HO (Law for Temporary Control of Reprehensible Literature) |
| 14 Nov 1936 | HOGO KANSOKU-JO KENSEI (Ordinance Establishing Protection and Surveillance Stations) |
| 5 Apr 1937 | BOKU HO (Air Defence Law) |
| 17 Aug 1937 | GUNKI HOGO HO (Law for Protection of Military Secrets) |
| 1 Apr 1938 | KOKKA SODOIN HO (National General Mobilization Law) |
| 25 Mar 1939 | GUNYO SHIGEN HIMITSU HOGO HO (Law for Safeguarding Secrets of Military Material Resources) |
| 1 Apr 1939 | KOKKYO TORISHIMARI HO (National Border Control Law) |
| 8 Apr 1939 | SHUKYO DANTAI HO (Religious Bodies Law) |
| 24 Jun 1939 | GUNYO SHIGEN HIMITSU HOGO HO SHIKO REI (Ordinance for Enforcement of the Law for Safeguarding Secrets of Military Material Resources) |
| 26 Jun 1939 | GUNYO SHIGEN HIMITSU HOGO HO SHIKO KISOKU (Regulations for Enforcement of the Law for Safeguarding Secrets of Military Material Resources) |
| 12 Dec 1939 | GUNKI HOGO HO SHIKO KISOKU (Regulations for Enforcement of the Law for Protection of Military Secrets) |
| 7 Mar 1941 | KOKUBO HOAN HO (National Defence and Peace Preservation Law) |
| 10 Mar 1941 | CHIAN IJI HO (Peace Preservation Law) |
| 7 May 1941 | KOKUBO HOAN HO SHIKO REI (Ordinance for Enforcement of National Defence and Peace Preservation Law) |
| 9 May 1941 | SENGOSHI SHITEI KITEI (Regulations for Appointment of Lawyers under Peace Preservation Laws) |
| 14 May 1941 | YOBO KOKIN SHOGO REI (Regulations for Treatment of Persons Under Precautionary Detention) |
| 14 May 1941 | YOBO KOKIN TETSUZUKI REI (Ordinance for Enforcement of Regulations for Treatment of Persons under Precautionary Detention) |

As a public prosecutor it was MATSUZAKA's duty to prosecute persons arrested under the "thought control" and "peace preservation" laws. It is more than probable that he did prosecute "communists" and "political offenders" in pursuit of duty. No evidence has been discovered that MATSUZAKA had a hand in making the laws.

d. Control of the black markets was as vital in the crucial last year of the war as at present. Hence, MATSUZAKA announced that economic offences would be severely punished.

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MATSUZAKA Hiromasa, Internee in Sugamo

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TAB A - Curriculum Vitae of MATSUZAKA Hiromasa

TAB B - Extract from "Japanese Gov't Officials
1937-1945"

TAB C - Evaluation of MATSUZAKA Hiromasa at
time of arrest

TAB D - Extract from Evaluation of HIRANUMA

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A

B

C

D

Curriculum Vitae of MATSUZAKA Hiromasa

Curriculum Vitae of MATSUZAKA Hiromasa

Minister of Justice, KOISO Cabinet, SUZUKI Cabinet.

CAREER:

- 1884, Mar - Born, Kyoto Prefecture
- 1910, Jul - Graduated from Tokyo Imperial University (Law).
- 1910, Aug - Appointed Judicial Official on Probation Understudy to Kobe Court Public Prosecutor and Judge
- 1910, Dec to
- 1911, Jun - Acting Public Prosecutor of Kobe Sub-district Court
- 1912, Dec - Appointed Public Prosecutor at the Mito Sub-district Court
- 1913, Jun - Public Prosecutor of Mito District Court and concurrently Public Prosecutor of Mito Sub-district Court
- 1914, Sept - Public Prosecutor of Yokohama District Court and concurrently Public Prosecutor of Yokohama Sub-district Court
- 1915, Oct - Public Prosecutor of Tokyo Sub-district Court and concurrently Public Prosecutor of Tokyo District Court
- 1919, Jun - Public Prosecutor of Nagoya Sub-district Court and concurrently Public Prosecutor of Nagoya District Court
- 1921 - Visited Europe and the United States
- 1923, Apr - Public Prosecutor of Tokyo District Court
- 1923, May to
- 1924, Feb - Director of Judicial Officials on Probation
- 1925, Apr - Public Prosecutor of Tokyo Court of Appeal
- 1926, Nov - Public Prosecutor of Tokyo District Court
- 1931 - Abroad in Europe and the United States to study Judicial system
- 1931, Sept - Public Prosecutor of Supreme Court
- 1932, Jan - Chief Public Prosecutor of Yokohama District Court
- 1933, Dec - Public Prosecutor of Supreme Court
- 1935, May to
- 1936, Jan - Higher Civil Service Examination
- 1935, Oct - Public Prosecutor of Tokyo Court of Appeal
- 1936, Aug - Reserve member of Lawyers Investigation Commission
- 1937, Feb - Director of the Bureau of Criminal Affairs, Ministry of Justice
- Mar - Appointed member of Lawyers Investigation Commission
- Mar - Appointed member of Opium Commission
- 1937, Jul to
- 1938 - Secretary of Election System Investigation Commission
- 1937, Oct - Member of Laws and Regulations Adjusting Commission
- Dec - Councillor of Bureau of Thought Guidance (Shiso Iin Kai)
- 1938, Feb - Secretary of Planning Deliberation Council
- Jun - Secretary of Parliamentary System Deliberation Council
- Jul - Special member of Judicial System Investigation Commission
- 1939, Feb - Member of Lawyers Investigation Commission
- Apr - Secretary of Central Commodity Price Committee
- May - Chief Public Prosecutor of Tokyo Court of Appeal

MATSUZAKA Hiromasa (contd)

- 1939, Jun to
- 1942, Jun - Member of Judicial System Investigation Commission
- 1939, Sept - Member of Judicial Protective Enterprise Commission
- 1941, Jul - Public Prosecutor-General
- 1944, Jul - Minister of Justice, KOISO Cabinet
- 1945, Apr to
- 1945, Aug - Minister of Justice, SUZUKI Cabinet
- 1945, Aug - Appointed to House of Peers
- Oct - Appointed member of Private Advisory Board to Justice Ministry
- Dec - Apprehended as a suspected war criminal

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Extract from "Japanese Government Officials 1937 - 1945",
published by Military Intelligence Division, War Department,
Washington, D.C., 21 July 1945

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Extract from "Japanese Government Officials 1937 - 1945", published
by Military Intelligence Division, War Department, Washington, D.C.,
21 July 1945

"Hiromasa MATSUZAKA: Minister of Justice.

1884 Mar. Born Kyoto Prefecture. Son of Kinzaburo Matsuzaka. Married Miki, sister of Naoyuki Kumagai. Graduated Law College, Tokyo Imperial University. Entered Justice Ministry.
1921 Procurator Tokyo and Nagoya Local Courts; Tokyo District Court; Tokyo Court of Appeal.
1935 Sent to Europe and America on inspection tour. Chief Procurator, Yokohama District Court. Procurator Supreme Court. Procurator, Tokyo Court of Appeal. Director, Criminal Affairs Bureau of Justice Ministry.
1939 Chief Procurator, Tokyo Court of Appeal
1941 July-1944 July Procurator General of Supreme Court.
1944 July Minister of Justice in Koiso Cabinet
1945 Apr Minister of Justice in Suzuki Cabinet.

Address: Seishu 1-chome, Suginami-ku, Tokyo.

Follower of Baron Hiranuma. Has had consistent record of strong suppression of Japanese Communists. (100)."

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Evaluation of MATSUZAKA Hiromasa at time of his arrest -
December 1945

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E.O. 11652, Sec. 3(a) and 5(d) or (e)
OSD Letter, Apr. 12, 1974
By *[Signature]*, NARS, Date *9-17-75*

Evaluation of MATSUZAKA Hiromasa at time of his arrest - December 1945

"MATSUZAKA, Hiromasa

Born 1884. His long career in the judicial field includes the positions of Public Procurator, Reserve Procurator Mito District Court, Procurator of Yokohama District Court, Procurator and Judge of Tokyo District Court and Tokyo Court of Appeal, 1912-21; Deputy Procurator under SHIONO; Judge, Supreme Court, Procurator, Supreme Court 1927-31; Abroad as Judicial Officer (Europe and U. S.), 1931; Procurator, Tokyo Court of Appeal, 1935-37; Director, Criminal Affairs Bureau of the Justice Ministry, 1937-39; Chief Procurator, Tokyo Court of Appeal, 1939-41; Procurator General of Supreme Court 1941-44; Minister of Justice July 1944 - April 1945, KOISO Cabinet; Reappointed Justice Minister 7 April 1945 - 15 August 1945, SUZUKI Cabinet; appointed to House of Peers, August 1945; appointed member of Private Advisory Board to Justice Ministry, October 1945.

In his statement accepting the appointment as Procurator of the Supreme Court, MATSUZAKA stressed as his primary object the construction of a "defense state of the highest degree" which was interpreted to mean that anti-war speeches, conduct, and writings would be strictly controlled. In 1945, he announced that very severe penalties would be enforced against violators of price, food, and other economic regulations. He is supposedly a close friend of Baron HIRANUMA, the ardent nationalist and patron of nationalistic societies.

MATSUZAKA should be apprehended because of his policy to subjugate the populace under totalitarian principles and further the war of aggression."

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Extract from Evaluation of HIRANUMA Kiichiro at time of arrest -
re: MATSUZAKA Hiromasa

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Extract from Evaluation of HIRANUMA Kiichiro at time of arrest - re: MATSUZAKA Hiromasa.

"It is noteworthy that HIRANUMA has built up a powerful machine within the bureaucracy consisting chiefly of senior officials of the Ministry of Justice, notably two former Ministers of Justice, SHIONO Suehiko and MATSUZAKA Hiromasa. This clique within the bureaucracy might be described as the "prosecutors" clique because like HIRANUMA, it's boss, this clique consists chiefly of members of the prosecutors section of the Ministry of Justice. The most ruthless prosecutors in the years before and during the war usually fulfilled the post of Minister of Justice. It is through men like HIRANUMA and his henchmen that Japanese courts became a ruthless instrument in suppressing all freedom of thought, persecuting even the mildest form of political dissent. It is significant that well informed liberal Japanese assert that in the latter stages of the war the most savage political oppression within the country was directed by the prosecutors in the Ministry of Justice. They even brow-beat and frustrated judges who were prepared to release political prisoners who had served their term.