

DEF DOC # 629 THE FIFTIETH SESSION OF THE IMPERIAL DIET
THE HOUSE OF REPRESENTATIVES

An Excerpt from the Proceedings (shorthand record) of the First
Session of the Public Peace Maintenance Bill (introduced by the
Government) Committee

(First Part Omitted)

COMMITTEE MEETING

The meeting opened at 10:30 A.M. on Monday,
the 23rd of February, 1925.

The following committee members were present:

The Chairman of the Committee Mr. MAEDA, Yonezo.....

The following bill was considered at today's session:

The Public Peace Maintenance Bill

-- introduced by the Government --

(The shorthand record follows.)

The Committee Chairman MAEDA:

"The Public Peace Maintenance Law Committee will now open. First,
a member who wishes to speak on the progress of proceedings shall be
allowed to speak." ...

Committee member YOKOYAMA:

"Since the Justice Minister is present now, I should like to have him give a general explanation."

State Minister WATA:

"In general I can add nothing new to what the Home Minister explained at the plenary session of the Diet sometime ago. However, as further explanation is requested, I will give it once more.

"In recent times, with changes in social conditions, there has been the growth of radical and dangerous thoughts. Not a few persons are attempting to disturb order in violation of the laws of the land. There are persons who advocate anarchism and communism, and even try to put these theories into practice.

"Particularly the downfall of the Russian and the German Empires appears to have given a considerable shock to the minds of our nationals. Radical thoughts, anarchism, communism, and other ideas in Europe and America have influenced Japan not a little. Specially, in accordance with changes in the economic and the general social conditions at home, thoughts in general, so might be inevitable under such circumstances, have been unsettled.

"In addition, as you are all aware, the Soviet Government of today, under the name of the Third International, is systematically conducting world-wide communistic movements with fervent zeal and at a tremendous

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expenditure. Unfortunately, some of our countrymen, who are in secret communication with bolshhevists, are receiving funds, or are taking part in their schemes, for the purpose of propagating communistic ideas.

"Not only that, but also around 1920 KONDO, Eizo and others conferred with Russian bolshhevists at Shanghai. Having received funds from them, they are said to be putting their ideas into practice. To our extreme regret, a communistic party was organised also in Japan in 1921.

"Just now Mr. NAKATANI criticised the present law to be the most unprecedentedly stern of all laws ever enacted in Japan. It is really so. Reason is that the Empire has come to suffer from an unprecedented and extreme danger, the occurrence of which has never been anticipated. The society and the state have to be guarded against this danger. It is necessary also that preventive measures should be adopted, lest such danger should be created again in the future. Severe punishments should be meted out against whatever offences already committed, in order to preclude the recurrence of such crimes.

"Foreign countries are also suffering from the effects of communism and anarchism, and they have enacted strict laws against the prevalence of such ideas. Particularly the United States of America, strong advocate of liberalism in the world, inflicts a heavy penalty of twenty-one years' imprisonment, for the purpose of preventing the diffusion of such ideas.

"It is possible that communism and anarchism can spring up, develop, or be cultivated in a country like Russia. Such ideas might develop in Russia where the nobles and the wealthy are extremely despotic and the general public are unenlightened and ignorant. However, I do not believe such a shallow and violent reactionary idea will spring up in Japan, in view of the history of Japan and of the Japanese people, relationships among them, their racial relationships, non-existence in Japan of such intense class struggles as those of Europe and America, ardent affection Japanese nationals feel towards one another, and Japan's social and economic systems.

"I do not believe either that laws alone should suffice to cope with the growth and development of such an idea. Instead, it is necessary, from an economic standpoint, to raise the national standard of living. From an ethical and spiritual standpoint, the moral quality of the masses should be improved. Again, from an intellectual point of view, persons already influenced by communistic ideas should be enlightened as to the shortcomings of such a shallow and impracticable idea which merely hinders coordination among human beings and bring them only misfortune. These communists should be urged to reflect most carefully upon the matter, and thus communistic ideas should be completely eradicated.

"In fact, an examination of incidents which have heretofore occurred clearly shows that many persons have started to put communistic idea into practice. They have not only propagated such ideas, but

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also attempted to practise them by instigating people in general.

"Among such persons, there are many who deserve our sympathy. There are those, too, who might be led away from communistic influence if we exert ourselves in enlightening them.

"Accordingly, to cope with the situation, the state should do its utmost in directions other than the enforcement of laws.

"It is desirable that the people should concentrate their energies upon preventing, at least in Japan, the growth of such a dreadful idea. I expect this to be the unanimous desire of the people at large.

"I regret to say, however, that the idea has already taken root and is spreading at an unusual speed.

"The most regrettable high treason case was due to communism. The criminal, who was under the influence of communism, confessed that he, as the vanguard of communism, attempted to commit such a crime for the sake of communism.

"It should be hard for us to understand that after what has happened it is yet unnecessary in Japan to control radical ideas by means of a law. It goes without saying that the Government should strive hard to cope with radical ideas by moral and spiritual means, and by improving the national living. It is necessary nevertheless that the state should enact an appropriate law for the prevention of such crimes.

"Japan already has the criminal law and penal laws, which call for death penalty against a person who kills another. Then there are persons who are actually planning to destroy the very foundation of the state and the society, ^{and} the Government cannot but enforce control over them."

"As Mr. NAKAYANI has just pointed out, recently a section of workers of some newspapers appear to be against the law under consideration. I think, however, careful studies of the articles of the proposed law and of its underlying spirit will prove that their concern is wholly unnecessary. Only anarchists and communists are liable to punishment under the proposed law. It inflicts no punishment upon scholars, for instance, who for the purpose of researches, might publish their views as to the nature of anarchism, or as to the comparative merits of different ideas. It punishes only those who put into practice such radical ideas.

"Nothing can be done for persons who would purposely object to the law for objection's sake; again, communists and anarchists would be in trouble, and naturally would object to its enactment. Excepting these persons, doubts now harboured by various persons will be dispelled, when details of the law become widely known. Then, I believe, they will support its enactment for the benefit of the state and the society.

"These are the main reasons for the introduction of the bill; and I shall try to give further explanations in response to interpellations"

CERTIFICATE OF SOURCE AND AUTHENTICITY

I, YAMASAKI, Takashi, who occupy the post of the Chief of the Section of General Affairs, the House of Representatives, hereby certify that the document hereto attached, written in Japanese, consisting of 5 pages and entitled "The Proceedings (Notes and the Stenographic Records) of the Committee on the Bill for the Maintenance of the Public Peace (proped by the Government) of the House of Representatives, (concerning the Cabinet meeting of Feb. 23, 1925). The first Report, PP. 1-3 is an exact and authorized copy from an official document in the custody of Japanese Government (Chairman MAEDA mentioned in the above Proceedings is Mr. MAEDA, Yoneo, MP., Minister of State OGAWA is minister of Justice OGAWA, Heikichi.

certified at Tokyo,

on this 12th day of March, 1947

YAMASAKI, Takashi
(seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the witness.

at the same place,

on this same date

Witness: TAKAI, Tsuguo
(seal)

Translation Certificate

I, Fumiko Fukuoka of the Defense, hereby certify that the attached translation of An Excerpt from the Proceedings of the First Session of the Public is, to the best of my knowledge and belief, a correct translation and is as near as possible to the meaning of the original document.

Tokyo, Japan
Date Feb. 27th, 1947

Fumiko Fukuoka

not used

第五十回帝國議會
衆議院

治安維持法案（政府提出）委員會會議錄（筆記）第一回（拔萃）

（前略）

會議

大正十四年二月二十三日（月曜日）午前十時三十分開議

出席委員左ノ如シ

委員長 前田米藏君

（中略）

本日ノ會議ニ上リタル議案左ノ如シ

治安維持法案（政府提出）

（以下速記）

○前田委員長 唯今カラ治安維持法ノ委員會ヲ開キマス、議事進行ニ付テ發言ノ通告者ガアリマスカラ、其方カラ許シマス

（中略）

○横山委員 司法大臣ガ只今御出席ニナツテ居リマスカラ、大體御説明

ヲ願ヒマス

○小川國務大臣 大體此前本會議ニ於テ、内務大臣ヨリ説明ヲ致シテアル通りデゴザイマスガ尙ホ御要求デアリマスルカを一應説明ヲ致シマス、近頃社會ノ狀態ノ變遷ニ遲レマシテ、段々左傾危險ナル思想ガ發生シテ參リマシテ、國法上ノ秩序ヲ壞亂セントスル者ガ少クナイ又無政府主義ヲ唱ヘ共産主義ヲ唱ヘ、更ニ進ンデ是ガ實行ニ著手セントスル者モ亦少クナイヤウニナツテ參リマシタ、殊ニ露西亞帝國ノ崩壞、獨逸帝國ノ崩壞等ハ餘程我が國內ノ人心ニ刺戟ヲ與ヘタヤウデアリマス、歐羅巴、亞米利加等ニ於ケル左傾思想、無政府主義、共産主義等ノ思想モ亦我國ニ少カラザル影響ヲ與ヘ、殊ニ國內ニ於ケル經濟事情其ノ他一般社會事情ノ變遷ニ伴ヒマシテ、新ル際ニ免ルベカラザルコトデモアリマセウガ、一般思想モ大分動搖シテ參ツテ居リマス、加フルニ露西亞ノ今日ノ勞農政府ハ御承知ノ通り第三「インターナショナル」ノ名ヲ以テ世界ニ向ツテ、非常ナ熱心非常ナ力ヲ盡シ又少カラザル金ヲ使ツテ組織的ニ共産主義ノ運動ヲ致シテ居リマス、我が國內ニ於テモ不幸ニシテ、此露西亞ノ「ボルセービキ」ノ號ト相通ジ、或ハ

金品ヲ受取り彼等ト共ニ彼等ノ計畫ニ參與ヲ致シテ、我が帝國内ニ向
 ツテ此主義思想ヲ宣傳スルノミナラズ、而シテ大正九年アタリニハ既
 ニ近藤榮次等ト云フ人々トハ、上海ニ於テ露西亞ノ「ボルセービキ」
 ノ人々ト相敵ヲ致シテ、金ヲ受取ツテ來テ主義ノ實行ニ着手シテ居ル
 ト云フ話デアル、翌大正十年ニハ洵ニ遺憾極マルコトデアリマスガ、
 我國ニ於テモ、共產黨ナルモノガ組織セラレタト云フ次第デアル
 只今中谷信カラ今日マデ我國ニ於テ類例ナキ峻嚴ナル立法デアルト本
 案ノ御批評ガアツタノデアリマス、如何ニモ其通りデアリマス、何故
 ニ其通りデアルカト言ヘバ、今日マデ我が帝國ニ於テ、類例ナキ想像
 ガ出来ナカツタ所ノ最モ危險ナル状態ヲ發生シテ參ツタ此危險ハ國
 家ノ爲メ、社會ノ爲メニ防衛シナケレバナラヌ又之ヲ豫防シテ、將來
 斯ル危險ノ發生ノナイヤウニ致サナケレバナラヌ、既ニ生ジタモノニ
 對シテハ嚴重ナル處罰ヲ致シテ、而シテ斯ルコトノ絶滅ヲ期シナケレ
 バナラヌ次第デアル、外國等ニ於テモ此共產主義、無政府主義ノ爲ニ
 ハ非常ナル苦痛ヲ感ジマシテ何レノ國ニ於テモ相當峻嚴ナル法律ヲ以
 テ之ニ臨ンデ居ルノデアリマス、殊ニ世界ニ於テ自由ヲ以テ高唱サレ

テ居ル所ノ亞米利加合衆國ノ如キ、二十一年ト云フガ如キ懲役ノ重刑
 ラ課シテ、是ガ防遏ヲ圖ツテ居ルト云フ次第デアリマス、勿論共產主
 義、無政府主義等ト云フモノハ私ノ考デハ、露西亞ノ如キ國ニ於テハ
 或ハ發生シ或ハ又發達シ、培養セラルベキモノデアルカモ知レマセヌ
 ガ、我國ニ於テハ國家ノ歴史、又國民相互ノ關係、人種ノ關係、歐米
 ノ如ク階級戰爭ノ激シクナカツタ關係、又國民相互ノ間ニ存スル所ノ
 熱烈ナル愛情ノ關係、社會組織、經濟組織等カラ見マシテモ斯ノ如キ
 彼ノ貴族富豪等ガ非常ナル壓制ヲ極メ、國民ハ蒙昧野蠻ナル國ニ於テ
 發達シマシテモ我國ニ於テハ斯ル淺薄ナル亂暴ナル反動思想ガ我國ニ
 於テ發生スルモノトハ私共考ヘテ居リマセヌ又斯ル思想ノ發生竝ニ發
 達ニ付テハ獨リ法律ヲ以テ、之ニ臨ムノデハ無足レリトハ致サヌノ
 デアリマス、或ハ經濟上ヨリ試シテ國民一般ノ生活ヲ向上セシムル、
 或ハ又道德上ノ精神的方面ヨリシテ一般國民ノ道義心ヲ高メル、又知
 識ノ上ヨリシテ斯ル淺薄ナル人類ノ共同作用ヲ妨ゲル所ノ實行ノ出來
 ナイ人類ニ不幸ヲ與ヘルヤウナ專柄ハ宜シクナイト云フコトヲ知識ノ
 上カラ之ヲ啓發シテ彼等ノ蒙ヲ啓キ、而シテ彼等ヲシテ反省セシメテ

サウシテ根本ヨリシテ是ガ絶滅ヲ圖ラナケレバナラヌコトハ勿論デア
 リマス、現ニ今日マデ發生致シタ事件ヲ見マシテモ明ニ共產主義ノ實
 行ニ着手ヲ致シテ之ヲ宣傳スルバカリデハナイ、進ンデ一般ノ人々ニ
 煽動シテ是ガ實行ヲ圖ツテ居ル者モ澤山アルノデアリマス其中ニハ隨
 分氣ノ毒ナヤウナ者モアル、何トカ之ニ同ツテ手ヲ盡シテ行ツタナラ
 バ、彼等ノ數ヲ盛クコトガ出來ヤセヌカト考ヘラル、者モ隨分多イノ
 デアリマス、ソレデアリマスカラ極ノ方面ニ同ツテ國家トシテモ出來
 ぬルタケノ方ヲ盡サナケレバナラヌト考ヘル、又吾々國民トシテモ全
 力ヲ盡シテ我日本ニ於テダケハドウカ新濠ナ悉ルベキモノハ餘リ成長
 シナイヤウニ致シタイト考ヘテ居ル、是ハ總テ一般國民ノ希望デアラ
 ウト考ヘルノデアリマス、併ナガラ今日ハ既ニ遺憾ナガラ事ガ發生シ
 テ悉ツタ、而シテ其勢モ中々容易ナラザル勢ヲ以テ憂慮ヲ致シテ行ク
 ノデアリマス、而シテ共產主義ノ結果ハ彼ノ實ニ諸君ト共ニ遺憾ニ堪
 ヘナイ大逆事件ノ如キ矢張共產主義ノ影響トシテ、共產主義ノ前衛ト
 シテ、彼ハ共產主義ノ爲ニ新濠ナコトヲヤツタト言ツテ居ル、是デモ
 我國ニ於テ法律ヲ以テ之ヲ取締ル必要ガナイト云フコトハ私共ニハ想

像ガ出來ヌト思フガ故ニ道德精神的ノ方面、或ハ國民ノ生活ヲ豐富ニ
 スルト云フ語ヨリシテ力ヲ盡スベキコトハ勿論デアリマスケレドモ、
 國家トシテハ之ニ相當ナル所ノ法律ヲ設ケテ、而シテ犯罪ト云フモノ
 ヲ取締ラナケレバナラヌデアリマス、既ニ我國ニ於テモ刑法モアリ
 相當刑罰法ガアツテ、或人ガ人ヲ殺シテモ其人ヲ死刑ニ處スルト云フ
 今國家ノ根本ヲ破壞シ社會ヲ根柢ヨリシテ打壞サウト云フコトノ實行
 ニ着手セムトスル者ガ出來テ居ルノニ之ヲ取締ラヌト云フコトハドウ
 シテモ出來ナイコトデアリマス、又此法律ニ付テ只今中谷君ノ仰セニ
 ナリマシタ如ク、最近労働者ノ一部或ハ新聞社ノ一部等ニ於テ反對ヲ
 スル模樣ガアルヤウデアリマス、是ハ能ク此法律ヲ見テ條文ヲ能ク讀
 ミ其精神ノ在ル所ヲ考ヘラレマシタナラバ少シモ心配スル必要ハナイ
 ト思フ、無政黨主義者、共產主義者ノ外ハ學者ハ研究ヲスル爲ニ無政
 政主義ノ如何ナルモノデアるかト云フコトノ意見ヲ公表ヲ致シ、或ハ
 又はト比較シテ此方ガ優ツテ居ルト云フ意見モアリマセウ、ソレモ此
 法律ニ於テハ罰シナイ、違フデ是ガ實行ヲスルダケノ者ヲ罰スルト云
 フノデアリマスカラ、世間ニ能ク分リマシタナラバ殊更ニ反對セムガ

爲ニ反對スル者ハ是ハ彼方ガナイ、又無政政主義者、共產主義者ハ是
ハ因ルヲアリマセウ、是ハ反對スルニ相違ナイ、是モ彼方ガナイ、此
ニツノ外ノ人々ハ誰テ彼ハ私ハ能ク解ケテ、サウシテ此法案ニ付テ國
家ノ爲ニ社會ノ爲ニ賛成ヲ表スルコトニナルデアラウト私ハ考ヘテ后
ル次第デアリマス、大體提案ノ理由ハ右ノヤウデアリマスルガ尙ホ御
質問ニ應ジテ御答ヲ致ス積リデアリマス

（後略）

證 明 書

自分、山崎 高は衆議員庶務課長の職にある者なるところ、別紙日本文
五枚より成る書類は、自分が其の職務上保管に係る、大正十四年二月二
十三日開議の、衆議院治安維持法案（政府提出）委員會議録（速記）第
一回至三頁の部分の正確なる寫なることを証明します

右會議録中前田委員長であるは、衆議院議員前田米藏君、山崎委員であ
るは、衆議院議員横山金太郎君、小川國務大臣であるは、司法大臣小川
平吉君であります

昭和二十二年三月十二日

於 衆 議 院

山 崎 高

右は自分の面前に於て署名捺印せられたることを證明します

同日 於 同 所

立 會 人 武 井 次 男