

ORIGINAL STATEMENT BY SUBJECT

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DEPARTMENT OF THE ARMY
THE ADJUTANT GENERAL'S OFFICE
WASHINGTON



DEPARTMENTAL RECORDS BRANCH, T.A.G.O.

STATEMENT BY

Shigenori TOGO

Date : 22 February 1946
28 February 1946

Place : Togo Residence, Tokyo

Present : 22 February 1946
Shigenori TOGO
Mr. Roy L. Morgan, Interrogator
Cmdr. Yale C. Maxon, Interpreter
Fumihiko Togo, son of Shigenori TOGO
Toshiro Shimanouchi

28 February 1946
Mr. Ben Oshita, Interpreter
(in place of Cmdr. Maxon)

A. J. n.
I, Shigenori TOGO, wish to make the following voluntary statement to Roy L. Morgan, Chief, Investigative Division, International Prosecution Section, GHQ, SCAP, without threats, duress, fear or promise of immunity, knowing that the same might be used against me before the International Military Tribunal for the Far East:

I was Minister of Foreign Affairs in the TOJO Cabinet from October 18, 1941, until around September 1, 1942. I became Foreign Minister of Japan at the request of TOJO sometime in October, 1941, when TOJO asked that I accept the portfolio as Minister of Foreign Affairs for Japan. At that time he explained to me that the 3rd KONOYE Cabinet fell because of a divergence of views. He said that one group, represented by the military, opposed placing a specific time limit on the stationing of Japanese troops in specific areas in China, whereas the other group favored the placing of a time limit. On this information I refused TOJO's offer, as I saw that because of the firm stand taken by the army I could accomplish nothing in the settlement of the difficulties between the United States and Japan. Then TOJO informed me that there was a possibility that the military group would relax from the firm stand that they had taken against the withdrawal of troops from China. Therefore, I accepted the post of Foreign Minister with the understanding from TOJO that he would make an effort on his part also to consider Japanese-American issues rationally and bring about a peaceful settlement.

Between October 23, 1941, and December 8, 1941, there were a number of liaison conferences, at which the following individuals were present: Hideki TOJO, Prime Minister; Shigetaro SHIMADA, Minister of the Navy; Okinobu KAYA, Minister of Finance; Teiichi SUZUKI, Minister of State without Portfolio and President of the Planning Board; Gen SUGIYAMA, Chief of the Army General Staff (deceased); Osami NAGANO, Chief of the Navy General

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Staff; Naoki HOSHINO, Chief Secretary of the Cabinet; Takasumi OKA, Chief of Naval Affairs Bureau, Seiichi ITO, Vice-Chief of Staff of the Navy; Sho MUTO, Chief of the Military Affairs Bureau; and Isao TSUKADA, Vice-Chief of Staff of the Army. I attended these conferences along with the above named individuals. All had active part in the conferences. If necessary, other ^{Cabinet and Government officials} members attended if it involved their particular ministry. I do not recall the names of the others who attended.

A.T.
During these conferences, the big question was the settlement of the difficulties with the United States. According to a report from Ambassador NOMURA in Washington, D. C., around October 19, 1941, to the effect that he believed that an understanding had been obtained with the United States concerning such questions as the Tripartite Pact and trade involving non-discriminatory treatment in China. So when I became Foreign Minister I discovered that this was not the situation and that no sufficient understanding had been arrived at on these points; so I asked NOMURA for confirmation. NOMURA replied that the reference report in October was inaccurate, which made the situation more difficult. During the beginning of the liaison conferences such men as SUGIYAMA, SUZUKI, SHIMADA, HOSHINO and TOJO were opposed to the withdrawal of Japanese troops from China within a specific time limit. However, at my insistence they agreed with me in the establishment of such time limit. Along with the effort to seek a solution of the issues with the United States, consideration was also given to Japan's productive power, finances, etc. for the eventuality of war. After HULL's note of November 26, 1941, was received it appeared that war was unavoidable.

The decision for war came during a liaison conference on or about November 28, 1941. I was present at this conference along with the persons mentioned above. Because of the firm stand of the United States as outlined in HULL's note, it seemed that there was no alternative other than for Japan to wage war against the United States. Since it involved the honor of Japan, as well as Japan's existence, there was unanimous agreement at this conference on or about November 28 to wage war against the United States. The next day, on or about November 29, 1941, to the best of my recollection the matter was referred to TOJO's Cabinet, at which meeting I was present, and there was no objection.

On December 1, 1941, an Imperial Conference was held. At this Imperial Conference there were present all members of TOJO's Cabinet, which included me, and SUGIYAMA and NAGANO, Chiefs of the Army and Navy General Staffs, respectively. Also present were the two vice-chiefs of the Army and Navy General Staffs; HOSHINO, Chief Secretary of the Cabinet, as well as the Chiefs of the Military and Naval Affairs Bureaus, and Yoshimichi HARA, President of the Privy Council. At this conference the matter was explained to the Emperor, who said nothing. There was unanimous agreement among all those present at the Imperial Conference to wage war against the United States. Later the Emperor gave his approval to the decision.

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There was no notice of war sent to the United States, however several messages were sent to Kischasaburo NOMURA, Japanese Ambassador to the United States, at different times prior to December 6, 1941, to the effect that there was a possibility of the worst coming to the worst. Subsequent to the HULL note of November 26, 1941, it was Admiral NOMURA's view, as set out in a telegram, that before Japan took any free action that formal notice be given to the United States that negotiations had ceased, and he requested that this be done.

A. J.
On December 6, 1941, the Foreign Office, under my direction, sent a message to NOMURA to be prepared to receive an important note from Japan. Instructions were sent separately as to what time the note should be delivered. The idea was to be sure that the message definitely reached Washington by way of ~~cable and wireless~~ ^{via two routes.} The message which NOMURA was to deliver was not literally a declaration of war but a ^{notice of cessation of diplomatic relations and} rupture of diplomatic relations. The HULL note was interpreted by the Japanese government as anticipating war. The last Japanese note, being a reply to HULL's November 26, 1941, note, in the light of the situation prevailing, was believed by all members of TOJO's Cabinet and me to be tantamount to a declaration of war. There was no exception. It was prepared in the Foreign Office and was a careful summation of the discussions at the liaison conferences, all of which I attended. Composition was prepared by the Foreign Office, of which I was in charge, and approved at the liaison conference by the individuals mentioned above.

Following the decision for war, the question came up at the liaison conference regarding procedure to be taken regarding war notification. I declared on that occasion, which was on or about December 2 or 3, 1941, that it was proper to clearly indicate commencement of war prior to any attack. However, the naval general staff, through Admirals NAGANO and ITO, expressed a desire that the war be started with a maximum effectiveness and from their standpoint they would like to have the negotiations left unterminated without notification to the United States. The general feeling of the members in the conference was in support of the navy's standpoint. There were no objections to the navy idea on attack except my own, which was that it was highly improper to start the war in this manner. No definite conclusions were reached on this matter at this conference. The general feeling of all at the conference at the time was that this war was one of self-defense. After this conference, ITO, Vice-Chief of the Naval Staff, approached me frequently requesting me to understand the navy's standpoint and proposed that if notification had to be made that it be made only in Tokyo. This, too, I rejected. As a result, it was decided that notification be delivered in Washington, and that the notification would take the form of a notice of severance of diplomatic relations. If the notice took such form then it would be in conformance with the spirit of the Hague Treaty and the attack would not be a surprise ("sneak") attack. All attending the conference were ^{presumably} aware of the provisions of the Hague Treaty. This was all decided on 5 or 6 December 1941.

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As to the time that the note should be delivered, it was decided by ITO and TSUKADA, Vice-Chiefs of the army and navy staffs, respectively, and myself on December 5 that the note should be delivered in Washington by NOMURA at 1:00 P.M., Washington time, December 7, 1941. ITO represented NAGANO and TSUKADA represented SUGIYAMA, Navy and Army Chiefs, respectively. In my conferences with ITO and TSUKADA, it was the understanding that sufficient notice would be given prior to the commencement of hostilities. My understanding of "sufficient notice" was that there would be at least one hour's notice before the attack.

N.S.
With reference to when the attack should be made, that was a matter outside of my jurisdiction. It was the secret of the navy and army chiefs of staff; as Foreign Minister I was not informed. The method and time of attack was in the hands of the high command. There was a mutual understanding between the high command and me that notice to the United States would be given before the attack. What happened after this was not my responsibility. It was the responsibility of the navy and the army chiefs of staff. After I had learned that the attack on Pearl Harbor was made ~~prior to notice to the United States~~, I protested to ITO that if the attack was going to be made ~~at such a short notice~~ ^{at a time after one o'clock, Washington time}, why did the navy at first hesitate regarding the issuance of ~~a final notification~~ ^{an ultimatum}. ITO was evasive and did not make himself clear.

In view of my previous statement that first the naval general staff, represented by NAGANO and ITO, requested that the notification be such as to give the maximum effectiveness to Japan in commencing hostilities, and, second, that the HULL note was interpreted as anticipating war and also as ~~an ultimatum~~ ^{an ultimatum} without time limit, therefore, the Japanese reply to that note would in view of the situation be interpreted as virtually a war declaration, and, third, because the Japanese stand was that it was a war of self-defense, therefore, for the above reasons, it was regarded unnecessary to specifically state in the note that a state of war existed between the United States and Japan. I might also add that we did not notify the United States of the situation in Japan after the decision to make war on December 1, 1941, because there was ~~still~~ ^{hope that there was a slight} possibility of the United States reconsidering its position in view of Japan's strong stand. There was an agreement with the high command that even though there might be a small clash between the United States and Japan, that war might still be avoided.

With reference to the message from President Roosevelt to the Emperor, I might say that Ambassador Grew of the United States Embassy turned this message over to me at 12:15 A.M. on December 8, 1941, Tokyo time. This was three hours and ten minutes before the attack on Pearl Harbor. I told Ambassador Grew that an audience would have to be arranged with the Emperor through the Imperial Household. Grew left a copy of the President's message with me and left in twenty minutes. Since this was a matter of importance to the Prime Minister, I got in touch with TOJO immediately. I

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discussed the matter with him around 1:30 A.M. TOJO told me that President Roosevelt's proposal was out of the question and alone it was no good, and he told me that the proposal had come too late. According to TOJO, it was insufficient to review the question any further. I got in touch with the Lord Keeper of the Privy Seal, KIDO, and the Lord Keeper asked me to come to the place. Grew was not invited, since it was not proper for a minister of a foreign country to come to the palace at such an hour.

A. G. I arrived at the palace at 2:30 A.M. and informed the Emperor of the contents of the message. He replied that he was "in hearty agreement with a desire for peace, but that the proposal presented in the message constituted only a part of the issues that had to be settled." The Emperor expressed the wish that the President of the United States would understand Japan's stand on these issues that had already been presented during many months of negotiations. I might say that this message was reported to the Emperor fifty-five minutes before the attack on Pearl Harbor. Around 7:00 A.M. on December 8, 1941, Tokyo time, I got in touch with Ambassador Grew, after some difficulty, and I turned over to Grew the Emperor's reply to President Roosevelt's message. Grew never delivered the message formally as the contents had been reported and the war was in actual progress.

It was the opinion of the individuals who attended the liaison conferences since the last of October, 1941, that the United States intended to drag out negotiations to make time, and with that background, President Roosevelt's telegram was interpreted for the same purpose.

I might say that it was presumed that the army and navy, ^{high command,} as well as civilian members ~~of the high command~~ who were in the Cabinet, had prepared for some time for the eventuality of war between Japan and the United States. Even though such preparations had been made secretly, all efforts were pushed to settle the issues between the United States and Japan. TOJO, being the War Minister, and SHIMADA, being the Navy Minister, I presumed they knew of ~~all~~ the preparations made by the high command. As to the extent of their knowledge, I do not know. SUZUKI, being an army officer, as well as President of the Planning Board, was in the position of handling the materials which were essential to war. I presume that he must have been familiar with the preparations that the army and navy had taken for possible war with the United States. Presumably, the logistics were such that these preparations had to have been initiated months in advance. As this was a top operational secret regarding operations directed against the United States, it was not information available to me. Of course, having read the newspapers, at the end of the war I learned from them how the preparations were made and how the attack was carried out.

Prior to the war between the United States and Japan there was a conflict of views between TOJO and me regarding the principle and administration of politics. As for example, I favored the mitigation and amelioration of our stand to reach a settlement with the United States, while TOJO wanted to

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seek a settlement without relaxation of the Japanese position. TOJO had totalitarian principles to which I was opposed. After the outbreak of war our conflict extended to the direction of the war itself. For example, since modern war involved large scale attrition, it could not continue very long and on the premise would end in five or six years hurried preparations must be made to create an invincible war structure as against a United States counter-offensive. Because of brilliant initial victories achieved by Japanese forces and overestimation of American losses in the initial engagements made by TOJO and other members like SUZUKI, HOSHINO, etc., TOJO did not hurry the preparations for reinforcement of the Japanese war structure for which I had hoped. We then came to a frontal clash over the question of establishing a new ministry known as Ministry of Greater East Asian Affairs.

A. J. TOJO decided to take it away from the Foreign Office, with the view that the following countries should be accorded a special treatment than that given other countries: Manchukuo, China, French Indo-China, the Philippines, Thailand, Burma and the Netherlands East Indies. TOJO's idea was to keep this group of countries separate as a Greater East Asia sphere, thereby creating an economic or common prosperity sphere. According to TOJO, these countries had a different degree of cooperation with Japan than those countries outside of this sphere. It was a question of the older brother looking after the younger brother. As a result of a planned separation of the Ministry of Greater East Asian Affairs from the Foreign Office, I resigned around September 1, 1942, not having been in TOJO's Cabinet one year. The Ministry of Greater East Asian Affairs was established in November, 1942, after I resigned. ^{except trivial functions} All matters pertaining to the Greater East Asian Affairs which were in the Foreign Office were transferred to this new ministry.

I might add that while I was Ambassador to Germany, Hiroshi OSHIMA, the military attache, was working behind my back. He was trying to reinforce the Anti-Comintern Pact with von RIBBENTROP. I knew nothing about it during the preliminary negotiations. As soon as I discovered OSHIMA's tactics, I censored him. He agreed with me. On some occasions he received communications on this general matter from the Army General Staff in Tokyo. I do not know who on the General Staff favored such matters, as OSHIMA did not tell me. OSHIMA persisted in continuing these negotiations with von RIBBENTROP, which helped to bring about the Tripartite Pact. ^{conclusion of a tripartite} I opposed these ~~negotiations~~ ^{negotiations} since ~~they interfered with any settlement of the China Incident,~~ ^{it would hardly contribute to} ~~the United States.~~ ^{teable to the Foreign Office.} ~~Because of my opposition,~~ ^{which view} some military circles caused my transfer from Berlin to Moscow, where I became Ambassador to Russia. Katsuchiro NARITA, counselor in the Foreign Office, and Tadashi SAIKAYA, Former Minister to Finland, both told me this was the reason for my transfer. OSHIMA was made Ambassador to Germany in my place.

I remained as Ambassador to Moscow until MATSUOKA became the new Foreign Minister. All Ambassadors and Ministers were recalled with the exception of

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SHIGEMITSU and KURUSU. I returned to Japan and discovered that MATSUOKA wished to renovate and revolutionize the Foreign Office, according to responsible reports. Since I was not in line with his new diplomatic policy regarding the conclusion of the Tripartite Alliance, he asked me to resign. I refused to resign and remained an Ambassador without a post. I remained idle until TOJO offered me the post as Foreign Minister in October of 1941.

To go back to the negotiations between Tokyo and Washington, D. C. I recall receiving a message from KURUSU and NOMURA in Washington, ^{immediately after receipt of the Hull Note,} inquiring whether a proposal from President Roosevelt to the Emperor with reference to the neutralization of French Indo-China, Siam and the Netherlands East Indies would receive consideration. In this telegram from KURUSU and NOMURA it was requested that Lord Keeper of the Privy Seal KIDO be advised and consulted. KIDO was consulted, and he told me that such a proposal was insufficient and that because there were strong dissatisfied elements in Japan, he felt that acceptance of the suggested proposal would create civil war. He also stated that it would be improper to seek a settlement on the basis of such a proposal if such were sent. I was of the firm opinion that even a modus vivendi based on such a proposal would not ultimately bring about a settlement. ~~Prior~~ On November 20, 1941, Japan proposed a modus vivendi on a broad basis to the United States. Secretary HULL rejected this, his reason being that it was no good unless the fundamental issues were considered first. Therefore, it could not be considered in Japan that the whole problem could be settled on the basis of the proposal communicated by our two ambassadors.

advised that since there was the possibility of the United States making a new move such as the occupation of the Netherlands East Indies and the plan proposed by a person I received from the President to the Emperor. Previous to that I recall a telegram from them recommending that even in case the negotiations are unsettled, Japan should wait until the United States entered the war in Europe. Even before that in liaison conferences that matter had been considered, and I contended that Japan exercise the utmost patience and forbearance and watch closely the developing international situation but others opposed.

HULL's November 26, 1941, note meant Japanese suicide or war. I so interpreted it, as well as all members of the ^{Cabinet Conference} ~~Cabinet~~. The proposal could not possibly solve the situation, and in case it were considered, public opinion was such that it would lead to a civil war.

TOJO and the high command, consisting of SUGIYAMA and NAGANO, Chiefs of the Army and Navy, as well as SHIMADA, ^{presumably} Minister of the Navy, (and HOSHINA, Chief Secretary of the Cabinet, were informed of this particular telegram from KURUSU and NOMURA regarding the possible proposal from President Roosevelt to the Emperor. They were advised by copies of the message being sent to them. I cannot definitely recall who said what. ~~However, there was unanimous agreement among the individuals mentioned that the proposal was insufficient to settle the situation, and no one regarded such proposal as~~

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~~important in averting war~~ I might say, that as a matter of custom all telegrams, ^{of such nature} which flowed to and from the Foreign Office were relayed automatically from ~~the cable section~~ ^{proper foreign office bureau} to TOJO, SUGIYAMA, NAGANO, SHIMADA, and ~~NOGUCHI~~, all of whom are mentioned above. I recall that on the day following receipt of the telegram, I spoke of the matter with Tojo and Kido and both were of the opinion that the proposal was insufficient to settle the situation and not important enough to avert war. Because of the situation I considered resigning on several occasions. I assumed the role of Foreign Minister with assurance that efforts would be made to settle the differences between the United States and Japan. According to TOJO, it was his hope that a settlement would be reached. However, he did not ^{willingly} ameliorate Japanese conditions as a means to such a settlement. Nevertheless, at liaison conferences, TOJO continued to manifest an attitude in favor of a settlement. Whether he had any intention of double-crossing me, I don't know, at least such an attitude was not revealed to me.

After I examined the documents relating to the Japanese-American negotiations, I discovered that especially after the advance into

After first becoming Foreign Minister, I studied the progress of the negotiations and found it to be unusual that the United States had gradually intensified its strong stand without any concessions and that the divergence of views of the two countries were extremely great. ~~After the advance in French Indo-China I felt that~~ the United States began to take a very cold attitude toward the negotiations. Furthermore, because of the fact that I discovered ~~that~~ the Ambassador ^{from us} in Washington had inaccurately reported an understanding with the United States regarding the questions of the Tripartite Pact and non-discriminatory treatment in trade with China, I felt that the negotiations had become extremely difficult.

because the situation was such that war was unavoidable and the situation too grave, it would be better to have the situation reconsidered by a new cabinet.

Because my hope of reaching a settlement around the latter part of October became very slim, I wanted to resign. However, I considered that if I resigned it might be that TOJO himself might take over the post of Foreign Minister, or someone more favorable to him might take it over. This would be inimicable to our own national interests, as there was no one to check TOJO. Therefore, I decided to remain to do whatever possible to work for a settlement. The second time that I decided to resign was after the HULL note of November 26, 1941. At that time I personally felt that ~~the Japanese cabinet should resign and have the matter reconsidered by a new cabinet,~~ but because of the general feeling that the HULL note had driven Japan into a corner and Japan faced national suicide or war, I realized it was impossible to lead the Cabinet toward resignation. I then decided to remain in my post, ~~not only for the interests of Japan but also for the world and to continue making every effort to avert war.~~ ^{feeling that} ~~Even if the outbreak of war~~ I decided to remain as I felt that it was to the interests of Japan, as well as to the world, to bring the war to ^{in case war should} an early termination, ^{the earliest possible} by remaining Foreign Minister. ~~(to remain in my post)~~

I have read the above statement and certify that it is true to the best of my knowledge and belief.

Roy L. Morgan
witness

Shigenori Togo
Shigenori TOGO

Shimamura
witness

6 March 1946
date

INTERNATIONAL PROSECUTION SECTION

REQUEST FORM

2 August

1946

INCIDENT - ACCUSED

JUDGE ALBERT WILLIAMS

The undersigned requests the consideration of Document # 4112
(Describe): **Excerpts from Statement of Shigenori TOGO dated 22 and 28
February 1946, as follows:**
Page 1 - paragraph 3
Page 2 - paragraph 1
 paragraph 3, first two sentences only
 paragraph 4
Page 3 - paragraphs 1 & 2 as far as "...as anticipating war."
 paragraph 3, last 2 sentences only
Page 4 - paragraph 4 (continue through the paragraph on top of p. 5)
 for introduction in evidence (specify purpose)
Page 7 - paragraph 2; paragraph 5 (continue through the paragraph
 on top of page 8)

**In proving the preparations and responsibility for war
against the United States.**

ROY L. MORGAN

Staff Attorney

_____ 1946

TO THE DOCUMENT OFFICER:

The above document has been approved for processing by you with
changes as follows:

Judge Albert Williams
Document Control Attorney

By _____
Secretary

26 March 1946

A. (cont'd)

Thus, as a case of forced measures no more reason existed for the Foreign Minister under such circumstances to continue to express objection. There was also, as I explained before, no meaning in my resigning from my office at such a time.

Q. Did you make any statement at the last liaison conference prior to December 1 regarding the interpretation of international laws and treaties.

A. I do not recall any question arising regarding interpretation of international law and treaties.

Q. If TOJO made such a statement that you did discuss and interpret international laws and treaties to the members of the last conference at that time, would he be mistaken.

A. I can not but say that TOJO is mistaken in that I can not recall any occasion which necessitated any discussion of the subject. As to the Hague Treaty, that was a question that was considered later and regarding that I have already explained to you in writing.

Q. Did you have the prime responsibility for the contents of the final note delivered by KURUSU AND NOMURA on December 7, Washington time, to HULL.

A. The note was written by the Foreign Office but in accordance with the views expressed in the discussions in the liaison and other conferences and the note was a general summary of those views. Therefore, the Foreign Office and I, as Foreign Minister, can not take the responsibility. Furthermore, as the matter was related to the question of war, the high command naturally had to be consulted and various matters discussed with them in regard to the note. Such being the case, the government alone can not take the responsibility, for the high command is also connected with the matter. And that being the case, even within the government, I alone as Foreign Minister can not take sole responsibility on a matter of such supreme or major importance.

Q. Would you name the individuals who you would consider as equally responsible with you for the contents of the note.

A. All members of the liaison conference and even some members of the Cabinet who were familiar with this question.

Q. Will you name the persons.

A. It will be difficult for me to name the persons as I may point out that they were persons who were in the position to be familiar with the question.

Q. For example, who.

A. For instance, the Minister of Commerce and Industries by reason of the fact that he was concerned with the mobilization of materials and, therefore, at least should have known; and the Minister of Agriculture in that he was concerned with the food question.

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Q. Was the prime responsibility for the delivery of the note yours.

A. First of all, I would like to preface my remarks by saying that the final note of the Japanese government was closely related to the question of war and the declaration of war and was signed by all ministers of state in accordance with the provisions of the Japanese constitution. Since the matter was also closely related to the question of war, the high command also had a responsibility in it. The real truth of the situation cannot be properly understood unless it is known as to who contributed most to the causes of the war or who did not contribute to the causes of the war and as to who made the most efforts to avoid war. Without making clear distinctions on this matter proper understanding of the situation cannot be obtained. If it were an ordinary note it would be normal for the Foreign Minister to handle it on his own responsibility, but the final note of the Japanese government to the United States was not an ordinary note, having a close relationship with the question of war. As I have said on previous occasions, on the question of procedure the high command, especially the navy, had certain views and requests on the matter, which I, as I have previously said, rejected. On the contents and procedure on the matter, it was brought up before the liaison conference and although not completely in writing the essence and contents of the note and main points of the contents of the note was brought up before the Cabinet before this note was dispatched to Washington. As to the actual delivery of the note and the hitches that occurred, that must be considered as a separate question.

Q. What do you mean by the fact that it should be considered a separate question.

A. As I explained before, detailed and very careful instructions were sent from Tokyo to the Japanese Embassy in Washington regarding the handling of this note. In the instructions it was explained with utmost care that the messages will be dispatched in fourteen installments, and the first thirteen were dispatched from Tokyo on the afternoon of December 6, Tokyo time. The instructions were to the effect that the embassy should be fully prepared to handle the incoming telegrams and to be prepared for the delivery of the note at any time. The last of the fourteen installments of the message reached Washington by the morning of December 7, Washington time. That being the case, it would have been possible to make the delivery early that morning, for instance, at seven, eight, or nine o'clock; and the scheduled time for the delivery as per instructions was one o'clock PM, December 7, Washington time. Hitches in the delivery of the note occurred in Washington and, although it was not known until later, the staff of the Embassy appeared for work at the Embassy very late, thus causing the delay. So the question is an internal question within the Embassy and, furthermore, a question within the Japanese side on the matter of discipline.

Q. Do you recall the Emperor cautioning you with regard to the fact that the note should be delivered prior to any attack.

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- A. I do not recall any advice from the Emperor on the matter as the custom was from the time of the KONOYE Cabinet that all matters with which the liaison conference was concerned was reported to the Imperial Conference by the Prime Minister; so it is quite probable that TOJO had the opportunity of being advised.
- Q. Did you know the exact time of the attack and that Pearl Harbor was the first objective.
- A. I was not informed as to whether such an attack was to be conducted on Pearl Harbor. It was only afterwards that I learned. The fact that the attack might take place in the Philippines and Malayan areas was brought out at the liaison conference as the desire of the high command. As to the definite time of the attack, I did not know. All I knew was that the final note to the United States was to be delivered sufficiently prior to any attack, and so I can say that some attack was to take place on December 7, Washington time, but not the exact time.
- Q. Taking into consideration everything that has happened in connection with the attack on Pearl Harbor and the circumstances regarding notice to the United States, don't you presume that this attack on Pearl Harbor turned out to be an act of murder and not one conducted according to the rules of warfare.
- A. I deny that. The HULL note of November 26 which demanded Japan's total surrender involved Japan's self preservation and national honor. It was a note which forced upon Japan only the alternative of total surrender or war. And in the light of the situation at that time there was no alternative but for Japan to resort to measures of self defense and in connection with the delivery of the note, which I have already explained to you, every effort was made to see to it that the note was handed to the United States government sufficiently in advance of the attack, in spite of the fact that such measures were unnecessary in waging a war of self defense, the emphasis being placed on the humanitarian standpoint and to accord with the spirit of international law.
- Q. Did you visit with the Emperor on November 28, 1941, to discuss Japanese-United States relations.
- A. Although I do not recall whether it was in the morning or afternoon, I do recall having called on the Emperor that day, which was after the receipt of the HULL note.
- Q. Do you recall your conversation with the Emperor regarding American relations.
- A. If I am not mistaken, I recall that on that day there was a Cabinet meeting and before the Cabinet went into session I recall having talked over the HULL note, whether it should be accepted or not, with TOJO and also, as I remember, the telegram from HOSIURA and KURUSU regarding a message from ROOSEVELT to the Emperor, on which matter you made an inquiry at a previous meeting. It was after the meeting of the Cabinet that I called on the Emperor and explained the nature of the HULL memorandum and what effect it has on Japan, that it involved Japan's self preservation and national honor. As I recall, the Emperor himself did not express his views on that occasion.

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- Q. Did you say anything to the Emperor concerning the telegram from KIRIYAMA and NOMURA with respect to President ROOSEVELT.
- A. As I recall, I did not mention that telegram to the Emperor in that the matter had previously been discussed with both KIDO and TOJO, at which time the opinion was that such a step would not contribute toward the satisfactory settlement of negotiations between the two countries, therefore, the matter was not reported to the Throne.
- Q. Don't you think that the Emperor was entitled to know of such a proposal.
- A. The Emperor actually was entitled to ask questions on any or all subjects, but insofar as this particular telegram was concerned the general view within the government was that it was not of a nature that would contribute to a settlement and that, such being the case, it was not worth putting so much weight to and so it was not brought up to the Emperor.

Certificate of Stenographer:

I, Mildred Rich, hereby certify that I acted as stenographer at the interrogation set out herewith, and that I transcribed the foregoing questions and answers, and that the transcription is true and accurate to the best of my knowledge and belief.

Certificate of Interrogator:

I, Roy L. Morgan, certify that on 26 March 1946 Shigenori TOGO personally gave the foregoing answers to the several questions set forth herein.

(Copy turned over to Roy L. Morgan
by Fumihiko Togo at the request of
Shigenori Togo, April 30, 1946.)

TENTATIVE TRANSLATION

IN SUMMARY

VIEWS ON THE FOREIGN POLICY OF JAPAN
VIS-A-VIS EUROPE AND AMERICA
FOLLOWING WITHDRAWAL FROM
THE LEAGUE OF NATIONS

Presented to

VISCOUNT YASUYA UCHIDA
FOREIGN MINISTER

BY

SHIGENORI TOGO
DIRECTOR OF EUROPEAN AMERICAN-BUREAU

Middle of April, 1933

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VIEWS ON THE FOREIGN POLICY OF JAPAN
VIS-A-VIS EUROPE AND AMERICA
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(Middle of April 1933)

As a result of the conflict between the Japanese Government and the League of Nations, the Japanese Government has recently given notification of its withdrawal therefrom. Now that Japan is outside of the League and henceforth will have to assume a position in international political affairs quite different from that in the past, it is incumbent upon us to give the most careful and thoughtful consideration and study to Japan's foreign policy so that we may successfully surmount without miscarriage the critical situation now facing our country.

A. Our relations with the countries of Europe and America:

(1) The United States.

Although the United States is not a member of the League of Nations, its enormous national power gives it a leading position among the countries of Europe and America. Its influence in present international political affairs cannot be ignored even by the League. This is why the League, since the outbreak of the Manchurian Incident in September 1931, asked for United States participation whenever important decisions were called for, and it is by virtue of that fact that weight and authority were given to its actions. From the outset of the incident, however, the attitude of the United States has generally been cautious. While avoiding entanglement in war in the Far East, that country, by means of moral pressure, has appeared to be trying to restrain Japan's actions. However, with the outbreak of the Shanghai Incident in the latter part of January last year (1932), American attitude toward Japan made a sudden turn from bad to worse. Influential scholars, statesmen and politicians advocated economic rupture with Japan; some feared the possibility of a clash between American and Japanese warships in Shanghai. To prepare

for possible eventualities, the United States concentrated its entire fleet in the Pacific. Prior to that, on 7 January, Secretary of State Stimson, in identical notes addressed to the Japanese and Chinese Governments, stated that the United States would not recognize any status, treaty or agreement brought about by means contrary to the pledge and obligations of the Kellogg-Briand Pact of which Japan, China and the United States are parties. This statement came to be known as the Stimson Doctrine. Thereafter, the Secretary of State on a number of occasions amplified that pronouncement in statements, which implied that the situation in Manchuria was in violation of the Kellogg-Briand Pact and the Nine Power Pact and finally even hinted that Japan was an aggressor nation.

As a result of the presidential election in November last year, the Republican Party was defeated in a landslide which brought President Roosevelt and the Democratic Party into power. Although there are some elements in our country who seem to expect that the Japan policy of the new American administration, which was installed on 4 March this year, would incline to develop in a manner favorable to Japan, a change in basic policy cannot possibly be expected in the light of the fact that the fundamental Far Eastern policy of the United States has consistently been pursued in accordance with the principle of the Open Door advocated and established by John Hay in 1899 together with the principle of territorial integrity of China and the principle of international pacifism condemning the use of armed force founded upon the Nine Power and Kellogg-Briand pacts. Queried by press correspondents in the early part of January this year as to his views on the Stimson Doctrine, President-elect Roosevelt stated briefly and simply that the foreign policy of the United States must uphold the sanctity of international treaties and that this must be the basis of its relations with other countries. It is generally viewed that this statement indicates that the new administration supports the Stimson Doctrine. In his inaugural address on 4 March, the President stated with respect to American foreign policy that it was based upon the principle of the good neighbor who respects the rights of others because he respects himself and who respects his own obligations and the sanctity of pledges made with his neighbors.

The new Democratic administration is confronted with an unprecedented domestic crisis caused by the world economic depression. As emergency measures it has ordered a national moratorium on bank

transactions

transactions and the cessation of the gold standard. Externally, it is confronted by various problems of major importance such as war debts and the world economic conference. In consequence of this situation, it can be observed that with regard to Far Eastern problems the United States is trying as much as possible to take a temperate attitude. Yet, as indicated above, the fact remains that feeling between the United States and Japan has steadily deteriorated since the outbreak of the Manchurian Incident. From the American point of view the fundamental cause for this deterioration is that the present Japanese actions in Manchuria have overstepped the bounds of self-defense and are in violation of the Kellogg-Briand and Nine Power pacts. Further contributing to this situation is the grave apprehensions entertained by the American people as to how far these actions will continue to expand.

At no time have Japanese-American relations been as tense as they are now. The entire United States fleet is concentrated in the Pacific and it does not appear likely that any part of it would be returned to the Atlantic. In view of the fact that there are many in the United States who oppose an economic embargo advocated by some elements for the reason that such action would inevitably lead to war between the United States and Japan, it is regarded that the realization of such a measure is very unlikely. A resolution has recently been presented to Congress proposing the granting of authority to the President to place an embargo on the export of arms and munitions. As it is generally observed that this proposal will ultimately be passed in view of the fact that the United States Government desires it, if things are left as they are any development might unexpectedly arise.

With regard to the prospects of a war between the United States and Japan which is much talked about, there is a section in Japan which urges that if war was to be fought with the United States, the present offered the best chance because, as a result of the London Naval Treaty, the ratio in naval strength between the two countries would become unfavorable to Japan after 1936. If, however, war should break out and Japan succeeds in her operations, captures the Philippines and destroys the American fleet after drawing it into Japanese home waters, it is clear enough that this alone would not mean that a fatal blow had been dealt upon the United States and would force it to surrender; and it is hardly possible to capture Hawaii and the American

mainland.

mainland. Japan, at any rate, might win local battles in the Far East, but little if any could be expected in the way of victory and advantages outside of the Far East. The possibility is great that as an inevitable consequence we would be involved in a protracted war which would be unfavorable to Japan. Furthermore, it is difficult to expect, under the present state of international relations, that the United States would be our only antagonist. Therefore, a Japanese-American war from our standpoint should by all means be avoided. Any idea of trying to monopolize the Pacific is at once unrealistic whether from the American or Japanese standpoints. It is to be expected as a matter of course that the United States would not countenance the establishment of a Japanese hegemony over all of the Far East. Inasmuch as the actual interests of the United States in the Far East consist essentially of commerce and capital investments, there conceivably is room to moderate the American idea of moral guardianship over China. It is therefore essential that we persuade the United States from this standpoint to reconsider its Far Eastern policy. In other words, the basis of our policy toward the United States should be to avoid war and to have that country reconsider and revise its Far Eastern policy.

Japanese-American relations should be thoughtfully studied from all angles and any measures which would contribute to the prosecution of the fundamental policy should be carried out to the end that unnecessary conflicts may be avoided and any obstructions in the way of better feeling may be removed, thus to restore stability in the Pacific area. This must be the urgent task of Japanese diplomacy and to it our full efforts must be devoted. For this purpose it is essential that the foundations of really independent Manchukuo be established and that she be led to observe as much as possible the principle of the Open Door and equal opportunity; that it be made clear that Japan entertains no territorial or political ambitions in China Proper. Furthermore, steps should be taken to urge the United States at this time to remove the discriminatory anti-Japanese clause in its immigration law which is a black mark in Japanese-American relations and to adopt an equitable quota for Japan. In view of American suspicions of Japanese territorial ambitions over the Philippines in the event independence is granted to those islands and in recognizing possible American use of those islands as a naval base, an agreement should be concluded between the United States and Japan guaranteeing Philippines neutrality. However, since these measures are not

possible

possible of immediate realization, it is proposed as an appropriate step first of all that a treaty of arbitration and a treaty of mediation be concluded for the purpose of normalizing the relations between the two countries. In 1904 the United States proposed a treaty of arbitration between the United States and Japan. Concluded in 1908, it continued to be in force until 24 August, 1923, after being extended three times. Prior to the expiration of the treaty the United States proposed a treaty of arbitration and a treaty of mediation to which Japan informally addressed questions on a number of points.

As to the treaty of mediation, the American proposal provides that hostile acts be withheld for a period of one year from the time inquiry into controversy is begun by an international mediation commission.

It is suggested that a treaty of mediation first be concluded since it has a better chance of success than a treaty of arbitration. It is further considered to be contributory to the normalization of relations between the two countries to have silk and cotton placed on the free list and to conclude an agreement for reciprocal tariff rates on certain specified items as a means to stabilizing Japanese-American commercial relations.

(2) Great Britain.

Among our international relationships that with Great Britain constitutes one of the most important. The Anglo-Japanese Alliance was brought to an end after a brilliant record of 20 years because Britain considered it no longer necessary in view of the changes in the international situation and American opposition to its continued existence. In 1921, prior to the Washington Conference, the Commonwealth Conference decided not to renew the Anglo-Japanese Alliance and it was terminated by the Four Power Treaty concluded in Washington which provided for mutual respect of the territorial rights of the Powers concerned of their island possessions in the Pacific.

After the abrogation of the alliance, cooperation between Japan and Great Britain with respect to the China problem was no longer a plain sailing proposition. The Washington

Conference

Conference and the Nine Power Pact which resulted therefrom brought about a new situation in international relations relative to China. Although Britain adopted a policy supporting China, the political unrest in that country showed no improvement. Rather the anti-foreign movement aimed at the restoration of Chinese rights and interests was stimulated, and Britain was the first to suffer from it. When in early 1925 the Chinese National Army occupied the British concessions in Hankow and Kiukiang, and Shanghai subsequently was endangered by the same army, Britain proposed to Japan the simultaneous dispatch of armed forces to Shanghai. The Japanese Government, however, declined to accede to the proposition for cooperation on the ground that it could not commit itself definitely on a matter of such importance as the dispatch of troops, and Britain alone sent troops to Shanghai. This was the first instance of a breach of cooperation between Japan and Great Britain.

In the meantime the problem of establishing a naval base at Singapore came to foreshadow the future of Anglo-Japanese relations. Those in Britain who favored the naval base reasoned that the Anglo-Japanese Alliance no longer existed, that there was every possibility of a military clique rising to power in Japan against which Britain must be prepared and that a base at Singapore would in conjunction with the American bases in Hawaii and the Philippines aid in the task of guarding the Pacific. Japan, thus, was regarded as a potential enemy. Those who opposed the Singapore base gave the opinion that it was contrary to the spirit of the Covenant of the League of Nations, that it was in violation of the spirit of the Washington Conference inasmuch as it was, in essence, nothing more than the expansion of the fortifications at Hongkong and that it was a challenge against Japan. The bill finally passed Parliament and despite repeated postponement of the project by the Labor Cabinet, it was resumed by the Conservative government and the Imperial Conference of 1930. The Jackson Contract concerning dock construction is expected to be completed by September 1935.

In the field of commercial relations Britain is endeavoring to cultivate foreign markets in order to settle her unfavorable trade balance and solve her industrial depression. She has abandoned her traditional free trade policy in favor of protectionism and has established a reciprocal trade

system

system within the British Empire in order to strengthen economic cooperation with her dominions. On the other hand, Japanese exports, stimulated by a low rate of exchange and low cost of labor, are invading British markets throughout the world. This has provoked in Britain a demand for the exclusion of Japanese money, for high tariffs against Japanese commodities and for the abrogation of the Anglo-Japanese Treaty of Commerce.

As to the present British domestic situation, the present government was formed with the support of the nation's majority as shown by the results of the general election at the end of October 1931. It has made notable accomplishments, but there are still many important issues, both internal and external, which lie ahead of it. There are 2,700,000 unemployed, causing a great burden on the national treasury. Although economic ties were strengthened by the Empire Tariff System established at the Ottawa Conference in July last year, there still remain some political frictions in the British Commonwealth.

In the realm of external affairs, Britain has offered her full support to the League of Nations in order to maintain international peace and her status as an arbiter to France, Germany, Italy and other European Powers. Many difficult problems are arising, however. The General Conference on the Limitation of Armaments in Geneva is in a stalemate after being in session for more than a year. The recent political change in Germany has brought the National Socialist Party under Hitler into power which, together with the German demand for revision of the Versailles Treaty, foreshadows unrest in the European political situation. Vis a vis the United States there are such pending questions as that of war debts, disarmament, the world economic conference and others. Anglo-Japanese relations and the internal and external situation being what they are, Britain endeavored, when the Manchurian Incident broke out, on the one hand to preserve the authority of the League of Nations and on the other to mediate between Japan and China in order to settle the affair from a practical point of view. It is to be borne in mind, however, that Britain supported the report of the Commission of Inquiry of the League of Nations as a basis for settlement of the Manchurian question and that she acted in concert with the majority of the League members only after it had become clear that the stand taken by the League was incompatible with that taken by Japan.

Great

Great Britain not only has by far the greatest interests in China, but plays a leading role in international political affairs. Although some sections in Japan talk about the revival of the Anglo-Japanese Alliance, a study of the situation which led to its abrogation will show that such a revival cannot be hoped for. Nor is Anglo-Japanese cooperation with respect to the China problem a matter to be easily achieved. However, in the fact that Japan and Great Britain have many common interests in China should there be found sufficient room for cooperation with regard to the settlement of Far Eastern questions, especially that of China proper. In order to realize this, it would be reasonable and proper to have Great Britain understand our Manchurian policy, to respect Britain's rights and interests in China, thereby eliminating cause of conflict, to cultivate an atmosphere which would be conducive to Anglo-Japanese cooperation and to urge her to help us in improving our relations with the United States.

(3) France.

As a premise to our study of our relations with France, full cognizance must be taken of the present position of France in international relations and her foreign policy. As a result of the World War, France satisfied almost all her hitherto unrealized political and economic aspirations, but the devastating effects of that war have necessitated intensive rehabilitation and reconstruction. In spite of victory, German superiority in population still continues to be a constant threat to the security of a less populous France. The chief concern of postwar France, therefore, has been to secure the new order in Europe and to rebuild her national strength, while at the same time suppressing the possibility of German revenge. This has been the pivotal issue of recent French foreign policy.

From this viewpoint, France on the one hand has been striving to secure Anglo-American support in the postwar period and to induce the United States into the European security system in spite of the latter's rejection of the League of Nations; and on the other she has adopted the policy of encirclement toward Germany by closely cooperating with Poland, Belgium and the Little Entente Powers. Furthermore, the rise of the Fascist and the National

Socialist

Socialist parties in Italy and Germany respectively in recent years has made it necessary for France to promote closer relations with the Little Entente Powers and to seek a rapprochement with the Soviet Union. In short, the postwar French foreign policy has revolved around the central idea of securing peace in Europe in order to preserve the fruits of victory, and for this purpose the friendship and cooperation of Great Britain, the United States and the Soviet Union have been regarded as indispensable.

Japan's relations with France have primarily been predicated on our having been an ally in the war and member of the council of the League of Nations. Our interests in European problems have always been small compared with those of other big Powers. France, on the other hand, has considered Japan's support neither indispensable nor important in prosecuting her European policy which she deems most vital to her. Hence, French Asiatic policy is rather secondary in importance when compared with her vital European policy and it is necessarily on the latter that she places stress in promoting a policy of friendship with Britain and the United States. Since these two countries have vital interests in Asia and the Pacific, French policy toward Japan and her Asiatic policy in general has always been scrupulously directed so as not to conflict with those of the two Powers, thus avoiding any adverse effect on the prosecution of her European policy. This is fully substantiated by such recent occurrences as the French rejection of Japan's proposal for the negotiation of a Franco-Japanese entente and their support of the Stimson Doctrine of non-recognition of Manchukuo.

It should further be noted that with the rise of the extreme rightist movement in Germany, France has deviated from her traditional policy and has secured a rapprochement with the Soviet Union by concluding a non-aggression pact and a treaty of mediation in order to prevent Russo-German cooperation. This tendency undoubtedly will be strengthened with the growth of the National Socialist Party in Germany. Since France at present is under treaty obligations to remain neutral in the event Japan should enter war with Russia, it would be very doubtful that France would join on our side or even support us.

In the light of such situation, it is almost impossible to secure political cooperation from France, although in the cultural and purely economic fields Franco-Japanese relations may be enhanced.

Unless

Unless an unexpected situation of major importance arises such as, for instance, a Franco-German war, it should be assumed that the conclusion of a Franco-Japanese entente is impossible and, therefore, it is incumbent upon us first to establish friendly relations with the United States and Great Britain and by so doing induce France to join.

(4) Germany.

Due to the extensive devastation wrought by the World War and the heavy burden of reparations imposed upon her, the internal situation in postwar Germany has been chaotic, economically and politically and has precipitated the rise of rightist and leftist movements. Taking advantage of the situation, the rightists have gradually gained in power and under the leadership of Hitler have succeeded in establishing a dictatorship in full control of the state.

In the field of foreign relations, Germany adopted the policy of cooperation with France in order to regain her former international status and concluded the Treaty of Locarno, indicating thus that it is not her intention to alter her western frontier. This policy of cooperation resulted in the successful reduction of reparations at the Hague Conference in 1930, the evacuation of British, French and Belgian troops from the Rhineland in the same year, etc.

On the other hand, in order to cope with the French policy of encircling Germany, she initiated a policy of rapprochement with the Soviet Union and concluded various political and economic agreements with that country. However, with the advent of the rightist cabinet under von Papen in 1932, Germany adopted a strong and positive foreign policy to reduce reparations and to revise the Versailles Treaty and succeeded to some extent at two conferences at Lausanne and Geneva. The establishment of the Hitler dictatorship foreshadows a stronger and more positive foreign policy and there is now strong indication of a rapprochement between Germany and Italy -- two nations which have a common interest in revising the Versailles Treaty. Alarmed by these tendencies, France, the Little Entente Powers and Poland are in a state of uneasiness and the European situation has become ominously dangerous. In order to alleviate the tense atmosphere, negotiations have been carried on since last March with a view to concluding a four Powers treaty among Great Britain, France, Germany and Italy at Mussolini's initiation.

In connection with Japanese-German relations, it is to be noted that Germany at present is too involved in European problems to give much attention to Far Eastern questions in which she has never had any vital or direct interests. The German attitude toward Far Eastern problems thus far has never been anti-Japanese in any positive sense and has been rather neutral. Generally speaking, Germany has always been following suit the rest of the big Powers in her Far Eastern policy. Recently the argument has been raised in Germany advocating recovery of the former German mandated possessions in the Pacific. However, as these islands are not politically or economically of any vital importance to present day Germany, it may be presumed that she will not insist on regaining them in the face of our objection thereto. Rather it appears as if Germany intends to make use of the matter as an excuse to open efforts to regain the long-coveted former German colony in East Africa. It is therefore advisable that we make efforts to have Germany understand our international position in the Far East and, at the same time, not to antagonize her so that she may not deviate from her traditional neutral attitude toward Far Eastern problems.

(5) The Netherlands.

The Netherlands has vast colonial possessions in the East and is necessarily greatly interested in Far Eastern problems. At the time of the Washington Conference, the Japanese Government, in complying with the request of the Netherlands Government, pledged to guarantee its rights over Dutch colonial possessions in the Pacific. In spite of our pledge, however, the Dutch have always been under the impression that Japan might be entertaining some ambitions over their island possessions. In order to clear away such misgivings and to promote further our amity with the Dutch, it is advised that we declare to the world our sincere desire and intention of maintaining peace in the Pacific.

Furthermore, our relations with the Dutch East Indies and Dutch Borneo have always been important in the geographical, historical and economic sense. Our economic relations with the Dutch East Indies especially are becoming ever close year by year and our trade and investments there promise to grow in the future. It is therefore only proper and appropriate that we should by our actions eradicate Dutch misgivings and promote our economic relations with them.

The

The Japanese Government is now negotiating with the Netherlands Government at the latter's initiative the conclusion of treaties of arbitration and mediation. In view of the situation set forth above, we should strive earnestly for the successful consummation of the present negotiations. Furthermore, if the Netherlands should propose the conclusion of a treaty similar in nature to the Four Power Pact concerning the status quo in the Pacific, we should readily respond to her offer since it would be helpful in eliminating Dutch suspicions and in making clear to the world our desire for peace in the Pacific.

(6) The Soviet Union.

(a) Japanese-Soviet relations after the restoration of diplomatic relations, especially the Soviet attitude toward Japan.

With the conclusion of the Treaty of Peking on 20 January 1925, Japan and the Soviet Union exchanged diplomatic and consular representatives and opened negotiations on the matter of concessions in Northern Saghalien and the revision of the Fisheries Treaty of 1907.

Toward the Manchurian Incident the Soviet Union maintained an attitude of neutrality and non-interference. In view of Japan's neutral attitude at the time of the Soviet-Chinese conflict over the issue of the Chinese Eastern Railway in 1929, the Soviet attitude toward the Manchurian Incident was understandable. Moreover, the incident was restricted to southern Manchuria which is outside the Soviet sphere of influence. Even after our military operations extended to northern Manchuria and Soviet interests were evidently involved, Russia continued to maintain her neutral attitude. Furthermore, her consent to our transporting troops by the Chinese Eastern Railway; her refusal of the League of Nation's request for cooperation of Soviet consular staffs in Manchuria to the Lytton Commission; her offer of good offices in evacuating Japanese residents in Manchuria through Soviet territory at the time of the Su Ping-wen Incident; her expression of consent to the sale of the Chinese Eastern Railway to Japan; and her rejection of the request of the League of Nations to join its advisory council -- these, together with the settlement of the question of fisheries lots, are facts which are worthy of note. This attitude of the Soviet Union should properly be interpreted in the light of the fact that its understanding of Japan's power

is much greater than that of other countries and the fact that since incidents with foreign countries cannot be permitted to occur while busily occupied as that country now is in internal construction activities, it is avoiding any actions which might provoke Japan. The desire of the Soviet Union for a non-aggression pact with Japan is motivated by its desire to secure the safety of its Far Eastern territory from the increasing threat which it feels since the Japanese advance into Manchuria.

During the past eight years following the restoration of diplomatic relations, Soviet attitude toward Japan has generally been conciliatory to the extent permitted by their internal situation. They have maintained such an attitude because of their considerably accurate estimate of Japan's status and power in the Far East and because their internal and external situation necessitated their adjusting their attitude accordingly.

(b) Reasons which necessitate an adjustment of Japanese-Soviet Relations.

As indicated in the review of Japanese-Soviet relations above, the Soviet Union feels a sense of insecurity over its Far Eastern territory since the Manchurian Incident. Especially after the Japanese Government, in its reply to the Soviet proposal of a non-aggression pact in December last year (1932), stated that such a pact was still premature, the Soviet Government has entertained apprehensions with regard to possible Japanese military advances. That apprehension is to be noted in the statements of such influential Soviet leaders as Stalin and Voroshilov that danger to the Soviet Union lies not so much in Western Europe as it does in the Far East, especially Japan.

With regard to pending issues between the two countries, the recurring controversy over the fisheries problem has been settled through Soviet concessions to the extent that any controversy such as would become a hindrance to relations between the two countries may not be expected for the time being. However, some controversy may be unavoidable. The pending issue relative to oil and coal concessions in northern Saghalien might possibly be an obstacle to friendly relations. Should Soviet agitation for the recovery of those concessions increase, the misgivings mentioned above may become even greater. There are many difficult issues between the two countries and it cannot be expected that they can be settled at one stroke. However, if things are left as they are mutual distrust will grow.

As

As to our domestic problem of communism, some people in our country voice opposition to the continuation of Japanese-Soviet diplomatic relations because of the recurrence of communist incidents at home. However, severance of diplomatic relations will not contribute in the least to the solution of problem, since it arises mainly from various conditions within the country and, moreover, since such action would have the adverse effect of relieving Russia from her obligation under the Treaty of Peking which forbids communist propaganda.

The circumstances being what they are, we should watch the progress of the Five Year Plan and the Soviet attitude toward other countries and, endeavoring to avoid unnecessary friction with Russia, establish the relations of a good neighbor with her.

Improvement of Japanese-Soviet relations will have a beneficial influence on third Powers by proving our peaceful intentions and contribute to the betterment of our relations with the United States, Great Britain and other countries. The menace of Bolshevism which we utilized to justify our advance into Manchuria has become such a commonplace that it is doubtful whether that excuse has any appeal to world public opinion. World attention like that of America and Britain is focused on our military advance rather than on the Bolshevist menace. As it is known to the world that Soviet attitude toward Japan after the Manchurian Incident has been relatively moderate, world opinion which has already criticized Japan as everything but an aggressor nation will become even more bitter should a military clash occur between Japan and the Soviet Union. If such an eventuality ever occurs, our international relations would be much worse than at the time of the Manchurian Incident; and if it should be protracted, international intervention would have to be expected. Therefore, it is by all means advisable that we make earnest efforts to improve our relations with the Soviet Union.

(c) Concrete program for the improvement of Japanese-Soviet Relations.

Of all the concrete measures for the improvement of Japanese-Soviet relations, that most desired by the Soviet Union is a non-aggression pact. There are pros and cons on the question in Japan, but there are no reasons why such a pact should not be concluded. It is recommended that the pact be concluded and that after that we proceed with negotiations on the question of the recognition of Manchukuo, the purchase of the Chinese Eastern Railway and pending issues relative to our concessions in northern Saghalien. Since,

however

however, our present domestic situation does not permit of the conclusion of such a pact, we should first of all endeavor to tranquillize the relations between the two countries and keep in close touch with Manchukuo with respect to her policy vis-a-vis the Soviet Union, thereby solving the various pending issues between Japan and Russia.

In order to realize the aims indicated above, it is recommended in the economic sphere that we conclude a trade agreement or a commercial treaty in order to increase Japanese-Soviet trade and solve pending economic issues, thus promoting economic relations between the two countries. In the political sphere it is recommended that effective measures be found to prevent military clashes along the border regions between Japan and Manchukuo and the Soviet Union. In this connection the problem of demarcation of the Soviet-Manchukuo border should be solved (See Ref. 1); a system should be established by peaceful means for Soviet-Manchukuoan management of the Chinese Eastern Railway on a basis of equality; and steps should be furthered for the purchase of Soviet rights and interest in that railway (See Ref. 2), thereby eliminating all sources of trouble between Manchukuo and the Soviet Union.

Ref. 1 -- The problem of demarcating the boundary has been pending even before the establishment of Manchukuo. Left unsettled, it is a source of trouble over the question of border patrols and the regulation of smuggling and become a threat to peaceful relations. On the question of demarcation, the Soviet Union gave its agreement in principle as early as 1924 in an agreement with China. Although there may be difficulties, the question should be solved as soon as possible.

Ref. 2 -- The Chinese Eastern Railway was built by Czarist Russia as an instrument for the exploitation of the Far East. It is utilized not only for purposes of economic development, but also for purposes of Bolshevik propaganda. In the Soviet-Chinese Treaty of 1924, it was decided that the railway be jointly operated by the two countries on an equal basis, but as the Soviet Union has retained superiority even up to the present, various troubles and disturbances have been caused by the inequality. For the sake of order and security as well as the economic activities of Manchukuo, it is not

desirable

desirable that Russian influence over the railway remain even if the equality basis is restored, nor is it desirable for the future of Japanese-Soviet relations. In the last analysis, it is most desirable that the Soviet Union withdraw completely all its interests in the railway. However, since we cannot justifiably obtain Russian interests in the railway by forcible measures, it is only reasonable that we purchase their share in it. It is true that the cost is great, but any other means such as force would raise the cost still higher inasmuch as it would mean the loss of international confidence by Japan and Manchukuo.

B. Recommendations:

Since the Manchurian Incident, various European and American countries have charged Japan as having practically ignored her treaty obligations and embarking on aggressive actions. It is an undeniable fact that these countries are apprehensive lest Japan engage in such actions whenever an opportunity is afforded. As a result, Japan has, since the year before last, lost much international confidence. In international society resort to armed forces is a matter of the utmost seriousness and every possible effort should be made to avoid it. Respect for truthfulness should be alike among nations as among individuals, for it is manifest that when a nation loses international confidence it ultimately invites loss. It is essential therefore that until we have produced substantial achievements in the management of Manchukuo after a period of some years we should avoid trouble with other countries, at least during that period unless trouble is forced upon us.

As regards China where we are now confronted with armed resistance, we should, if any opportunity offers itself, immediately lay down our policy for the speedy restoration of good will, and strictly prescribe rules from which we are not to deviate so that our policy as determined will be assured against miscarriage.

Present indications are that if Japan should clash with any of the world Powers, apprehensions are strong that it would be with two of them. One is the Soviet Union and the other the United States.

As

As mentioned above under (6), the Soviet Union at present not only is making effort to avoid conflict with us, but it is not in the position to apply either military or economic pressure against us even in the near future. This is a point to which we should give our attention in establishing our Soviet policy.

Moreover, the Soviet Union recently has come increasingly to understand Japan's power in the Far East. This understanding should become greater if Japan's achievements in the management of Manchukuo henceforth increases. It is essential that we take advantage of this tendency. First of all, Manchukuo's foothold in the Chinese Eastern Railway should be strongly consolidated and effective results should be achieved in the joint management of the railway. Thereafter, for the reasons given in A (6) above, the railway should be purchased and the boundary demarcated as soon as possible.

As to matters which directly concern the Soviet Union and Japan, it is advisable, first of all, that we begin to consolidate from now our position in regard to the negotiations for the revision of the fisheries agreement which is expected to take place the year after next. At the same time, efforts should be made to have Russia relax the application of laws with respect to petroleum rights in northern Saghalien and permit our oil companies to develop their enterprises there. Regarding the various other rights in Eastern Siberia also, we should make efforts to have the Soviet Union make available to us those which offer good prospects.

It is advisable, furthermore, that a non-aggression pact be concluded as soon as possible for the reasons given in A (6). However, as it is still premature and there being some doubt as to whether or not the Soviets still desire the conclusion of the pact now as they did last year, this question may be left pending for a while. Yet, in order to calm the relations between the two countries, steps should be taken to prevent the clash of troops and patrols along the Soviet-Manchukuo border and to localize it.

As stated in A (1), the fundamental policy toward the United States should seek to obtain American reconsideration of their Far Eastern policy and to prevent war. As the United States does not desire the exercise by Japan of absolute superiority over the entire Far East, Japan should not, on her own part, make this her actual policy in the near future. The actual desire of the United States is to promote markets and develop enterprises in

China

China and other parts of the Far East. This being the case, it should be sufficient if the principle of the Open Door and equal opportunity is realized. In China proper, we should cooperate in the development of that country with other Powers, especially the United States and Great Britain.

As a concrete step toward stabilizing the relations between Japan and the United States and establishing the fundamental policy already referred to, it is necessary to push forward efforts to conclude the treaties of arbitration and mediation proposed by the United States.

In the light of the present international developments, a divergence of opinion is likely to occur between the two countries at the naval disarmament conference scheduled to be held in 1935. An agreement on disarmament would naturally fail to be reached and, as a result, the agreement for the maintenance of the status quo with respect to fortifications in the Pacific would be abrogated. The tendency which would ensue--an armaments race, leading to a Japanese-American war--would ultimately bring about a world war. How unfavorable would the results be to Japan, I have already pointed out. We on our part should make every effort to have the United States reconsider its Far Eastern policy and, at the same time, reconsider our own disarmament policy.

France and Germany, as indicated above, would not go so far as to commit themselves, insofar as Far Eastern problems are concerned, to taking the same attitude as Japan even in opposition to the United States and Great Britain. Our efforts toward these countries should be confined to promoting friendly relations.

Lastly, regarding our relations with Great Britain. From former times, this country has not only had enormous stakes in China, but from the fact that India is her lifeline it has been essential for her to give no little consideration to the maintenance of friendly relations with Japan. On the other hand, Britain's world position in the Far East ranks second to the United States. As she has many interests in China which are common with our own, room for collaboration between us is greater compared with other countries. Furthermore, Britain occupies, by the nature of her relations with the United States, a position which enables her to

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mediate and reconcile the relations between the United States and Japan, and for that reason promotion of friendly relations and collaboration between Great Britain and Japan is highly essential.

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NOTE: The SUPPLEMENT treating the border States, the Near East and Africa has been omitted in the translation.

STATEMENT OF SHIGENORI TOGO

Turned over to Mr. Roy L. Morgan by Fumihiko TOGO, son of Shigenori TOGO, at the request of Shigenori TOGO.

Since the charge that Japan treacherously attacked the United States reflects upon the honor of the Japanese Government as well as that of my own, I should like to add to what I have already explained.

Immediately after the outbreak of war, President Roosevelt said in a war message to Congress that Japan had attacked the United States while the Japanese-American conversations were still continuing. I felt this to be an unfortunate occurrence. Before the commencement of hostilities, the Japanese armed services, especially the naval high command, opposed the sending of a prior notification to the United States, its point being that surprise was necessary in order to open the attack with the maximum possible effectiveness. However, as a result of my opposition, an understanding was finally reached that notice be given in Washington before the commencement of hostilities, notifying of the cessation of negotiations and severance of diplomatic relations. These circumstances are as I have previously explained.

As I have already explained, despite the fact that the Japanese Government had intended that the notice of cessation of negotiations and severance of diplomatic relations be delivered prior to the commencement of hostilities, the attack preceded the delivery of the note because of executive and clerical hitches at the Japanese Embassy in Washington. At this time I should like to explain why the Japanese Government considered the note sufficient without expressly mentioning

declaration of war, in other words, why it considered that a notice of cessation of negotiations and severance of diplomatic relations would be, under international law, a sufficient step.

First of all, it is necessary to consider the nature of the United States memorandum of 26 November 1941. As I have explained, this memorandum forced upon Japan the alternative of complete surrender or war and was regarded in Japan virtually as an ultimatum. That this judgment was legitimate and well founded may be clear from American documents. For instance, in the report of the United States Army Board of Inquiry containing the results of the investigation into the Pearl Harbor incident published in the New York Times of 30 August 1945:

"Whether or not the Secretary of State, Mr. Hull, now disclaims that this document of the 26th was an ultimatum, American Ambassador Grew testified that the Japanese so regarded it. They so acted upon it and Mr. Hull likewise so acted because he so informed the Secretary of War, Mr. Stimson, on the morning of November 27.

"The latter testified, based on his diary thus 'He told me now he had broken the whole matter off. As he put it, 'I have washed my hands of it and it is in the hands of you and Knox, the army and the navy.' ' "

Furthermore, according to the said report, Secretary Hull on, 29 November 1941, said to the British Ambassador, "The matter will now go to the officials of the army and navy"

According to the report of the Navy Board of Inquiry carried in the New York Times of the same date, Admiral Kimmel, on 27 November

1941, received a dispatch from the Chief of Naval Operations, reading as follows:

"This dispatch is to be considered as a war warning. Negotiations with Japan looking toward stabilization of conditions in the Pacific have ceased and an aggressive move by Japan is expected within the next few days. The number and equipment of Japanese troops and the organization of naval task forces indicates an amphibious expedition against either the Philippines, Thai, or Kra Peninsula, or possibly Borneo."

According to these facts the United States Government at that time had already considered that the situation has passed into the hands of the army and navy and was expecting war with Japan. It is thus clear that the memorandum of 26 November was essentially of the same nature as an ultimatum. In view of the fact that our note of 7 December was a reply rejecting the Hull note, it was tantamount to a notice of a war declaration and this fact should have been clear also to the United States government.

Next, I should like to explain the matter in connection with the Hague Treaty. The aim of the said treaty is that "hostilities should not commence without previous warning." As I have stated before, it is clear that we had no intention to carry out a treacherous attack from the fact that we dispatched to the Japanese Embassy in Washington instructions sufficiently in advance to deliver our note at 1 p.m., 7 December, Washington time. According to the stipulation of the Hague Treaty, a reasoned declaration of war or an ultimatum with conditional declaration of war should precede the commencement of

hostilities, but the treaty does not stipulate as to how much time before the commencement of hostilities notice should be made. At the conference at which the treaty was concluded, the Netherlands delegate proposed that notice should be made 24 hours in advance, but due to the objection of the big Powers, including the United States, Great Britain and Japan, the proposal was not adopted. If this stipulation were to be interpreted literally, it would be legal even in case prior notice of only one minute is given. I might add that there is opinion among some international law scholars that this stipulation does not sufficiently carry out the aim of the treaty itself.

Furthermore, General Porter, the United States delegate, declared at the conference which concluded the treaty: "... the invariable policy of the United States Government has been to recognize in the President as commander-in-chief of the land and naval forces, the full power to exercise the right of national defense at any time and at any place." This statement should be interpreted as meaning that in case of a war of self-defense the provisions of the treaty are not applicable. In view of the fact that the Japanese Government held the view that this war was an act of self-defense, it acted on the belief that the note of 7 December was in conformance with international law.

Under the situation of that time, the Japanese Government was completely confident that by delivery of the note at Washington at 1 p.m., 7 December, Washington time, proper steps had been taken. In this connection, it is hoped that sufficient investigation and study would be made not only with regard to formal aspects of the matter, but also as to the actual facts and the circumstances behind them.