

KAYA

The particulars in his case are on p. 326 of the Summary.

There are no additional documents.

He was a finance official throughout, one of those who passed to and fro between what we should call Parliamentary and Civil Service positions. We submit that this was part of the pernicious system by which the government of Japan was taken in 1937 out of the hands of those who had some kind of responsibility to the people of Japan, and handed over to bureaucrats such as Kaya. But we also submit that those bureaucrats had just as much responsibility for their acts as any other holder of Parliamentary office. The extracts given do not indicate more than a few of the numerous offices he held, which may be seen in Exh. 111, and show that from time to time he had a finger in a great many pies.

He was Vice-Finance Minister 2 February - 4 June 1937 in the Hayashi Cabinet, and Minister from then until 26 May 1938 in the 1st Konoye Cabinet. The first period saw adoption of the 5-year plan for steel, of the 3rd Administration policy towards China (Exh. 218) the idea being to obtain material for munition industries. Many measures relating to the control of Japanese industry and development for war purposes were started. No sooner had he become Finance Minister than the main 5-year plan was adopted and vigorously put into execution throughout his period. When the new "China Incident" broke out he was a party to the Cabinet decision of July 11th to extend it. From then on he shares the responsibility which I have already described in other cases for the whole course of the Chinese aggression and the rape of Nanking. I do not propose to repeat even the very brief account of this period which I have already given. It can be more fully studied in the Summary pp. 45-71 and by reference to the evidence there quoted. We submit that it was one of the worst periods of Japan's career of aggression. Soon after he left the post of



Finance Minister he became an adviser to his successor, and on 14 August 1939 he became president of the North China Development Company. This was an official organization formed to promote the Japanese policy of controlling and developing the economics of North China in the interest of the Japanese forces and for building up munitions supply. See the testimony of Liebert p. 8474 and Exh. 459A. We submit that in this office he was promoting the conspiracy just as much as if he had continued to hold Cabinet rank.

On October 18th 1941 he again became Finance Minister in the Tojo Cabinet, and so continued until February 19th 1944. - He was thus a member of the Cabinet responsible for starting and continuing the Pacific War. He was responsible for the decision on 31 October to issue the military currency for the areas proposed to be occupied (Exh. 852). He was one of the four Ministers who answered at the same time the question propounded by the Liaison Conference (Exh. 1328, 1329) as to the probable effects of war. The Cabinet of which he was a member decided on 4 November (Exh. 1167) to conceal from the Japanese public all information as to war preparations and give them hope for the future, and on 28 November to put the press on a war-time basis. He attended the Imperial Conference of 5 November which in effect decided on war. He was present at the fatal Imperial Conference of December 1st, and assented to the final decision to make war (Exhs. 588, 1107); and shares the responsibility with other members of the Cabinet for all that was done in that connection.

He attended the Privy Council meeting on December 8th (Exh. 1241) which approved the issue of the declaration of war when they knew very well the war had started some hours earlier, and heard Tojo say that the negotiations had only been continued since December 1st for the sake of strategy, and that the avoidance of a declaration against the Netherlands was for strategic convenience. He took part in this discussion. He heard the secretaries report



that they had been informed by Tojo at 8:00 p.m. on December 7th that the action would begin in the early morning next day and that the declaration would come during the day. He made no protest, expressed no surprise, and retained office. We submit the irresistible inference is that none of it was news to him. He attended the Privy Council meeting on 10 December on the agreement with Germany and Italy for joint waging of war against United States and Britain, no separate peace, and collaboration for a new order (Exh. 1267).

Both these meetings he attended, not as a member of the Privy Council, to receive information and pass upon it, a responsibility serious enough, but as a member of the government, to explain and defend their action.

When he finally left office on 19 February 1944 he again promptly became an adviser to the Finance Ministry until the surrender.

With regard to B and C offenses he not only had the responsibility of every member of the Cabinet during his two main periods of office, which I have described above, but it is impossible to conceive that such a large operation as the construction of the Burma-Siam railway could have been carried out without consultation with and consent of the Minister of Finance. If he was ignorant of the outrages in China, and throughout the theatres of the Pacific War, which is incredible, it could only have been by deliberate abstention from using the obvious sources of knowledge, which it was his duty to invoke.