

22 January 1771
Minutes of the Court
Pentecost

I N D E X
Of
WITNESSES

<u>Prosecution's Witnesses</u>	<u>Page</u>
TANAKA, Ryukichi (resumed)	15867
Direct by Mr. Comyns Carr (cont'd)	15867
Cross by Mr. S. OKAMOTO	15874
" " Mr. Warren	15921
" " Mr. Brooks	15938
" " Mr. Blewett	15940
" " Mr. Logan	15943
" " Mr. SHIOBARA	15946
Redirect by Mr. Comyns Carr	15949
(Witness excused)	15951

I N D E X
Of
EXHIBITS

<u>Doc.</u> <u>No.</u>	<u>Pros.</u> <u>No.</u>	<u>Def.</u> <u>No.</u>	<u>Description</u>	<u>For</u> <u>Ident.</u>	<u>In</u> <u>Evidence</u>
587B	2224		Article appearing in the Japanese Newspaper "Yomiuri" on 5 November 1940 entitled "The Outline of Ten-Year Plan for Block Economy of Japan-Manchoukuo-China"		15952

1 Wednesday, 22 January 1947

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3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

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12
13 Appearances:

14 For the Tribunal, same as before.

15 For the Prosecution Section, same as before.

16 For the Defense Section, same as before.

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20 (English to Japanese and Japanese
21 to English interpretation was made by the
22 Language Section, IMTFE.)
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MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now in session.

THE PRESIDENT: All the accused are present
except OKAWA, who is represented by his counsel. That
will be taken to be the case until I state otherwise.

Major Moore.

LANGUAGE ARBITER (Major Moore): Mr. President,
with the Tribunal's permission we present the following
language corrections:

Exhibit No. 2205-A, Record page 15,765,
line 1, substitute "higher authority" for "commander
of the above force."

Line 3, "12.40 P.M." is correct.

Record page 15,766, line 13, insert "not"
after "affair would."

There are no further objections to the
translation of this exhibit.

THE PRESIDENT: Mr. Comyns Carr.

TANAKA

DIRECT

1 R Y U K I C H I T A N A K A, recalled as a witness
2 on behalf of the prosecution, resumed the stand
3 and testified through Japanese interpreters as
4 follows:

DIRECT EXAMINATION

BY MR. COMYNS CARR (Continued)

7 Q General TANAKA, you have told us that the
8 bureau chiefs met under the presidency of the War
9 Ministry twice a week. All the time that General MUTO
10 was Chief of the Military Affairs Bureau did you meet
11 him on those occasions?

12 A Yes, he was in attendance at these conferences,
13 generally speaking and on the whole.

14 Q How frequently did you converse with him
15 apart from that during that period?

16 A Practically every day inasmuch as we had
17 our noon meals together and also various dinners in
18 the evening.

19 Q Were you working with him in the old War
20 Ministry Building until it was destroyed and then in
21 this building?

22 A Yes.

23 Q Now, in the course of your conversations did
24 he tell you what his plans and views were?

25 A Not in detail but I heard his ideas in general

TANAKA

DIRECT

1 and on the occasion of the bureau chiefs' conferences
2 and other dinner meetings.

3 Q Did you notice whether those views which he
4 expressed to you were generally adopted or rejected
5 by the War Minister?

6 A I think on the whole they were adopted by
7 the War Minister.

8 Q Did he express to you his views with regard
9 to war against United States and Great Britain?

10 A Yes, once in the course of a conference.

11 Q What were they?

12 A Shortly after the reply was received from
13 Roosevelt to Ambassador KURUSU's compromise plan on
14 the 25th of December at a meeting of the bureau chiefs
15 of the War Ministry, General MUTO said that if Japan
16 adopted the United States' proposal, proposed reply --
17 proposed plan in the reply -- then Japan would have
18 to abandon her national policy, which was to establish
19 the New Order -- the sphere of common prosperity in
20 East Asia -- which was a long standing policy of the
21 Japanese Government.

22 THE MONITOR: Correction: "December 25"
23 should read "November 25," according to the witness.

24 A If Japan were to accept the reply it would
25 be a case of gradual exhaustion of Japanese resources.

TANAKA

DIRECT

1 In order to prevent Japan from collapsing as a result
2 of this gradual exhaustion and in order to keep alive
3 the policy of the establishment of a sphere of common
4 prosperity in East Asia, which has been Japan's
5 national policy of many years, and also for which
6 Japan had made many sacrifices, Japan might have
7 to fight, according to General MUTO, in a statement
8 he made at a conference of bureau chiefs on November
9 29, if I remember correctly.

10 Q Had he on any earlier occasion than those
11 you mentioned expressed any view about war with the
12 United States and Great Britain?

13 MR. LOGAN: If the Tribunal please, we object
14 to this question. The witness has already answered
15 that he only had this one conversation.

16 THE PRESIDENT: That is so, Mr. Carr, but
17 we are not bound by technical rules of procedure here.
18 Still we must conduct a just trial. I think with
19 some doubt that the witness should be allowed to
20 answer your question.

21 A It is a fact that since the ABE Cabinet the
22 Military Affairs Bureau had a policy, that is, it had
23 one consistent policy which springs from the Tri-Partite
24 Alliance among Japan, Germany and Italy. Whereas it
25 was the policy of Germany and Italy to establish a

TANAKA

DIRECT

1 New Order in Europe, Japan parallel with that program
2 should have a policy of establishing a New Order in
3 East Asia. That was a consistent policy held by the
4 Military Affairs Bureau.

5 MR. LOGAN: If the Tribunal please, this
6 answer is not responsive at all to the question. I
7 ask it be stricken out.

8 THE PRESIDENT: It may yet lead to a responsive
9 answer; I do not know.

10 A I have not heard personally from General
11 MUTO about the establishment of the East Asia New
12 Order. As Chief of the Military Service Bureau of
13 the War Ministry, I have always from the side lines
14 observed, heard or saw through printed announcements
15 the policies as announced by the Military Affairs
16 Bureau -- as announced by the press section of the
17 War Ministry -- and I can say it as a fact that this
18 was a consistent policy of the Military Affairs Bureau.
19 The Chief of the Military Affairs Bureau must be held
20 responsible for all words and actions on the part of
21 officers in that bureau. That is all.

22 Q I will leave it there now.

23 General TANAKA, that leads to a question I
24 was going to ask you later. Did the War Ministry take
25 any part in the matter of press control?

TANAKA

DIRECT

1 A Press control was in the hands of the press
2 section, Military Affairs Bureau, War Ministry.

3 Q Now, do you remember any conversation with
4 General MUTO about Ambassador KURUSU?

5 A I think it was on December 9, 1941, at a
6 meeting held in a dining room of the old War Office
7 Building on which occasion General MUTO in the course
8 of an informal conversation said that the dispatch
9 of Ambassador KURUSU to the United States, as well
10 as the dispatch of the Tatsuta Maru, was nothing
11 more than a sort of a camouflage of events leading to
12 the opening of hostilities.

13 THE MONITOR: At the time of dinner, at
14 the time of luncheon held at the bureau chiefs'
15 dining room.

16 Q Was there a meeting of the bureau heads on
17 the previous day, the 8th of December, the day of the
18 Pearl Harbor attack?

19 A No, there was not. There was a meeting of
20 all staff members of the War Ministry.

21 Q What happened at that meeting?

22 A Before War Minister TOJO issued his instructions
23 to his staff we were standing by together and he said
24 that at last the War Minister has become a hero.
25

 Q Who said that?

TANAKA

DIRECT

1 A Chief of the Military Affairs Bureau,
2 General MUTO.

3 Q Now, when General MUTO ceased to be Chief
4 of the Military Affairs Bureau on the 20th of April,
5 1942, where did he go, what did he become, and where
6 did he go?

7 A He went to Sumatra as commander-in-chief of
8 the Second Imperial Bodyguard Division.

9 Q Now about General SATO; who succeeded him as
10 Chief of the Military Affairs Bureau? What had he
11 been before that?

12 A He was Chief of the Military Affairs Section
13 of the Military Affairs Bureau.

14 Q What were, as far as you observed, his
15 personal relations with TOJO, the War Minister?

16 A Yes, he was held in confidence.

17 Q And do you remember General SATO telling you
18 anything about the manner in which TOJO became Prime
19 Minister?

20 A After War Minister TOJO became Prime Minister
21 he came to my office and told me about the matter.
22 It was always the stand of the Military Service Bureau
23 of the War Ministry that the army, outside of the War
24 Minister himself, should not participate or interfere
25 in politics; and I think that SATO's visit to me was

TANAKA

DIRECT

1 in connection with this matter by way of excuse --
2 to explain his position in the matter -- and he told
3 me that he had seen the two veteran generals, ABE and
4 HAYASHI, to whom he said in speaking of the trend
5 within the army itself, that unless TOJO is War
6 Minister -- was made Prime Minister -- it would be
7 difficult to control the army. I listened silently
8 to his words on this matter.

9 MR. COMYNS CARR: That is all I have to
10 ask, your Honor.

11 MR. S. OKAMOTO: I am counsel OKAMOTO,
12 counsel for the defendant Akira MUTO.

13 THE PRESIDENT: Counsel OKAMOTO.
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CROSS-EXAMINATION

BY MR. S. OKAMOTO:

Q You testified, Mr. Witness, that in order to carry the operational plans of the General Staff into execution you had to have the consent of the Military Affairs Bureau concerning the matters relating to the budget. Does that mean that the consent of the War Minister should be obtained?

A Yes, on the basis of regulations governing the handling of business, yes, but detailed consultation on that matter would be held between the General Staff and the Military Affairs Bureau, after which a plan is drawn up for the approval of the War Minister. That is a fact.

Q Not only in the War Ministry, but also in Navy Foreign and Home Ministries, the positions of the Bureau Chiefs are determined by the regulations in the Article 18 of the regulations governing the organization of various ministries; is it not a fact?

A I don't know as to the Foreign Office, but with respect to the Foreign Office or the Home Office -- but in so far as the duties of the Chiefs of Bureaus in the War Ministry is concerned, that is determined by the regulations governing the organization of the War Ministry itself.

TANAKA

CROSS

1 Q Mr. Witness, please refresh your memory.
2 Is it not a fact that in the regulations governing the
3 organization of the War Ministry there is no mention
4 of the position of the Chiefs of -- Bureau Chiefs?

5 A Well, I haven't seen the regulations govern-
6 ing the Bureau Chiefs in the various ministries, but
7 having served as Chief of the Military Service Bureau
8 of the War Office, I know as a matter of fact that the
9 duties of Bureau Chiefs in the Ministry are regulated
10 by the regulations of that Ministry.

11 Q Although I am confident that what you are
12 saying is wrong, I should like to ask you, Mr. Witness,
13 to state in what articles are mentioned regulations
14 governing the status of Bureau Chiefs, in the regulations
15 governing the organization of the War Ministry?

16 A Well, I don't know what article that appears
17 in, but I know that the Bureau Chiefs are responsible
18 to the War Minister, and that he should direct and
19 supervise the work of his subordinates. If you want
20 to ask me what article in the regulations of the War
21 Ministry that is stipulated in, I shall be glad to
22 answer if you will first show me those regulations.

23 MR. S. OKAMOTO: May I show him the regulations?
24

25 THE PRESIDENT: You may.

26 MR. OKAMOTO: I will send for it, and in the

TANAKA

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1 meantime I will ask him another question.

2 THE PRESIDENT: We will have to be satisfied
3 they are the regulations and all the regulations. You
4 may have to wait until you are giving evidence for the
5 defense before you can establish that fully.

6 Q Now, this is a document tendered by the
7 prosecution section.

8 THE PRESIDENT: Mr. Comyns Carr.

9 MR. COMYNS CARR: If this is a document
10 tendered by the prosecution which is being shown to
11 the witness, it must have an exhibit number and must
12 be identified.

13 Q No. 74, exhibit No. 74, IPS No. 180.

14 A Yes, I understand very well.

15 Q What are the functions of the Bureau Chiefs?

16 A Yes. Now, this is the regulations governing
17 the organization of the War Ministry and the duties of
18 the Bureau Chiefs, as I explained. This is in accord-
19 ance with the regulations governing the duties of
20 Bureau Chiefs of all the Ministry.

21 Q You understand it now, Mr. Witness, don't
22 you? It is stipulated -- the position or status of
23 the Bureau Chiefs of the War Ministry is stipulated
24 in accordance with general rules of Article 18 of
25 general regulations governing the organization of

TANAKA

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1 ministries, and according to that article various
2 bureau chiefs should conduct his business in accord-
3 ance with the orders from ministers of the ministries
4 concerned; isn't that so?

5 A Yes, that is so.

6 Q Then, from a wider point of view, the
7 position of the Chief of the Military Affairs Bureau
8 is identical with the positions of, for instance,
9 Chief of the Military Service Bureau, of which you
10 were the head at one time, and the Chief of the
11 Medical Affairs Bureau, or that of the Legal Affairs
12 Bureau of the War Ministry, as well as Bureau Chiefs
13 of other ministries.

14 THE PRESIDENT: Well, we do not want a
15 statement from counsel. We want the witness' evidence.
16 Do not converse with the witness. Ask him questions.

17 MR. S. OKAMOTO: What I was trying to get
18 out of this witness is that the position of the
19 Chief of the Military Affairs Bureau of the War
20 Ministry is the same as the position of other bureau
21 chiefs in the War Ministry or that of bureau chiefs
22 of other ministries, because I have the impression
23 that the position of the Bureau Chief of the Military
24 Affairs Bureau of the War Ministry has been exaggerated.
25

THE PRESIDENT: You are still obliged to ask

TANAKA

CROSS

1 questions and not carry on a conversation.

2 A The duties of the chiefs of bureaus are
3 stipulated by Japanese law, as you say, Mr. Counsel;
4 but, whether this bureau is important or not depends
5 on the kind of business it handles as well as the
6 time when such business is handled.

7 Q This is just as you say. But what I am ask-
8 ing you, Mr. Witness, is not the content of the busi-
9 ness but whether the bureau chiefs only handled
10 business under their jurisdictions in accordance
11 with orders from the Ministry?

12 THE MONITOR: That may be as you say, Mr.
13 Witness; but what I am saying is: is it not true
14 that bureau chiefs, whatever ministry he belongs to,
15 acts in accordance with and carries out duties of
16 his office in accordance with the orders given to him
17 by the Minister of his particular Ministry?

18 A Yes, there is no difference between General
19 MUTO or me in so far as acting in accordance with the
20 orders of the Minister, but there is a very great
21 difference when you consider the contents or kind of
22 business of the duties handled by his office and mine.
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TANAKA

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1 Q Then I will ask you another question. In
2 cases where requests pertaining to operational,
3 mobilization or organization matters made and pre-
4 sented to the War Ministry, how does the Military
5 Affairs Bureau deal with it? I should like you to
6 answer to this question in order.

7 A This matter is handled principally by the
8 Military Section of the Military Affairs Bureau in
9 the War Ministry, and first of all, those consulta-
10 tions or negotiations are held among those in charge
11 of the matter, and if there is no agreement between
12 those in charge then it will have to wait agreement
13 between the section chiefs concerned, and if no agree-
14 ment is reached there then it will have to be brought
15 up to the chiefs of bureau in the War Ministry con-
16 cerned and the chiefs of the divisions in the General
17 Staff concerned. In most cases it is customary for
18 agreement on these matters to be reached between
19 section chiefs and it is rarely if ever that the
20 matter is brought up as high as the bureau chiefs.
21 However, there are cases when conferences or con-
22 sultations are held between War Ministry bureau
23 chiefs and divisional chiefs in the General Staff
24 office. Generally, when a draft plan is decided upon
25 then it is submitted to the War Minister for approval.

TANAKA

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That is all.

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2 Q Then I will put my question this way: Then
3 is it not a fact that in cases where the Military
4 Affairs Bureau receives requests from the General
5 Staff it reports first of all to the War Minister
6 and to the Vice War Minister?

7 A If my memory is not incorrect, if matters
8 which are handled by the bureaus and divisions be-
9 tween the two offices concerned are incomplete they
10 are not submitted to the War Minister, and it is cus-
11 tomary for matters to be submitted to the War Minister
12 only when these plans are complete. But, of course,
13 in cases of very important or urgent matters they are
14 first of all presented to the War Minister and then
15 submitted to the chiefs of bureaus and divisions for
16 consultation.

17 Q The yearly annual operational plans are
18 matters of extreme importance, and in case of re-
19 quests made concerning such matters they are naturally
20 reported immediately to the War Minister and the
21 Vice Minister, is it not?

22 A As to the annual operational plans, I do
23 not think that they come to the Military Affairs
24 Bureau from the General Staff. Such cases generally
25 cannot occur, and under no circumstances, inasmuch as

TANAKA

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1 the annual operational plans are highly secret
2 and cannot be disclosed to the War Minister. If
3 ever it does that would be an infringement on the
4 duties or responsibilities of the high command.

5 Q Some words in my question were not heard
6 probably. What I said was when requests were re-
7 ceived from the General Staff based upon annual
8 operational plans. That is what I said.

9 THE MONITOR: I am speaking of requests made
10 by the General Staff of the War Ministry on the
11 basis of the annual operational plan. I am not
12 speaking of the operations plan.

13 A Concerning materiel and personnel.
14 That is what I mean to say. That is after the draft
15 plans are completed. That is after the matter has
16 been agreed upon and completed that the General Staff
17 office formally makes its request to the War Ministry,
18 but before any such plans are completed there is a
19 great deal of informal negotiations and consultations
20 between the two offices; that is, the War Ministry
21 and the General Staff, and with respect to this
22 matter the Military Affairs Bureau handles the matter
23 for the War Ministry.

24 Q Did you say that of those matters those
25 important are reported to the ministry, is it not?

TANAKA

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1 A Yes, that is correct.

2 Q In preparation, at such a time does not the
3 Military Affairs Bureau submit the budget aspects
4 of the matter to the Intendence Bureau of the War
5 Ministry? Does it request the accounting of the
6 budget to the Intendence Bureau?

7 A Yes, accounting is done by the Intendence
8 Bureau, but it has no power of decision.

9 Q Then does the Military Affairs Bureau re-
10 quest the Military Service Bureau in connection with
11 matters pertaining to personnel and horses, and so
12 forth?

13 A The Military Section of the Military Affairs
14 Bureau refers the matter to the section dealing with
15 mobilization of materiel, and whether this request
16 should actually be met or not is studied and decided
17 by the Military Service Bureau.

18 Q Because of the fact that the Military Ser-
19 vice Bureau is an expert, as it were, concerning
20 matters of the personnel and materiel, is not the
21 decision made by the Military Service Bureau, in
22 the light of what I said, decisive?

23 A We can't decide, but it is a fact that
24 what is decided upon by the Military Service Bureau
25 serves as a basis.

TANAKA

CROSS

1 Q Is it not a fact that concerning materiel,
2 studies are conducted by the Materiel Mobilization
3 Bureau, and concerning arms and weapons plans and
4 studies are made by the Ordnance Department?

5 A Yes, that is correct. .
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1 Q And then the results of those studies and
2 investigations are brought together by bureau chiefs
3 and their subordinates to be assembled and coordinated
4 to establish over-all plan for the War Ministry; is it
5 not a fact?

6 A The outline for such studies are made by
7 the Military Affairs Bureau, and the various depart-
8 ments concerned conduct their studies in accordance
9 with the established outline.

10 Q While the outline of the plans are decided,
11 determined, by the Military Affairs Bureau, the over-
12 all plan of the War Ministry are decided by various
13 ministries concerned, by their mutual consultations
14 and under their common responsibility -- various
15 bureaus of the ministry and of their common respon-
16 sibilities?

17 A Yes, your question, Mr. Counsel, refers to
18 what is customary to all ministries of the Japanese
19 government; that is true. What you are referring to,
20 Mr. Counsel, is what is customary in all ministries.
21 But in the War Ministry, the Military Affairs Bureau
22 established the outline, it handled policy, the budget,
23 accounting, and, in a word, it handled -- it was the
24 office wherein all matters were given final decision.
25 And so it is a fact that the Military Affairs Bureau

TANAKA

CROSS

1 had, in substance, the real control.

2 Q I reframe my question.

3 THE PRESIDENT: Probably we have heard enough
4 about the bureaus and what they do and what their
5 functions are. What we are concerned about is the
6 activity of individuals, and more particularly the
7 accused, within those bureaus.

8 The distribution of powers and responsibilities
9 among government departments and sub-departments is
10 very likely the same in Japan as elsewhere. We are
11 concerned about the activities of individuals, and
12 more particularly the accused. The other matter, of
13 course, it is necessary to know; but I think we have
14 heard enough about it.

15 MR. S. OKAMOTO: Then I will ask a question
16 observing your suggestion, your Honor.

17 Q Is it not a fact that also in the Military
18 Affairs Bureau under General MUTO, the final plans
19 were determined after consultation among various
20 ministries -- various departments and bureaus of the
21 War Ministry in dealing with the requests coming from
22 the General Staff to the War Ministry?

23 A As I think I have said in my reply before,
24 the business routine itself is the same at all times,
25 whether under MUTO or anybody else.

TANAKA

CROSS

1 Q The final plans at the time which were made,
2 were they reported to the War Minister and Vice War
3 Minister in order to obtain their approval at the time
4 when General MUTO was at the head of the Military
5 Affairs Bureau?

6 A Yes, all matters are reported to the Minister,
7 but if my memory is not incorrect, I think that they
8 were not necessarily in all cases reported to the Vice-
9 Minister.

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1 Q The requirements of various bureaus are
2 first assembled and budgets compiled by the Intendance
3 Bureau, and in following this procedure does the out-
4 come of the budget necessarily become unnecessarily
5 great?

6 A It is customary for the budget to become
7 very much inflated.

8 Q Then I want to ask you again a question
9 about what happened during the time of tenure of
10 office by General MUTO. Are the budgets curtailed,
11 the excessive part of the budget curtailed after a
12 conference in the War Ministry under the presidency
13 of the War Minister?

14 A Curtailement of budgets are within the
15 power of the Military Affairs Bureau and therefore
16 if there is any budget or aspect of the budget that
17 requires curtailment and is recognized by the Military
18 Affairs Bureau, that is done.

19 Q What I am asking was that whether the cur-
20 tailment is decided at a conference sponsored --
21 ministerial budgetary conference sponsored by the
22 War Minister and at which are present all the chiefs
23 of bureaus.

24 A For two years I have been a chief of bureau
25 in the War Ministry, but at no time have I ever

TANAKA

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1 attended such a conference nor have I ever been
2 called to such a conference. I think that is a
3 matter between the Chief of the Intendance Bureau
4 and the Chief of the Military Affairs Bureau.

5 Q Then is one of your subordinates in attend-
6 ance at the meeting with respect to the budget?

7 A My subordinates do not attend. They
8 merely negotiate or consult.

9 Q You have testified here yesterday that
10 General Staff has neither money nor materiel, while
11 the War Ministry has the both -- has both, and is
12 able to utilize them, but according to your explana-
13 tion today any proposal or plan or request brought to
14 the attention of the War Ministry by the General
15 Staff office is studied in the War Ministry where a
16 plan is drawn up, and that this plan is then brought
17 to the Ministry of Finance. Isn't that it?

18 A I say that the General Staff has the power
19 to ask but it has no power to decide; that power
20 resides in the War Ministry. That is my point.
21 And therefore it is my view that money and materiel
22 resides where the power of decision resides.

23 Q However, that power of decision is bestowed
24 upon the Ministry by first negotiating with the
25 Finance Ministry and then the Finance Ministry

TANAKA

CROSS

1 presenting the plan to the Diet, which gives the
2 approval to the plan, and then the power of decision
3 is created. Isn't it a fact?

4 A Well, that is the legal procedure in so far
5 as the budget is concerned, but what I was saying --
6 what I was doing was comparing the power of the
7 General Staff and the War Ministry, and said that
8 the power resides -- power of decision resides in
9 the War Ministry because they have money and men
10 and materiel.

11 THE PRESIDENT: We will recess for fifteen
12 minutes.

13 (Whereupon, at 1045, a recess was
14 taken until 1100, after which the proceed-
15 ings were resumed as follows:)

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1 THE PRESIDENT: Counsel OKAMOTO.

2 BY MR. S. OKAMOTO (Continued):

3 Q Needless to say that the testimony that
4 you are bound to make here is not neither allegory
5 nor mere description of something. So will you
6 try to testify more accurately?

7 A I am not using allegorical remarks or ad-
8 jectives.

9 Q Perhaps I am mistaken, but I took this to
10 be an allegory, the fact that the testimony went
11 in to the effect that the general staff receives
12 money and materiel of the War Ministry.

13 A Maybe my words were insufficient, but I
14 mean to say that the War Ministry allocates money
15 and materiel because in drawing up a budget, it
16 naturally concerns money and materiel; and that
17 is especially the case under a planned or controlled
18 economy.

19 Q To put it more accurately, does that mean
20 that the government asks the Finance Ministry for the
21 budget whereupon the Ministry of War receives money
22 and materiel?

23 A As I have said before, that is the matter
24 of allocating the budget, and whatever concerns the
25 Ministry of War, the Ministry of War allocates.

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1 I am not speaking about the government budget but
2 the budget as it concerns the War Ministry.

3 Q Then the budget obtained at the request of
4 the general staff, after having obtained approval
5 of the Finance Ministry and the approval of the
6 Diet, is clearly determined as to the purpose of
7 its use and it cannot easily -- readily be changed,
8 is it not true? The War Ministry cannot on its own
9 change the purpose of its use?

10 A That is true with respect to the budget in
11 peacetime, but in wartime there is this extraordinary
12 wartime supplementary budget which can readily be
13 changed by the War Ministry at its own will with
14 respect to all items included in that budget. I
15 recall that since 1941 practically the entire war --
16 Army budget was included in the supplementary wartime
17 budget.

18 Q Then as to its use, you testified previously,
19 decision is made after consultations have been held
20 between Chief of General Staff and the War Ministry,
21 and the War Ministry cannot of its own free will decide
22 the use of that budget?

23 A Yes, it cannot decide by its own will.

24 However, the power of decision resides in the
25 War Ministry.

TANAKA

CROSS

1 Q Then that means in the long run that -- in
2 the final analysis the power of decision rests with
3 the War Minister?

4 A In any branch of the government the final
5 decision is made by the Minister.

6 Q Then I will change over to another question.

7 THE PRESIDENT: Counsellor OKAMOTO, I
8 would like you to tell us the point of your cross-
9 examination. If I understand you rightly, you are
10 attempting to show that the responsibility rests
11 in one place, or rests really not in one place but
12 is shared. What does it matter to the question of
13 guilt or innocence whether it rests in one place or
14 is shared? I would understand your duty to be to
15 show that your client, at all events, had no part
16 in these things. You do not do that by showing the
17 responsibility was shared with others. These general
18 budgeting matters are common to all countries, if I
19 understand the situation.

20 MR. S. OKAMOTO: Mr. President, the prose-
21 cution have been trying to prove the importance --
22 in fact, the great importance of the role of the
23 Military Affairs Bureau by calling witness TANAKA
24 already twice and by other means.
25

 THE PRESIDENT: The prosecution have

TANAKA

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1 endeavored to show through TANAKA that individual
2 accused were personally responsible in that they
3 shared responsibility with others and not that they
4 assumed the whole responsibility. All you have been
5 endeavoring to do, if I understand you rightly, is
6 to distribute the responsibility, and that gets you
7 nowhere.

8 MR. S. OKAMOTO: I believe that I have
9 succeeded to make it clear that the Chief of
10 Military Affairs Bureau was merely a clerk or an
11 administrator under -- or merely an officer or
12 official who acted under the -- on the orders of
13 the War Minister by the help of this witness. Then
14 how the business is handled afterwards, and especially
15 concerning that matter in relation to comparing
16 with the Military Service Bureau of which the witness
17 himself was connected, was there any difference?

18 General MUTO, as a soldier, was the Chief
19 of the Military Affairs Bureau at that time. However,
20 whoever was put in his place, he would have done the
21 same thing, the same thing under those circumstances.
22 So that was the point I wanted to establish. However,
23 I shall reframe my question.
24
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TANAKA

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1 Q Mr. Witness, you testified that the Mili-
2 tary Affairs Bureau was the only bureau responsible
3 for negotiating with organs or with persons out-
4 side the War Ministry. However, was the Military
5 Service Bureau not responsible concerning military
6 training at schools and young men's associations --
7 and military training of the youth?

8 THE INTERPRETER: Mr. Witness, you testi-
9 fied that all negotiations between the War Ministry
10 and other departments of the government were carried
11 on by the Military Affairs Bureau. Is it not true
12 that the bureau of which you were chief, that is,
13 the Military Service Bureau, negotiates with the
14 Education Ministry with respect to youth training
15 and military training in the schools?

16 A Yes, on the basis of the regulations
17 governing the organization of the War Ministry,
18 the Military Affairs Section of the Military Affairs
19 Bureau handles the matter, but at the time the
20 Military Service Section -- Military Affairs Sec-
21 tion was so busy that, with the understanding of
22 that section, the matter was taken over and handled
23 by the Military Service Bureau.

24 Q And is it not true that the section or
25 bureau to which you belonged negotiated with the

TANAKA

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1 Home Ministry pertaining to the matters of preser-
2 vation of peace and counterespionage?

3 A Not with respect to the maintenance of law
4 and order; but my bureau has negotiated with the
5 Home Office with respect to the question of counter-
6 espionage, that being one of the duties of my bureau.

7 Q Concerning matters relating to women's
8 associations, did not the Military Service Bureau
9 negotiate with Home and Welfare Ministries?

10 A With respect to that, we haven't negotia-
11 ted with the Home Office, but we have consulted the
12 Welfare Ministry.

13 Q With respect to other business handled by
14 the War Office with organs outside of the Ministry,
15 is it not true that matters pertaining to the pro-
16 curement and mobilization of materiel the War Min-
17 istry would consult the Planning Board; with respect
18 to labor, the Ministry of Welfare; and with respect
19 to shipping and railways, the Transportation Ministry?

20 THE INTERPRETER: War Ministry should read
21 War Mobilization Planning Bureau instead of as
22 translated.

23 A Yes, business negotiations with various
24 outside bodies is done by the Military Service
25 Bureau and other bureaus with respect to matters

TANAKA

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1 under their jurisdiction.

2 Q Now, concerning such programs -- important
3 tant programs -- as budget, for instance, wasn't
4 the Intendance Bureau responsible for negotiating
5 with the Finance Ministry and not the Military
6 Affairs Bureau?

7 A The Intendance Bureau serves as an adviser
8 to the Military Affairs Bureau with respect to busi-
9 ness negotiations with the Finance Ministry, but
10 as to the contents of the budget itself, such nego-
11 tiations are done by the Military Affairs Bureau
12 itself.

13 Q I understood you to say, Mr. Witness, a
14 while ago that Military Affairs Bureau was solely
15 responsible for conducting negotiations with out-
16 side. Now, Mr. Witness, may I understand that you
17 have rectified your previous testimony by your
18 present statement?

19 A Yes, with respect to business negotiations,
20 all bureaus in the War Ministry conducted them.
21 However, in carrying out certain plans -- in carry-
22 ing out the actual negotiations with the outside,
23 the Military Affairs Section and the Military Sec-
24 tion in the Military Affairs Bureau was primarily
25 responsible with all negotiations with the outside.

TANAKA

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1 Q However, in the final analysis, is it not
2 true -- is it not more correct to say that the
3 Military Affairs Bureau were responsible as well as
4 the Military Service Bureau and Materiel Mobiliza-
5 tion Bureau and Intendance Bureau for handling
6 business actually? I should like to get your answer
7 in yes or no.

8 A Due to shortage of personnel, the various
9 bureaus conducted negotiations with the outside,
10 but they could not do so without the consent and
11 approval of the Military Affairs Bureau, which, as
12 I have said before, was principally responsible for
13 negotiation with the outside, and my answer is
14 emphatically no.

15 Q Then, I will not press my questioning any more.

16 You have testified that all plans announced
17 by the War Ministry are drafted and originated by
18 the Military Affairs Bureau. Is that statement
19 correct?

20 A May I correct that to say, on the whole or
21 most of it.

22 Q Were not matters such as defense of the
23 homeland, national defense, land planning, city
24 planning, counter espionage, and air defense not
25

TANAKA

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1 originated and drafted by the Military Service
2 Bureau as well as military conscription?

3 A Yes. It had drafted a plan, but it cannot
4 publicize these plans without the approval of the
5 Military Affairs Bureau, nor can it carry these
6 plans into operation.

7 Q I am asking about originating of the
8 plans.

9 A That applies also to drafting of the plans.

10 Q Does that mean the plans are not drafted
11 at the Military Service Bureau?

12 A Will you read and study my last reply?

13 Q I thought you said that the Military Ser-
14 vice Bureau drafted the plans.

15 A Even with respect to drafting of plans,
16 the Military Service Bureau cannot carry it out into
17 operation without the approval of the Military Affairs
18 Bureau.

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1 Q Does the Military Affairs Bureau share the
2 responsibility with the Military Service Bureau de-
3 pending on the nature of the matter?

4 A Well, rarely; but the Military Affairs Bureau
5 requests the common responsibility of the Military
6 Service Bureau also.

7 Q Well now, plans concerning military mobiliza-
8 tion and productive expansion, were these plans not
9 drafted by the military Intendance Bureau and Mobili-
10 zation Planning Bureau?

11 A As this relates to national defense, the
12 outlines of the plan would be prepared by the mili-
13 tary Section of the Military Affairs Bureau, and the
14 plan is carried out within the scope of the outline
15 as established.

16 THE PRESIDENT: Counselor OKAMOTO, I must
17 tell you again I do not think any Member of the Tri-
18 bunal is getting the least assistance from this
19 cross-examination on generalities.

20 MR. S. OKAMOTO: Then I will change to another
21 question -- change the subject in accordance with the
22 suggestion of Mr. President.

23 Q Mr. witness, you testified that most of the
24 opinions expressed by General MUTO as Chief of the
25 Military Affairs Bureau were adopted by Prime Minister

1 TOJO -- War Minister TOJO. However, is it not true
2 that most of the plans made by the chiefs of the mili-
3 tary affairs Bureau were adopted generally and as a
4 whole by the War Minister?

5 A There is a case of a chief of the Military
6 affairs Bureau who resigned from the War Office as a
7 result of conflictive views with the War Minister.
8 General MUTO is a very erudite politician, and as I
9 observed from the side lines, General TOJO to a very
10 great extent adopted the political and diplomatic views
11 held by MUTO.

12 Q But, however, was General TOJO, or War Minister
13 TOJO, a man who would accept without criticism opinions
14 expressed by bureau chiefs?

15 A Yes. War Minister TOJO had his own subjective
16 views on certain subjects, on certain questions, which
17 he held at all times, but on subjects with which he
18 was not acquainted he received advice and opinions from
19 others. As I said, His Excellency TOJO has little
20 experience with respect to politics and diplomacy.
21 Although this is my own subjective view, TOJO was very
22 much taken over with the consistent aim and policy of
23 the Military Affairs Bureau to which I referred before,
24 that is, the concept of the Axis with Germany creating
25 a new order in Europe and Japan establishing a sphere

1 of common prosperity in East Asia. This political
2 concept or idea held by the military Affairs Bureau
3 was won over and was also the view held by General
4 TOJO. Let me give an example: This does not refer
5 to war minister TOJO but to another accused, war min-
6 ister HATA, who at the end of the cabinet of Premier
7 YONAI resigned from the cabinet because the army's
8 views on the Tri-Partite Alliance was not accepted
9 by the cabinet. Shortly after I became Chief of the
10 Military Service Bureau in 1940 I had occasion to
11 take dinner with General HATA in Tsukiji, Tokyo, and
12 at that time I asked General HATA why he took such an
13 attitude which was really against his ideas and his
14 nature, and he said that he was obliged to do so by
15 the influence of MUTO. War minister TOJO was a posi-
16 tivist and did not mention such matters, but I think
17 he entertained the ideas and concepts of the Military
18 Affairs Bureau at that time.

19 Q Q I was asking about relations between War
20 minister TOJO and not with other persons such as General
21 HATA.

22 A I was merely trying to explain the very great
23 influence and power held by the Military Affairs Bureau.
24 I just merely gave this as an example to show that with
25 respect to political and diplomatic questions the

1 military Affairs Bureau held sway, and those ideas
2 and concepts were accepted by the War Minister. Had
3 War minister TOJO not accepted the views of the Mili-
4 tary Affairs Bureau he would have met the same fate
5 as war minister HATA.

6 Q Is it not your subjective view or your own
7 speculation?

8 A I base this on the way Japan moved since
9 then, and also by my observations with respect to the
10 political activities of army officers at the time I
11 was Chief of the Military Service Bureau as a part of
12 my duty. It may be my subjective view but it is a
13 fact.

14 Q Does that mean that in spite of the fact you,
15 yourself, as Chief of the Military Service Bureau
16 worked side by side with General MUTO who was at the
17 time Chief of the military Affairs Bureau, you cannot
18 testify -- give any complete examples or statements
19 concerning relations between MUTO and TOJO?

20 A I did not speak of anything like that.

21 Q I have not heard any.

22 A The fate which has befallen Japan speaks for
23 itself. There is nothing more eloquent than facts.

24 Q Then, Mr. Witness, you are not testifying on the
25 basis of the fact that you were present at the time

1 policies were discussed between HUTO and TOJO?

2 A Such policies are discussed in secret, and
3 I had no authority to attend such meetings.

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1 Q Then it amounts only to your guess and your
2 subjective views, doesn't it?

3 A It isn't speculation or guess. I'll give an
4 example.

5 Q I'm asking for facts.

6 A I'm trying to give you an example. According
7 to the regulations governing the War Office, the only
8 person who is permitted to participate in politics is
9 the War Minister himself. However, at a session of
10 the Diet in 1940, War Minister TOJO said that the
11 Chief of the Military Affairs Bureau may also partici-
12 pate in politics in the House of Peers. Now, what
13 does this speak of? Does this not say that the
14 Military Affairs Bureau Chief was a very intimate aide
15 de camp, politically speaking, of the War Minister?

16 Q It only shows the way TOJO -- War Minister
17 TOJO interpreted regulations governing the organiza-
18 tion of the War Office, does it not?

19 A I am positive that, inasmuch as officers on
20 the active list are not civilian officers and the War
21 Minister himself is a civilian officer, they cannot
22 participate in politics.

23 THE MONITOR: Therefore, I am positive that
24 this is stipulated in the Japanese Constitution:
25 namely, that the War Minister, who is by the status

1 of his office a civilian officer -- active officers on
2 the active list cannot be civilian officers and,
3 therefore, cannot participate in politics.

4 Q Again changing the subject, are you not aware
5 of the fact that War Minister TOJO frequently asked
6 opinions of Bureau Chiefs and accepted their criti-
7 cism?

8 A Yes, that is the nature and character of War
9 Minister TOJO.

10 Q Then again I shall ask you, was not General
11 TOJO's character like this: He was a man who acted
12 on his beliefs, and he was ready to accept what was
13 right. But, once he accepted something, he made it
14 his own belief and acted upon it. Once he accepted
15 opinions from his subordinates, he made it his own
16 belief and acted on the basis of it?

17 A That is true.

18 Q Then, if ever TOJO accepted all what General
19 MUTO said without any criticism, as you testified,
20 does that not mean that he was not a man of belief --
21 that he did not act upon his own belief?

22 THE MONITOR: Then, do you mean to say that,
23 in case TOJO accepted the views and beliefs and
24 opinions of MUTO, he would not make it his own belief
25 and act upon it?

1 A Yes. In so far as ordinary administration of
2 duties were concerned, War Minister TOJO was very
3 strict. But, in so far as political and diplomatic
4 matters were concerned, his knowledge and experience
5 were so shallow that he acted upon the views and
6 opinions of MUTO.

7 Q I don't want to hear any more of your
8 speculations.

9 Do you recall, Mr. Witness, an occasion
10 where you and MUTO presented your respective views
11 to the War Minister TOJO whereat MUTO's views were
12 rejected?-- MUTO's opinions were rejected and yours
13 accepted?

14 A Yes, I think there was such an occasion,
15 but there there were also occasions where I was
16 rejected.

17 Q Does it not mean that you and MUTO were
18 treated equally as Chiefs of Bureaus by TOJO?

19 A I guess so, yes; as a Bureau Chief --

20 Q Mr. Witness, you testified here in this court
21 on the 6th of January that General TOJO gave an
22 immediate reply to a request or proposal made by
23 General UEMURA, Chief of Prisoners of War Information
24 Bureau, at the time of a meeting of Bureau Chiefs at
25 War Ministry and gave an immediate reply.

1 A Yes, that is correct.

2 Q Mr. Witness, have you ever heard instructions
3 by War Minister TOJO with respect to setting an
4 example in leading your men?

5 A Yes, twice.

6 Q Does it mean that a chief should act and
7 carry out plans -- determine his ideas on his own
8 responsibility?

9 A Yes. That is, to handle matters in a blitz
10 manner.

11 Q And TOJO followed this principle by setting
12 an example by his own actions, did he not?

13 THE MONITOR: He was the first to set this
14 example, was he not?

15 A That is correct.

16 Q On the 4th of January, 1941, when General
17 TOJO made a New Year's speech, were you present?

18 A Yes, I was there, and I heard him in the
19 large dining room of the War Ministry.

20 Q At that time, did not the War Minister say,
21 "You officers, never do anything that is outside of
22 your will or intention."?

23 A Not only that; he spoke of that matter
24 frequently, on many occasions.

25 Q Not only did he say that in his instructions,

1 but he never allowed himself to do anything which was
2 not in accordance with his own will -- one with his
3 own will.

4 THE INTERPRETER: Not only with respect to
5 his instructions to others, did not War Minister TOJO,
6 himself, do nothing that would be contrary to his own
7 intentions, purposes and will?

8 A No, he would not if he found it out himself.

9 THE INTERPRETER: Not only in his instructions,
10 but he also prohibited any actions that would be con-
11 trary to one's intentions, will or purposes.

12 The counsel's question should be corrected
13 to read that, "Not only in his instructions, but he
14 expected all at all times to act in accordance with
15 his beliefs and intentions and will."

16 The reply of the witness was that, "Once he
17 discovered anybody acting contrary to that, he would
18 not readily pardon them."

19 THE PRESIDENT: We will adjourn until half-
20 past one.

21 (Whereupon, at 1200, a recess was
22 taken.)

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AFTERNOON SESSION

The Tribunal met, pursuant to recess at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Counsel OKAMOTO.

- - -

RYUKICHI TANAKA, recalled as a witness on behalf of the prosecution, resumed the stand and testified through Japanese interpreters as follows:

CROSS-EXAMINATION

BY MR. S. OKAMOTO (Continued):

Q Mr. Witness, are you an intimate friend of General MUTO?

A Up to the time I became Director or Chief of the Military Service Bureau I was a friend of his -- an intimate friend. After becoming Chief of the Military Service Bureau we were privately, as individuals, on intimate terms, but from the standpoint of the views held by the Military Service Bureau, that military men should not participate or interfere in politics and the Military Service Bureau frowned upon the

TANAKA

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1 actions of the Military Affairs Bureau, so on matters
2 of principle there was a conflict between the two
3 bureaus. There is no ill will of any kind between
4 us as individuals even today.

5 Q You graduated one period behind MUTO from
6 the Military Academy, didn't you?

7 A Yes, you are correct.

8 Q And two periods behind from the War College?

9 A One year behind -- one term behind.

10 Q Were you his subordinate in the Kwantung Army?

11 A From June 1936 to March 1937 I was a sub-
12 ordinate of his.

13 Q At that time was he kind to you?

14 A Will you repeat that question, counsel?

15 Q Was MUTO kind to you in those days?

16 A Yes, very kind.

17 Q However, after you became the Chief of the
18 Military Service Bureau, I do not know what was the
19 true relationship between you yourself and MUTO but
20 the world at large said that you were opposed to
21 each other -- in other words, you were not in good
22 terms with each other; is that true?

23 A Yes, the public at large rumored to that effect.

24 Q Did you ever speak ill of MUTO?

25 A I said political participation was bad.

TANAKA

CROSS

1 Q Have you ever attended the Diet when you
2 were Chief of the Military Service Bureau as one of
3 the government committeemen?

4 A Yes, I attended the Diet in the spring of
5 1940 as a member of the government committee but at
6 the next session of the Diet, in spite of the fact that
7 there was a bill drafted by my bureau pending in
8 the Diet, I was unable to attend because of the
9 opposition of the Military Affairs Bureau. However,
10 because Vice-Minister of War KIMURA said that I must
11 attend that Diet in the spring of 1942 and therefore
12 by his order, I attended the Diet.

13 Q At the time, the bold statement that you
14 made at the Diet, was it not played up by the press
15 and printed in the Japanese press with much publicity?

16 A Yes, it was very greatly publicized by the
17 press.

18 Q Did the public say that TANAKA would be
19 appointed next Chief of the Military Affairs Bureau?

20 A Yes, there was some who said that and there
21 was some who came to me to ask me to become chief of
22 that bureau.

23 Q How did you reply to your fans, so to speak?

24 A My reply was to the effect that I entertained
25 no ambitions of becoming chief of that bureau but if

TANAKA

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1 such an opportunity came I would positively take
2 action to bring about the abandonment of political
3 participation by the army.

4 Q However, in your statement at the Diet, did
5 you not express boldly your political views?

6 A What kind of political expression did I make?

7 Q If you do not remember it, it is all right.

8 A What I wish to emphasize is that as Chief
9 of the Military Service Bureau I said that the army
10 should not play with politics and that any actions
11 of that kind would be controlled by the bureau of
12 which I was chief.

13 THE MONITOR: As long as anyone held a post
14 in the army.

15 Q Don't you think that the fact you participated
16 in the Diet as a member of the committee of the govern-
17 ment and as the Chief of the Military Service Bureau
18 constituted a political action -- participation in
19 politics?

20 A A government committeeman is appointed by the
21 government and his expressions in the Diet itself is
22 free.

23 Q That means within that scope you could
24 freely express your political opinions; is that it?
25

A That as stipulated in the in-laws or in the

TANAKA

CROSS

1 constitution is in reply to interpellations in the
2 Diet.

3 Q Then I shall ask you, Mr. Witness, was it
4 not the thing that you liked most, to attend the Diet
5 and reply to the interpellations as a member of a
6 political committee of the government, and the fact
7 that MUTO, General MUTO, Chief of Military Affairs
8 Bureau, tried to prevent you from this kind of
9 activities offended you very much?

10 A No, I was rather -- rather, I was happy that
11 I did not have to attend the Diet. The petition to
12 Vice-Minister of War KIMURA that I should attend
13 the Diet in connection with the bill drafted by my
14 bureau, that is, the military conscription order, was
15 made by Chief of the Procurement and Material Mobiliza-
16 tion Section, who on his own went to the Vice-Minister
17 to get his approval and order for my attendance, and
18 I scolded him for having taken such action. The man
19 I reprimanded was Colonel SUGAI. Colonel SUGAI in-
20 sisted that I attend inasmuch as the matter was in
21 the jurisdiction and province and under the charge of
22 my bureau of which I was chief, and he replied that
23 therefore he went to Vice-Minister KIMURA on his own
24 initiative and asked that I be permitted to attend. I
25 entertained no desire whatsoever to attend the Diet

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on this sort of a matter.

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1 Q Mr. Witness, you have testified in answering
2 a question put to you by counsel Blewett on the 6th of
3 January in this Court, that you never dreamt of becoming
4 Chief of the Military Affairs Bureau; that you never
5 dreamt of even desiring to become a Chief of the Military
6 Affairs Bureau. According to the English text, that is,
7 the translation of your testimony in Japanese, words
8 such as "I never expected nor hoped" are used. However,
9 in the Japanese text, I mean in the Japanese, it was
10 "I never dreamt of becoming such and such." Does that
11 mean, according to you, definite mitigation of the
12 intention? In short, in the English text of the tran-
13 script on January 6, you are interpreted as having
14 said that you have not expected or desired to become
15 Chief of the Military Affairs Bureau, but in the Japanese
16 shorthand transcript the following words are used, that
17 you have never dreamt or hoped -- dreamt of becoming
18 Chief of that bureau. Now, that is a stronger term
19 than the English. What is your true expression on that
20 subject?

21 A Well, my -- the circle of men around me and
22 my subordinates persuaded me to become Chief, but at
23 no time ever entertained or dreamt of becoming or holding
24 that office and I told these subordinates of mine that
25 I had not even dreamt or entertained the ambition of

TANAKA

CROSS

1 becoming Chief of the Military Affairs Bureau nor am
2 I the type to become Chief of that bureau. That was
3 my reply to my subordinates and my circle of friends
4 who persuaded me to take that office.

5 To give you one concrete illustration: In
6 the spring of 1941, His Imperial Highness, Prince
7 KAYA, called upon me and told me that His Imperial
8 Majesty, the Emperor, entertained -- was very much
9 anxious and worried over the participation of the
10 army in politics and proposed me -- proposed that I
11 become Chief of the Military Affairs Bureau in order to
12 stop such military participation in politics and my
13 reply to His Imperial Highness was that I am not the
14 kind of person to do so nor could I realize such a
15 purpose and that I entertained no ambitions of becoming
16 Chief of the Military Affairs Bureau. Therefore,
17 I flatly refused his proposal or rejected his proposal.

18 Q Have you ever heard of public comments to the
19 effect that TANAKA, because he did not become Chief of
20 the Military Affairs Bureau, holds a grudge against
21 General MUTO and that he is testifying against his favor
22 in the Court.

23 A There was such a reputation current at the
24 time I was Chief of the Military Service Bureau that
25 Major General TOMINAGA, as Chief of the Personnel Section --

TANAKA

CROSS

1 Personnel Bureau of the War Ministry, came to me to
2 ask me about it. At that time I told him my feelings
3 on the subject such as I have already expressed and I
4 think TOMINAGA understood just where I stood on the
5 matter. I am not mixing emotions when I make any
6 expressions before this Tribunal. My expressions
7 in this Tribunal is for the purpose of giving expression,
8 giving voice to the cause why Japan has met her present
9 fate and that cause, I say, is the Army's participation
10 in politics and I should like to have -- let the truth
11 be known to the people in order to set this country
12 aright and also to let known these truths to our posterity.

13 Q I will change the subject.

14 Are you aware of the fact that in the course
15 of 1941 criticism was voiced from General Staff circles
16 against MUTO to the effect that he was an exponent
17 of weak-kneed American policy -- weak-kneed and com-
18 promising policy towards America?

19 A Yes, there was such a criticism of him. At
20 the same time in September 1941 I wrote an article under
21 an assumed name in the Kaikosha Journal, that is, the
22 Army Officer's Magazine, to the effect that Southern
23 operations was dangerous and that there was no possibility
24 or prospect of winning -- of succeeding in such operations
25 and, therefore, not only MUTO, but I myself was strongly

TANAKA

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1 criticised by the very strong and positive elements
2 within the General Staff Office as being defeatist
3 military men. That is a fact.

4 There were no political views expressed in
5 that article and the subjects discussed in that article
6 were with respect to military organization, military
7 equipment and installation, training, and so forth
8 and was written entirely from the military point of view
9 and pointed how insufficient and deficient the training
10 of the army was. I also heard from the then Colonel
11 SATO, then Chief of the Military Affairs Section of the
12 Military Affairs Bureau, that Lieutenant General MUTO's
13 attitude towards the United States was very vague
14 and abstract. That is all.

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1 Q I wanted to ask of you MUTO's attitude
2 towards the United States, however, Mr. Witness, you
3 stated your own attitude towards the United States at
4 that time. It helped me quite a lot. Thank you.

5 THE MONITOR: You have also stated your own
6 position towards the United States and by so doing
7 you have made the situation all the more clear. Thank
8 you.

9 Q In connection with that matter, do you
10 remember that military police -- contingent of mili-
11 tary police was attached to MUTO to protect him
12 against possible attacks from the rightest elements?

13 THE MONITOR: Rightest, positivist elements.

14 A Yes, I instructed the Kempeitai to give
15 MUTO a bodyguard, and that was because it was
16 shortly after an attempted attack upon the Vice
17 President of the Privy Council, HIRANUMA.

18 Q Then, are you aware of the fact that Colonel
19 IWAKURA, who was sent to assist Ambassador NOMURA
20 in the America-Japan negotiations on the recommenda-
21 tion of MUTO, then Chief of the Military Affairs Bureau?

22 A Yes, I know that very well, but that was by
23 the order of the War Minister.

24 Q Are you aware of the fact that at that time
25 both the War Minister and the Chief of the Military

TANAKA

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1 Affairs Bureau were endeavoring -- struggling hard to
2 bring the Japanese-American negotiations to a suc-
3 cessful conclusion?

4 A Yes, I know that very well, and I also, in
5 the event such a successful settlement were reached
6 between the United States and Japan and during the
7 possibility of a possible uprising within the Army
8 by the rightest and positivist elements I had even
9 made preparations with regard to stopping or prevent-
10 ing any such uprisings, such movements.

11 THE MONITOR: I was thinking of preparing to
12 settle these things if it should rise. I even thought
13 of it.

14 Q Immediately after an address -- the address
15 was given by the War Minister in the afternoon --
16 immediately after the mid-day of the 8th of December,
17 1941, did you or not tell General TOMINAGA that TOJO
18 by this act became a hero?

19 A Yes, General MUTO spoke to me before the War
20 Minister's address to his staff members, but I don't
21 recall having had any talk with TOMINAGA after that
22 address was given.

23 THE MONITOR: Slight correction. General
24 MUTO told me -- made this statement to me before the
25 War Minister delivered his address, but I don't

TANAKA

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1 remember having said this to General TOMINAGA after
2 the address.

3 THE PRESIDENT: Colonel Warren.

4 CROSS-EXAMINATION (Continued)

5 BY MR. WARREN:

6 Q Mr. TANAKA, in your testimony yesterday you
7 stated that at the outbreak of the Manchurian Incident
8 the head of the Special Service organization in Man-
9 churia was General DOIHARA. Do you desire to change
10 your answer at this time on that?

11 MR. COMYNS CARR: He said in southern Man-
12 churia?

13 MR. WARREN: I am reading from the record,
14 your Honor, and I will read the entire answer and
15 answer his correction. (Leading): "At the time of
16 the outbreak of the Manchurian Incident the head of
17 the Special Service organization was Major General
18 DOIHARA in Mukden." Do you want to change that answer?

19 THE PRESIDENT: What page.

20 THE WITNESS: I am ready to change it.

21 MR. WARREN: 15,857.

22 Q You state you are ready to change it?

23 A I said that he was Chief of the Special
24 Service Department at Mukden. Inasmuch as the Chief
25 of the Military Service Department was in charge of

TANAKA

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1 small local areas, I said that he was in charge of
2 the Special Service Department in south Manchuria, or,
3 that is, Mukden.

4 Q You further stated that he remained at the
5 head of that organization right down to the time when
6 the control of the opium traffic was transferred. In
7 answer to a previous question you had stated that the
8 Opium Control Board was set up in 1935. Do you want to
9 change those answers?

10 A In my recollection, the Opium Control Board
11 was -- the establishing of the Opium Control Board
12 was completed in the spring of 1935. After that it
13 became necessary for opium retailers to abide by the
14 regulations and permission issued by the Special Ser-
15 vice Department, and without such permission they were
16 not permitted to engage in this traffic, and so
17 therefore General MINAMI, then the Commander-in-Chief
18 of the Kwantung Army, ITAGAKI, Chief of Staff, and
19 TOJO, later Chief of Staff of the Kwantung Army,
20 took this authority away from the Special Service
21 Department.

22 Q Just a minute. I am not asking for an ex-
23 planation. I want to know if you want to change your
24 answer to the question concerning DOIHARA, and as to
25 the date of setting up the Opium Control Board. Please

TANAKA

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1 answer my question.

2 A I was speaking of the period when the Special
3 Service Department was engaged in the opium traffic.
4 As for General DOIHARA, he was Chief of the Special
5 Service Department at the time of the outbreak of
6 the Manchurian Incident, and after that he once re-
7 turned to Japan and then went back to Manchuria in
8 December. If my recollection is not mistaken, in
9 December, 1934, as Chief of the Special Service De-
10 partment. If there is any mistake in my memory I
11 shall be very glad to change it.

12 Q Then I will refresh your memory. Do you
13 recall the Captain NAKAMURA Incident? That is an
14 incident where a Chinese army captain was killed by
15 Japanese soldiers and then his body burned in order to
16 destroy the evidence of their guilt.

17 A Yes, I know that very well.

18 Q Do you know whether General DOIHARA was
19 appointed by his government to investigate that
20 matter?

21 A Yes, I think he was ordered to do so.

22 Q I will ask you if he was not in Tokyo at
23 the outbreak of the Manchurian Incident and was not
24 in any way connected with the Special Service Depart-
25 ment of the Army in Manchuria?

TANAKA

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1 A Yes, I know that the Manchurian Incident
2 broke out when he was in Tokyo to report on the
3 Captain NAKAMURA Incident.

4 Q Well, you didn't answer all of the question,
5 Mr. TANAKA. I want to know if he had any connection
6 whatsoever with Special Services Department of the
7 Army in Manchuria at that time.

8 MR. COMYNS CARR: I submit, your Honor, my
9 friend ought to make clear the date he is speaking of.

10 THE PRESIDENT: Now you are talking against
11 the red light. I was waiting for that. If the red
12 light stops me it stops you too, Mr. Carr.

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1 MR. COMYNS CARR: I would like to repeat my
2 objection. The question was put "at that time." We
3 have not yet heard whether my friend was referring to
4 a particular date, and if so, what date, or to a
5 period, and if so, what period. I submit that the
6 witness should have his attention drawn to the period
7 or date about which he is being asked.

8 MR. WARREN: I might suggest, your Honor,
9 if counsel listens to the question he would know we
10 are referring to the Mukden Incident; and for his
11 information, according to the prosecution, it
12 occurred on the 18th of September, 1931. I think the
13 witness understands.

14 THE PRESIDENT: You mentioned the NAKAMURA
15 Incident.

16 MR. COMYNS CARR: My friend has not answered
17 the point in the least. The Mukden Incident may
18 mean the precise date, the 18th of September, 1931,
19 or my friend may be referring to and sometimes appeared
20 to be referring to a much longer and undefined period
21 of time. The witness is entitled to know which he is
22 being asked about.

23 MR. WARREN: He is quibbling, your Honor.

24 THE PRESIDENT: Do not say that.

25 MR. WARREN: I explained it was the 18th of

TANAKA

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1 September, 1931. I am sure the witness understood
2 that is the date I had reference to, the date of the
3 Mukden Incident.

4 I will repeat the question in order to save
5 time.

6 Q At the outbreak of the Manchurian Incident
7 or the Mukden Incident on September 18, 1931, will you
8 tell this Tribunal if General DOHIHARA had anything
9 to do with special services in Manchuria?

10 A He was Chief of the Mukden Special Service
11 Organization, but at the time of the outbreak of the
12 Incident he was in Tokyo. My recollection is that
13 he returned to Mukden after the outbreak of the
14 Manchurian Incident.

15 Q In what capacity did he return?

16 A My recollection is that after returning to
17 Mukden he became mayor, provisional mayor of that
18 city.

19 Q For one month; isn't that correct?

20 A I think he was concurrently Chief of the
21 Mukden Special Service Department and mayor. I
22 think he was mayor for a period of one month, of
23 about one month.

24 Q Well, do you know?

25 A Since he was at that time Assistant Military

TANAKA

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1 Attache of the Military Attache's office in Shanghai
2 and saw telegrams from the Kwantung Army, I think I
3 am right -- Military Attache's office of the Japanese
4 Legation in China.

5 Q What, if you recall, was the context of any
6 one of those telegrams?

7 THE PRESIDENT: That is too much to expect.

8 MR. WARREN: Your Honor, that may be true,
9 but he is basing it upon his recollection, trying to
10 think things. He says, "I think"; he didn't say,
11 "I know," and if he can't remember that tests his
12 credibility. That is the reason I am asking him.
13 However, if your Honor believes that is an extreme
14 test I will not ask him.

15 THE PRESIDENT: So it is.

16 Q Now, to refresh your memory, I will ask you
17 if the Opium Control Board was not set up, I mean
18 not promulgated on November 30, 1930 and put into effect
19 on January 11-- wait, I am sorry -- November 30, 1932 --
20 correction on that date -- and put into effect on
21 January 11, 1933?

22 A Yes, I think that is when the board was put
23 into effect, but the actual completion of the organiza-
24 tion of the Opium Control Board took place in April,
25 1935, at the time of the reorganization of the

1 Manchurian Government, Manchukuo Government. In my
2 recollection the Opium Control Board up to that time
3 was an organization in name and not in fact.

4 Q Then you insist that it wasn't until 1935
5 that they had an Opium Control Board?

6 THE PRESIDENT: He did not say that. He
7 said they did not have an effective one until then.

8 MR. WARREN: That is quite right, your
9 Honor. I withdraw the question.

10 Q And at a previous time when you testified
11 from the witness stand, do you recall that you testi-
12 fied that shortly after DOHIHARA's term as Mayor of
13 Mukden that he was sent into North China?

14 A I don't recall ever having said that in
15 this Tribunal; but I do recall that after he served
16 as Mayor of Mukden he went to Tientsin in China. At
17 the same time my recollection is that his position
18 as Chief of the Mukden Special Service Department
19 remained, and that he merely made a trip to Tientsin
20 on a special mission. That, of course, was by order
21 of the Commander-in-Chief of the Kwantung Army,
22 General HONJO.

23
24 Q I ask you if it isn't a fact that he severed
25 his connections with the Kwantung Army and was under
the command of an entirely separate unit of the armies

TANAKA

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1 of Japan?

2 A I think I am quite sure in saying that he
3 returned to Mukden from North China in the spring of
4 1932 and returned to Japan as Divisional Commander
5 of the HIROSHIMA Division, and that he again returned
6 to Mukden as Chief of the Special Service Department
7 in 1934. That is my recollection.

8 Q Well, to assist your recollection somewhat,
9 I will ask you if he didn't become the Commander of
10 the 14th Division in Japan?

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1 MR. COMYNS CARR: Would my friend kindly
2 tell the witness when he suggests he became Com-
3 mander of the 14th Division?

4 MR. WARREN: If your Honor please.

5 THE PRESIDENT: It is easy. I will ask
6 him.

7 Were you ever Commander of the 14th Di-
8 vision? Was DOHIHARA ever Commander of the 14th
9 Division?

10 THE WITNESS: Yes.

11 THE PRESIDENT: When?

12 MR. WARREN: Your Honor, my objection was
13 this. I must pay attention to the red light. I
14 stopped. I had not completed my answer. It would
15 have been in there. I tried to tell Mr. Carr that
16 when he came up but apparently he didn't understand
17 me. The red light cut me off.

18 Q Now do you recall an occasion when he be-
19 came the Commander of the First Division of North
20 China, and if you do what is your recollection on
21 that date?
22

23 MR. COMYNS CARR: Your Honor, I submit it
24 is unreasonable to expect this witness to remember
25 the date on which every person concerned in this
case was appointed to a particular command. The

TANAKA

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1 dated are recorded in the personnel records and in
2 DOHIHARA's case that is exhibit 104.

3 THE PRESIDENT: Well, if they are recorded
4 here we don't want them again unless their
5 accuracy is challenged. They constitute no memory
6 test and no test of credibility. If he has said
7 anything inconsistent with those dates, well, you
8 may cross-examine about that.

9 MR. WARREN: Your Honor, to tell this
10 witness the date when testing his credibility is
11 not cross-examination. He has made statements
12 and he has the statement which I have read to the
13 Tribunal, or at least referred to, that General
14 DOHIHARA remained the head of the organization from
15 right on down until 1935. Now he has made that
16 statement.

17 THE PRESIDENT: Well if that is incon-
18 sistent with the record, with the exhibit already
19 in evidence, you could refer him to the exhibit and
20 that would be sufficient for our purposes, unless
21 he could show that he held the dual capacity.

22 MR. WARREN: Your Honor, this man's memory
23 has been most convenient on direct examination.

24 THE PRESIDENT: That is another question.

25 MR. WARREN: Yes, sir.

TANAKA

CROSS

1 THE PRESIDENT: This is a very important
2 witness and we hesitate to interfere with the
3 cross-examination, but nevertheless there is a
4 short way of cross-examining this man effectively.
5 I have already suggested it.

6 MR. WARREN: I know you have, your Honor.

7 MR. COMYNS CARR: In view of what my friend
8 has just said, I think I ought to point out that
9 according to DOHIHARA's personnel record, exhibit
10 104, he was not appointed to the 1st Division,
11 as my friend was asking about a moment ago, until
12 May -- March 23, 1936, and he wasn't appointed to
13 the 14th Division until March 1, 1937, both of which
14 dates are long after the period of which the witness
15 has spoken, which ended in April 1935.
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1 MR. WARREN: Your Honor, I was testing this
2 witness' credibility. Counsel has educated him. It
3 is impossible to do so now. If this witness did not
4 know those matters, it is a matter of record, of course;
5 the Court knows it. But I am testing his credibility.
6 If his memory is so lax, we want to know it.

7 THE PRESIDENT: The exhibit to which Mr. Carr
8 refers shows that the witness' memory is sound.

9 MR. WARREN: Your Honor, I prefer that the
10 witness answer from his own memory and not from
11 prompting of counsel by objection.

12 I will proceed.

13 THE PRESIDENT: I repeat, the exhibit to which
14 Mr. Carr refers confirms his recollection.

15 Q I refer again to page 15,857 of the record,
16 where you stated that Major General ISHIHARA was in
17 charge of Special Service Organization at Mukden when
18 the Manchurian Incident broke out. You further state
19 that for a short time someone's name whom you do not
20 remember occupied that position, and then again Major
21 General DOHIHAPA became the head of that organization.
22 You later corrected that as I have called to your
23 attention. May I suggest to you that your first
24 designation of the person who was in charge was General
25 ISHIHARA, if that is not the correct person who was

TANAKA

CROSS

1 in charge, and not General DOHIHARA?

2 A That is not so. I said DOHIHARA, but I
3 think the interpreter made the mistake and said ISHI-
4 HARA. I think it was a mistake in interpretation.

5 Q Well, how do you account for the fact that
6 you said after DOHIHARA or ISHIHARA, whichever was
7 correct, was the head of the Special Service Organi-
8 zation, that you mentioned another person who occupied
9 it, and then continued to state, in additional question,
10 that General DOHIHARA occupied that position up until
11 1935? Both statements could not be true. Will you
12 clarify that?

13 A I did not say that he was the chief of the
14 Special Service Organization up till 1935. I said in
15 1935 he was the chief of the Special Service Organization.

16 THE PRESIDENT: In fairness to the witness,
17 you ought to quote far more from page 15,857 than you
18 have quoted. At that page, he first mentioned Major
19 General ISHIHARA as being in charge when the Manchurian
20 Incident broke out. There is some confusion there,
21 undoubtedly, and it may be, as he says, mistranslation,
22 which could easily occur.

23 THE MONITOR: That point has been corrected
24 by the Monitor, Mr. President. I think it will
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TANAKA

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1 state so further ahead in the record.

2 THE PRESIDENT: We will recess now for
3 fifteen minutes.

4 (Whereupon, at 1445, a recess was
5 taken until 1500, after which the proceedings
6 were resumed as follows:)

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MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Colonel Warren.

BY MR. WARREN:

Q The President of the Tribunal has suggested
that I read at length from your testimony
yesterday, and I shall do so.

THE PRESIDENT: I have read all that we
need.

MR. WARREN: Sir?

THE PRESIDENT: I do suggest that there
has been some mistake about it.

MR. WARREN: Your Honor, there is one answer
here in which the word appears "correction." I don't
know whether that was the witness. I took it
that the witness made that statement. It may have
been the interpreter. If it was the interpreter,
it appears as the statement of the witness.

THE PRESIDENT: I don't think you can effec-
tively cross-examine on the assumption of a contra-
diction there. He started off by saying that
ISHIHARA was the head of that organization at the
time of the Mukden Incident. After all, you are
only testing his credibility by way of testing his

TANAKA

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1 memory.

2 MR. WARREN: That is quite true, your
3 Honor. In addition to that, I am laying definite
4 grounds for bringing in testimony at a later time
5 to impeach the witness, if possible. Maybe I can
6 clarify it in this manner:

7 Q Mr. TANAKA, did you mean that General
8 DOHIHARA was the head of the Special Service Organi-
9 zation in the City of Mukden only?

10 A No, I said that he was Chief of the Mukden
11 Special Service Department and at the same time Mayor
12 of Mukden.

13 Q Now what I want you to do is to define the
14 limitations of his command in regard to the, as you
15 refer to it, Mukden Special Service Organization.

16 THE PRESIDENT: You know what DOHIHARA
17 says about it. Put that to him and see whether he
18 accepts it. That is the shortest and the conven-
19 tional way.

20 MR. WARREN. That is quite true, your Honor;
21 I know what General DOHIHARA says about it and I
22 know what the Lytton report says about it. I want
23 to know what this witness says about it.

24 There are two ways to attack the credibility
25 of the witness: one is on direct examination and

TANAKA

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1 the other is to come back later with evidence to
2 show that he was mistaken; and that is what I want
3 to find out. In other words, your Honor, I want to
4 know exactly what this witness says and what he
5 thinks under no misapprehension as to an error which
6 may have occurred in the record. I want to impeach
7 him on what he actually says when he isn't mistaken.
8 I am not mistaken in what he means.

9 However, if your Honor feels that I am just
10 taking the time of the Tribunal on that point, I
11 shan't insist on it. I certainly don't want to do
12 anything of that kind.

13 THE PRESIDENT: I feel you are about to
14 impose a severe memory test, and if he fails it
15 won't amount to much anyhow.

16 MR. WARREN: Very well, your Honor. Then,
17 in deference to the feelings of the Tribunal I
18 shan't proceed further with this witness.

19 THE PRESIDENT: Captain Brooks.

20
21 CROSS-EXAMINATION (Continued)

22 BY MR. BROOKS:

23 Q Now, General, in reference to your testi-
24 mony on court record page 15,857, line 25 to line
25 5 of page 15,858, was the setting up of this opium

TANAKA

CROSS

1 control board for a good purpose?

2 A Yes, you are correct.

3 Q Now, wasn't this a measure to prevent boot-
4 leg and blackmarket activity in narcotics and to
5 gain control of the sources of supply?

6 A Yes, it is as you say, but there is also
7 one more important purpose. Putting aside opium
8 addicts, the other purpose was to prevent new opium
9 smokers.

10 Q Thank you, General. And wasn't it also
11 the plan to restrict the use of opium, gradually
12 eliminating the addicts that had previously existed?

13 A You are correct, yes.

14 Q And as this was also a result, because
15 prohibitory laws had failed to stop the use of
16 opium and sources were available to addicts and new
17 addicts were being created previous to this time,
18 is that not correct?

19 A You are right.

20 MR. BROOKS: I think that is all.

21 THE PRESIDENT: Mr. Blewett.
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1 MR. BLEWETT: If the Court please:

2 CROSS-EXAMINATION (Continued)

3 BY MR. BLEWETT:

4 Q Were you not as Chief of the Military Affairs
5 and Discipline Bureau absent from Tokyo on many
6 occasions in pursuance of your responsibilities?

7 THE MONITOR: Mr. Counsel, by "Military
8 Affairs and Discipline Bureau" -- do you have the
9 Japanese spelling of that, that is, the Romanized
10 spelling? You see, we can't translate these bureaus
11 by the English words. We are not sure of it.

12 THE INTERPRETER: Mr. Blewett, we do not
13 like to guess here. You said "Military Affairs and
14 Discipline Bureau." That name has not come up so
15 far. We have the name "Military Service Bureau"
16 and "Military Affairs Bureau."

17 THE MONITOR: There are two bureaus, Military
18 Service Bureau and Military Affairs Bureau. You may
19 have something else in mind. We cannot tell.

20 MR. BLEWETT: That was referred to the last
21 time this witness testified. Ask him "Military
22 Affairs Bureau."

23 A I have never been a Chief of the Military
24 Affairs Bureau.

25 Q Well, as Chief of the Military Service Bureau,

TANAKA

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1 were you not absent from Tokyo on many occasions
2 in pursuance of your responsibilities and on your
3 job?

4 A Yes, I was.

5 Q I see your point, General. I am sorry.
6 It is "Service"--"Military Service Bureau", that was
7 the department of which you were the head of, that
8 is correct, isn't it?

9 A Yes.

10 Q Now, then, were you not out of Tokyo on
11 official business during part of November and
12 December, 1941?

13 A I was out of Tokyo in October, but not in
14 November or December.

15 Q On what date did SATO speak to you about
16 the Prime Minister situation?

17 A That was two or three days after TOJO
18 formed the Cabinet.

19 Q Did not SATO tell you at that time that
20 the War Minister suggested that one of the Royal
21 Household be selected as Prime Minister by the
22 Emperor?

23 A He did not mention anything about the
24 Imperial House. He said, that is, SATO said that
25 TOJO was the best choice for Prime Minister for the

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1 purpose of controlling the Army.

2 Q And that statement made to you was made
3 subsequent to the time that General TOJO assumed
4 the position of Premier, was that not right?

5 A Yes.

6 Q Was not the Chief of the Military Affairs
7 Bureau selected by the War Minister?

8 A You are right.

9 Q Was he not the sole authority in such
10 selection?

11 A Yes, you are right.

12 Q Were you ever asked at any time by General
13 TOJO to be Chief of the Military Affairs Bureau?

14 A Not even once.

15 Q If, as you say, you were opposed to the
16 policies of the military, why did you remain in
17 office until your resignation was requested in the
18 fall of 1942?

19 A I resigned.

20 Q Now, General, were not all these conver-
21 sations between yourself, MUTO and SATO, simply
22 friendly exchanges on social occasions and in no
23 way connected with official business?

24 A You are correct.

25 MR. BLEWETT: That is all. Thank you.

TANAKA

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THE PRESIDENT: Mr. Logan.

CROSS-EXAMINATION (Continued)

BY MR. LOGAN:

1
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3 Q General, you say that HONJO, General HONJO,
4 was the one who made up his mind that Manchukuo must
5 become an independent state. At least that is what
6 was conveyed to you in a conversation, is that
7 correct?
8

9 A It was in a talk with General ITAGAKI.
10 The independence of Manchuria cannot be effected
11 without the decision of General HONJO.

12 Q And that was his sole idea, that is, HONJO's
13 idea, is that correct?

14 A Yes, that is true in the light of his
15 official position of responsibility.

16 Q When that idea got back to Tokyo, the
17 Government was opposed to it; and by the Government
18 you mean the Cabinet, I suppose?

19 A Yes, I mean the Cabinet.

20 Q And not only was the Cabinet opposed to it,
21 but there was a divergence of views among the Army
22 as to whether or not it should be done, isn't that so?

23 A That is positively a fact.

24 Q In other words, there was no conspiracy
25 between all these men, was there?

TANAKA

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1 MR. COMYNS CARR: I must object to that, if
2 the Tribunal please.

3 MR. LOGAN: I withdraw the question.

4 Q And you spoke of the sphere of common
5 prosperity in your testimony this morning. By that
6 do you mean the Co-Prosperity Sphere?

7 A What I mean is to flourish together by
8 cooperating together.

9 Q By that do you mean the Co-Prosperity
10 Sphere, those words exactly?

11 A Yes.

12 Q You said this morning that idea was a
13 long-standing policy of the Japanese Government.
14 Isn't it a fact, General, that those words were
15 never used until 1939?

16 A I do not say that this phrase was used for
17 a long time in Japan; but, as you say, it is a fact
18 that it has been in use since 1914.

19 THE INTERPRETER: That was the statement of
20 the witness.

21 Q Those words "Co-Prosperity Sphere" have been
22 used in Japan since 1914, do you mean that, General?

23 A The idea that Asia must mutually cooperate
24 has been in currency for a long time, but the word
25 "Co-Prosperity" came into currency about the time of

TANAKA

CROSS

1 the ABE Cabinet when a plan for the establishment
2 of a trade ministry was under consideration.

3 Q In other words, those words "Co-Prosperity
4 Sphere" have no implication of any invasion, have
5 they, military invasion?

6 MR. COMYNS CARR: I object to that question,
7 your Honor.

8 THE PRESIDENT: This amounts to swearing
9 the issue if he answers. You can ask him what the
10 name implies in the way of action on the part of
11 Japan?

12 BY MR. LOGAN (Continued):

13 Q Do those words imply any military action on
14 the part of Japan?

15 A The words "Co-Prosperity Sphere" in itself
16 is a very fine expression and does not include any-
17 thing military -- any military action.

18 MR. LOGAN: Thank you, General.
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MR. SHIOBARA: Counsel SHIOBARA.

CROSS-EXAMINATION (Continued)

BY MR. SHIOBARA:

Q Is it possible for a vice-minister, who has not the status of a state minister, to work -- to act in the place of the War Minister?

A Absolutely not.

Q Was the Accused KIMURA ever appointed a state minister?

A No.

Q Then in cases where TOJO was absent on business and other matters was it not a fact that the position, the post of Vice War Minister remained -- I mean the position of War Minister remained vacant and no deputy or acting War Minister was appointed?

A You are correct.

Q Since the War Minister TOJO was appointed concurrently Prime Minister, did he remain mostly at the official residence of the Prime Minister and so preoccupy himself solely with the business of the Prime Minister leaving the business of the War Ministry in the hands of his vice-minister, or did he as previously continue to look after the business of the War Ministry at the same time?

A He cannot, that is, the War Minister cannot

TANAKA

CROSS

1 leave matters pertaining to state affairs in the
2 hands of Vice-Minister KIMURA. War Minister TOJO
3 himself took the leadership in supervising the work
4 of the War Minister.

5 Q In your testimony which you made either on
6 the sixth or seventh of January, you said that the
7 War Vice-Minister had no power of decision but did
8 the vice-minister have executive authority, that is,
9 to carry out the business routine within the War
10 Ministry?

11 A No. Only matters delegated to the vice-
12 minister could be carried out by him pertaining to
13 the business of the ministry.

14 Q In Article 16 of the regulations governing
15 organization -- general regulations governing organiza-
16 tion of ministries, and in the functions of vice-
17 minister is stipulated as follows: "The vice-minister
18 shall look after the business of his ministry and
19 supervise various bureaus and sections." By super-
20 vision do you mean that the vice-minister, if bureau
21 chiefs and section chiefs did not obey his orders, he
22 had the power to compel them to execute his orders
23 or to punish them?

24 THE MONITOR: Not "do you mean to say that
25 they had" but "did he have the power to punish or

TANAKA

CROSS

1 force the bureau chiefs to obey his orders."

2 A No.

3 Q Now, turning to the question of opium, since
4 the policy which Mr. Brooks mentioned was adopted in
5 Manchuria, did the number of opium smokers among
6 the Manchurian -- among the leaders -- Manchurian
7 officials and leaders in Manchuria decrease?

8 A I have indirectly heard that the number
9 decreased but not knowing the fact I cannot answer
10 positively.

11 Q Do you remember in what year the ABE
12 Cabinet planned to set up a Foreign Trade Ministry,
13 Foreign Trade Department, established the Foreign
14 Trade Department? In what year did the ABE Cabinet
15 establish the Foreign Trade Department, if you know?

16 A I think the ABE Cabinet was formed in
17 September, 1939, and its primary purpose was to set
18 up a Foreign Trade Ministry but, because of the strong
19 opposition of the Foreign Office, the plan proved
20 abortive. That is the principal reason for the fall
21 of the ABE Cabinet.

22 MR. SHIOBARA: That is all. This concludes
23 all the cross-examination.
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REDIRECT EXAMINATION

1 BY MR. COMYNS CARR:

2 MR. COMYNS CARR: Your Honor, there is only
3 one matter I need refer to on redirect examination,
4 and that is exhibit 74, the regulations about which
5 the witness was asked this morning. We find that
6 in the translation Article 10 has been accidentally
7 omitted. It reads as follows: In the Military
8 Affairs Bureau there are the Military Administration
9 Section and the Military Affairs Section." The next
10 article, numbered, in your copy, 10, should be 11,
11 and lists the business of the Military Administration
12 Section of which No. 5 is: "Matters concerning the
13 general control of the military estimates." Then
14 Article 12 lists the affairs of the Military Affairs
15 Section: "1. Matters concerning general affairs of
16 national defense policy;

17 "2. Matters concerning international
18 regulations;

19 "No. 4. Matters concerning general affairs
20 of national mobilization" it should be instead of
21 demobilization;

22 "5. Matters concerning army affairs of
23 Manchuria and China and others concerned with them;

24 "6. Matters concerning army affairs of
25 foreign countries other than Manchuria and China."

TANAKA

REDIRECT

1 MR. LOGAN: If the Tribunal please, I don't
2 know exactly what my friend is doing here, if he is
3 correcting an exhibit or reporting from the Language
4 Section or whether he is cross-examining the witness
5 or just what it is. Frankly I don't know.

6 THE PRESIDENT: Obviously it is preliminary
7 to the asking of a question on re-examination, but
8 if there is any contest about this correction it
9 should be referred to the board. If the correction
10 is not agreed upon, Mr. Carr, I suppose you will
11 have to refer to the board.

12 MR. COMYNS CARR: Quite so, your Honor. The
13 main purpose in which I was engaged was drawing the
14 attention of the Tribunal to the regulations about
15 which the witness was being cross-examined this
16 morning which were not before the Tribunal while he
17 was being cross-examined. Incidentally, I find it is
18 necessary to make those two corrections.

19 "7. Matters concerning connection affairs
20 with the Imperial Diet;

21 "8. Matters concerning popularization of
22 national defense spirit and counterplan for nation's
23 thoughts."

24 BY MR. COMYNS CARR:

25 Q The question I want to ask the witness is

TANAKA

REDIRECT

1 this: Was the section of which you have told us
2 that SATO was the head before he became head of
3 the whole bureau, was that the Military Administra-
4 tion Section or was it the Military Affairs Section?

5 A He was chief of the Military Affairs Section.

6 MR. COMYNS CARR: Thank you. That is all
7 we have to ask him.

8 THE PRESIDENT: The witness is excused on
9 the usual terms.

10 (Whereupon, the witness was excused)

11 THE PRESIDENT: Will you finish tomorrow,
12 Mr. Carr?

13 MR. COMYNS CARR: I hope so, your Honor.

14 THE PRESIDENT: Colonel Mornane.

15 LIEUT. COLONEL MORNANE: If it please the
16 Tribunal: I propose to introduce two documents to
17 complete the case against the Accused HOSHINO. The
18 first is prosecution document No. 587B. It is a
19 page from the Japanese newspaper Yomiuri of the 5th
20 of November, 1940, containing an article "The Outline
21 of Ten-Year Plan for Block Economy of Japan-Manchoukuo-
22 China."

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document
25 No. 587B will receive exhibit No. 2224.

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(Whereupon, the document above referred to was marked prosecution's exhibit No. 2224 and received in evidence.)

LIEUT. COLONEL MORNANE: I tender the article itself in evidence. I propose to read excerpts marked in the exhibit.

THE PRESIDENT: You propose to read quite a lot of this document, Colonel?

We will adjourn until half past nine tomorrow morning.

(Whereupon, at 1550, an adjournment was taken until Thursday, 23 January 1947, at 0930.)

