

could be given to this it would appear that this decision was made at the Liaison conference of September 1940. (The Liaison conference in those years tended more than Cabinet meetings to make policy; it consisted of representatives of the key ministries and the two armed services). A more binding and irrevocable decision was made in the Imperial conferences of July 2 and September 6, 1941. But with the benefit of hindsight it could be argued that the die was really cast at the Liaison conference mentioned above when the implications of Japan's joining the Axis powers were fully comprehended. As the records of these conferences are available in the form of exhibits, the historian can find ample material to decide how and where such vital decisions were made. It might be noted in passing that basic issues were often decided by comparatively junior officials at lower levels speaking on behalf of the army and navy, then ratified by a conference of senior officials perhaps in the form of an Imperial conference, that is to say in the presence of the Emperor.

Effect of Trial

It is too soon after the judgment to attempt to estimate the effect the trial has had on Japanese public opinion and the extent to which it may have helped in the political education of the Japanese. It should be pointed out however that the Japanese press and journalistic publications have published an impressive body of commentary on different aspects of the trial. In the long run the documentation made available by the court will be of inestimable value chiefly to Japanese historians who for the first time will have access to unique personal memoirs and to state papers on all aspects of Japanese policy in the pre-war years. In view of the unwieldy bulk of the record and its inaccessibility to the public at large it is the task of interested historians to digest this mass of documentation and present in comprehensible form an account of the rise and fall of Japanese militarism.

ATROCITIES AGAINST PRISONERS OF WAR

Concurrently with the trial of essentially political prisoners by the I.M.T.F.E. in Tokyo, military commissions in Yokohama dealt with the large number of individuals charged with atrocities against prisoners of war and civilian populations. On October 2, 1945, Legal Section was established by SCAP as a Special Staff Section of General Headquarters to advise him on legal matters of a general nature, on general policies and procedures in respect of war criminals, and to assist in the prosecution of war criminals. It was to be responsible for the prosecution in U.S. Eighth Army military commissions of "B" and "C" war criminals, i.e. those individuals who violated the laws and customs of war and those persons guilty of crimes against humanity such as murder, group extermination, enslavement of populations etc. These "minor" war crimes trials continue at this writing, but as of December 9, 1948 there had been 303 trials committed, involving 844 persons. Of this group 114 were sentenced to death, 52 were given life sentences, 80 were acquitted and the remainder were given sentences varying from a few months to 50 years.

Although these commissions were set up as U. S. military courts, various governments were asked to have representation on the bench and in the prosecution staff where their nationals had been victims. The Canadian Division of Legal Section, GHQ, began its work on April 16, 1946, and continued until