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GOVERNMENT SECTION

20 June 1951

MEMORANDUM FOR: Lt Col Jack P. Napier

SUBJECT : Removal of Restrictions on SCAPIN 93 Purgees

1. Reference the attached proposal from the Japanese Government.

2. Referenced paper proposes to:

a. Allow SCAPIN 93 purgees to be reappointed to any position except posts within the Public Attorney's Office (Attorney General's or Public Procurator's Office) and/or police organs -- see paragraph 2a of referenced memorandum.

b. Whenever SCAPIN 93 purgees are to be appointed to the Public Attorney's office and/or police organs, such persons will be examined individually except certain ones won't be so examined -- see paragraph 2b of referenced memorandum.

c. SCAPIN 338 prohibiting pensions and benefits being paid to a certain class of individuals will not apply to SCAPIN 93 purgees -- see paragraph 2c of referenced memorandum.

3. Pertinent extracts from SCAPINS concerned:

Paragraph 1a, SCAPIN 93 -- "None of the above persons (those removed under SCAPIN 93) will be reappointed to any position under the Ministry of Home Affairs, the Ministry of Justice, or any police organ in Japan."

Paragraph 1, SCAPIN 338 -- "The Imperial Japanese Government has been directed to take the necessary steps as rapidly as practicable ... to terminate all payments except as authorized by this Headquarters of any public or private pensions or any emoluments or benefits of any kind granted or conferred to any person; ...who has been removed from any office or position as a result of any order of the Supreme Commander for the Allied Powers."

4. Opinion of the paper:

a. The entire paper is outside the normal scope of Government Section's sphere of staff responsibility.

SCAPIN 93 was issued by CIS: SCAPIN 338 was issued by NSS/FI.

b. By a strict interpretation of SCAPIN 93, the proposal in paragraph 2a of the attached paper apparently does not violate SCAPIN 93.

c. The proposal in paragraph 2b of the attached paper appears to be a direct violation of SCAPIN 93.

d. The proposal in paragraph 2c of the attached paper appears to be in direct violation of SCAPIN 338.

JDM

Cabinet Order No. 221

June 18, 1951

Cabinet Order for Establishment of Council for Examination of Qualification for Public Office

In accordance with the Imperial Ordinance concerning the Orders to be issued in Consequence of the Acceptance of the Potsdam Declaration (Imperial Ordinance No. 542 of 1945), the Cabinet establishes this Cabinet Order.

(Establishment)

Article 1. There shall be established a Council for Examination of Qualification for Public Office (hereinafter referred to as "the Examination Council") as an organ attached to the Prime Minister's Office, in order to conduct examination with regard to the cancellation of the designation, or the cancellation of a part of the reason for the designation, of a person who has been designated as the person who falls under the Memorandum according to the provisions of the Imperial Ordinance relating to the Exclusion, Retirement, Etc. in respect to Public Offices (Imperial Ordinance No. 1 of 1947) (including a person who, according to the provisions of Article 12 of the Organizations Control Order (Cabinet Order No. 64 of 1949), is deemed to have been designated as the person who falls under the Memorandum according to the Imperial Ordinance relating to the Exclusion, Retirement, etc. in respect to Public Offices; hereinafter referred to as "the person who falls under the Memorandum").

(Responsibilities)

Article 2. The Examination Concil shall return its opinion ~~accord-~~ in response to the inquiries by the Prime Minister ~~ing to its responsibilities~~ with regard to the cancellation of the designation, or the cancellation of a part of the reason for the designation, as the person who falls under the Memorandum according to the provisions of Article IV-(2), paragraph 1, of the Imperial Ordinance relating to the Exclusion, Retirement, etc. in respect to Public Offices.

(Organisation)

Article 3. The Examination Council shall be composed of not more than seven members.

2. The members shall be appointed by the Prime Minister from among persons of learning and experience.

3. There shall be a Chairman in the Examination Council. The Chairman shall be co-opted by the members.

4. The Chairman shall preside over the affairs of the Examination Council.

(Proceedings)

Article 4. No session of the Examination Council shall be opened unless a majority of the members including the Chairman are present.

2. The proceedings of the Examination Council shall be decided by the majority of the members present. In case of a tie, the Chairman shall decide the issue.

(Duty to Preserve Secrecy)

Article 5. The members shall not divulge matters concerning the examination by the Examination Council, except the matters which have been made public by the Prime Minister.

(Administration of General Affairs)

Article 6. The general affairs of the Examination Council shall be administered by the Supervision Section of the Prime Minister's Secretariat.

(Miscellaneous Provisions)

Article 7. Besides the matters provided for in the preceding four Articles, formalities of proceedings and other matters necessary for the functioning of the Examination Council shall be fixed by the Chairman.

Supplementary Provisions

1. This Cabinet Order shall come into force as from the day of its promulgation.

2. The Prime Minister's Office Establishment Law (Law No. 127 of 1949) shall partially be amended as follows:

In the table of Article 15, paragraph 1,

"Multiple Purpose Land Development Council	To take charge of the matters placed under its jurisdiction in accordance with the provisions of the Multiple Purpose Land Development Law (Law No. 205 of 1950)"

shall be amended as

"Multiple Purpose Land Development Council	To take charge of the matters placed under its jurisdiction in accordance with the provisions of the Multiple Purpose Land Development Law (Law No. 205 of 1950)
Council for Examination of Qualification for Public Office	To take charge of the matters placed under its jurisdiction in accordance with the Cabinet Order for Establishment of Council for Examination of Qualification for Public Office (Cabinet Order No. 221 of 1951)".

file Purge Background

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 091.1 (16 Jun 51)GS 16 June 1951
SCAPIN 2156

MEMORANDUM FOR: JAPANESE GOVERNMENT

SUBJECT: Rescission of Memorandums for the Japanese Government

1. The following Memorandums for the Japanese Government are hereby rescinded:

a. AG 201-TAKEUCHI, K. (31 Jan 46)CIS, SCAPIN 682, 31 January 1946, subject: Removal from Office of TAKEUCHI, Kisaburo.

b. AG 014.1 (3 May 46)GS, SCAPIN 919, 3 May 1946, subject: Removal and Exclusion from Public Office of Diet Member.

c. AG 091.1 (8 Jun 46)GS, SCAPIN 1007, 8 June 1946, subject: Removal and Exclusion of Mayoral Appointee.

d. AG 091.112 (4 Sep 46)GS, SCAPIN 1175, 4 September 1946, subject: Temporary Retention of Public Official under SCAPIN 550 - Daigoro YASUKAWA.

e. AG 091.112 (4 Sep 46)GS, SCAPIN 1176, 4 September 1946, subject: Temporary Retention of Public Official under SCAPIN 550 - Kogoro UEMURA.

f. AG 095 (26 Sep 46)PH, SCAPIN 1231, 26 September 1946, subject: Removd of Yoshisuke YASUMI, Pharmacy Section, Bureau of Hygiene, Ministry of Health and Social Affairs.

FOR THE SUPREME COMMANDER:

/s/ E. S. BUSH
Brigadier General, USA
Adjutant General

Come Back

Government Section

APO 500
15 June 1951

MEMORANDUM FOR : Director-General
Cabinet Secretariat

SUBJECT : Administration of SCAPIN 550

On 5 June 1951, the Deputy Chief of Government Section informed the Chief Liaison Officer of the Japanese Government that it was the SCAP's intention that the cases of all purged persons where purge was not demanded by Far Eastern Commission policy decisions be considered for rescission equally and without restraint under existing procedures, confirming the Supreme Commander's intention that the Japanese Government process the so-called Memorandum Cases on the basis of complete equality of consideration with other cases. Pursuant thereto, the memorandums to the Japanese Government directing the purge of the individuals named in the attached list have been rescinded.

FRANK RIZZO
Chief, Government Section.

1 Incl:
List of Rescinded Memorandums

LIST OF RESCINDED MEMORANDUMS

MEMORANDUM FOR:	SUBJECT	DATE
Director General Cabinet Secretariat	Administration of SCAPIN 550 KAWAKAMI, Jotaro	12 May 1948
Director General Cabinet Secretariat	Administration of SCAPIN 550 ONO Toshio	9 Apr 1948
Director General Cabinet Secretariat	Administration of SCAPIN 550 HATTORI Ryoichi	9 Apr 1948
Director General Cabinet Secretariat	Status Unier SCAPIN 550 YAMAUCHI Naomoto	31 Dec 1947
Director General Cabinet Secretariat	Status Under SCAPIN 550 YONEZAWA Nototake	13 Dec 1947
Director General Cabinet Secretariat	Administration of SCAPIN 550 TOKUGAWA Nobukata	11 Dec 1947
Director General Cabinet Secretariat	Administration of SCAPIN 550 OMIYA Gosaburo	3 Nov 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 MEGATA Shigeyoshi	17 Jul 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 SAKATA Mikita	20 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 INAMORI Shigesi	17 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 SAITO Takuma	12 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 KAWAMURA Wakadi	12 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 HOTTA Masaiku	10 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 HIRAOKA Ryozo	10 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 TANIKAWA Noboru	6 Jun 1947

MEMORANDUM FOR:	SUBJECT	DATE
Central Liaison Office Tokyo	Administration of SCAPIN 550 MIZUNO Takeo	6 Jun 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 KITA Reikichi	26 May 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 KEIMATSU Shozaemon	15 May 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 SANEOMIYA Korenobu	13 May 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 KONDO Katsumi	8 May 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 ISHIBASHI Tanzan	7 May 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 ZEN Keinosuke	28 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 FUJIWARA Tozo	26 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 IRIMAJIRI Yoshiyasu	24 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 INAMURA Hitoshi	24 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 MORIYA Waro	18 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 YOSHIHATSU Takashi	16 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 SUEDA Naonori	14 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 HINO Yoshio	14 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 ASADA Isoichi	14 Apr 1947

MEMORANDUM FOR	SUBJECT	DATE
Central Liaison Office Tokyo	Administration of SCAPIN 550 SASAMOTO Kazuo	1 Apr 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 TESHIMA Sakae	31 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 HANACHI Tatsusuke	29 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 TAKEUCHI Shigeyo	28 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 IKEDA Tomoichi	28 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 FUJIHARA Sakubei	28 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 HAKAZAWA Chuichi	27 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 FUTAMI Yasusato	27 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 TABUCHI Iwao	25 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 UEKI Toshio	19 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 NAKAYAMA Teruo	19 Mar 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 NAGAI Gen	5 Feb 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 IDEMITSU Sazo	5 Feb 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 FUJINUMA Shohei	16 Jan 1947
Central Liaison Office Tokyo	Administration of SCAPIN 550 KAFSUKI Tatsuo	18 Dec 1946

MEMORANDUM FOR	SUBJECT	DATE
Central Liaison Office	Removal and Exclusion of Diet Member Sanehiko YAMAMOTO	10 Dec 1946
Chief of the Political Section, Central Liaison Office, Tokyo	Removal and Exclusion of MURA Miseo--Reference: (a) CLO Memo dated 28 October 1946. Application for Exemption from Dismissal of MURA Miseo	20 Nov 1946
Chief of the Political Section, Central Liaison Office, Tokyo	Removal and Exclusion of MIZUNO Jinjiro	13 Nov 1946
Chief of Political Section, Central Liaison Office, Tokyo	Disapproval of Taichi NAKAYAMA under SCAPIN 550 as a Member of the House of Peers	24 Oct 1946
Chief of Political Section, Central Liaison Office, Tokyo	Disapproval of YAMAZAKI Tsunekichi, as a Member of the Diet	17 Oct 1946
Chief of the Political Section, Central Liaison Office, Tokyo	Disapproval of IWATA Chuzo for Government Service Under SCAPIN 550	20 Aug 1946
Chief of the Political Section, Central Liaison Office, Tokyo	Disapproval of KABAYAMA Aisuke for Government Service Under SCAPIN 550	19 Aug 1946
Chief of the Political Section, Central Liaison Office, Tokyo	Disapproval of KAWAKAMI Tatsukichi for Position as Public Procurator	15 Aug 1946
Chief of the Political Section, Central Liaison Office, Tokyo	Removal from Membership in the Diet, House of Representatives, and Barring from Government Service of KOBAYASHI Kanae	20 Jul 1946
Mr. Atsushi Uyama, CLO Tokyo	Barring from Position as Auditor, National Rehabilitation Bank	11 Jul 1946

MEMORANDUM FOR	SUBJECT	DATE
Mr. Atsushi Uyama, Central Liaison Office, Tokyo	Barring from Chairmanship in the Holding Company Liquidation Commission and from Government Service or Public Office of ILJIMA Manji	10 Jul 1946
Central Liaison Office Tokyo	KONO Mitsu	8 Jul 1946
Mr. Atsushi Uyama Central Liaison Office Tokyo	Removal from the House of Peers and Barring from Government Service of MIYAKE and MATSUI	2 Jul 1946
Central Liaison Office Tokyo	Removal from the House of Peers and Barring from Government Service of MUSHANOKOJI and NOMURA	27 Jun 1946
Central Liaison Office Tokyo	Removal from Public Office and Exclusion from Government Service of Certain Diet Members	25 Jun 1946
Central Liaison Office Tokyo	Disapproval of Request That SUZUKI Kojiro be Reinstated in Office	12 May 1947
Central Liaison Office Tokyo	Disapproval of Request that SHIGEMASA Seiichi be Retained in the Public Service	16 May 1947

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

AG 091.1 (16 Jun 51)GS
SCAPIN 2156

16 June 1951

MEMORANDUM FOR: JAPANESE GOVERNMENT

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d. AG 091.112 (4 Sep 46)GS, SCAPIN 1175, 4 September 1946, subject: Temporary Retention of Public Official under SCAPIN 550 - Daigoro YASUKAWA.

e. AG 091.112 (4 Sep 46)GS, SCAPIN 1176, 4 September 1946, subject: Temporary Retention of Public Official under SCAPIN 550 - Kogoro UEMURA.

f. AG 095 (26 Sep 46)PH, SCAPIN 1231, 26 September 1946, subject: Removal of Yoshisuke YASUMI, Pharmacy Section, Bureau of Hygiene, Ministry of Health and Social Affairs.

FOR THE SUPREME COMMANDER:

K. B. Bush

K. B. BUSH
Brigadier General, USA
Adjutant General

Lt Col Benson/jcc 26-8979

Policy - Re-hire of Depurgees

G-1 Govt Section 21 May 51

1 1. The attached communication requesting a statement of policy reemployment of depurgees by the occupation forces is forwarded as a matter pertaining to Government Section.

2. Request G-1 be furnished an information copy of reply.

1 Incl
Comm fm British Commonwealth
Forces, 4 May 1951

- B. L. M. - - - - - - - - - - - - - - -

GS Files

Lt Col Napier 26-6962

From: GS To: G-1 Date: 23 May 51
Thru: ESS/LA

2 1. The general policy regarding civilian labor employed by Occupation Forces is a matter pertaining to ESS/LA.

2. Reference: par. 1f (2)(a), Operational Directive 1/5, Hqs 8th Army, dated 13 Sep 46, and par. 1e (5)(a), ltr, GHQ SCAP, file AG 230 (23 Jul 46) ESS/LA, dated 23 Jul 46. There are no restrictions on the basis of subject references on employment by Occupation agencies of any person who has been released from the provisions of AG 091.1 (4 Jan 46)GS, (SCAPIN 550, dated 4 Jan 46).

1 Incl
n/c

- F. R. - - - - - - - - - - - - - - -

Purge Background File

2 May 1951

MEMORANDUM TO: Lt. Col. Napier

SUBJECT : Study of Purge Requirements

1. Attached are charts comparing provisions of Appendix I, Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947, with the requirements of Appendix A, SCAPIN 550, and with the requirements of the pertinent FEC Directives.

Comparison of Provisions of SCAPIN 550 with requirements of FEC Directives: TAB I

Comparison of Provisions of Appendix A, Cabinet and Home Affairs Ministry Ordinance No. 1 with requirements of SCAPIN 550 and FEC Directives: TAB II

Paragraph I, Appendix I	Tab A
Paragraph II, Appendix I	Tab B
Paragraph III, Appendix I	Tab C
Paragraph IV, Appendix I	Tab D
Paragraph V, Appendix I	Tab E
Paragraph VI, Appendix I	Tab F
Paragraph VII, Appendix I	Tab G
Extract of FEC 014/10	Tab a
Extract of FEC 017/20	Tab b
SCAPIN 550	Tab c

2. As the following provision of Paragraph 13, FEC 017/20, depends on a SCAP policy decision and reference is to individuals, not to classes of persons, it was not considered in this study:

> "The Supreme Commander for the Allied Powers may authorize the nomination or employment of a person coming within categories a and c if his record shows that he has been an opponent of Japanese expansionism and totalitarianism."

2 May 1951

Memo to: Lt. Col. Napier

3. In brief, the study indicates that:

a. SCAPIN 550 is written generally in strict accordance with the FEC requirements. Only in one or two minor instances do its requirements exceed those of the Far Eastern Commission.

b. Provisions of Appendix A, Cabinet and Home Affairs Ministry Ordinance No. 1, however, do exceed the requirements of both SCAPIN 550 and the FEC Directives in several major instances.

J.D.M.

1 Incl
Charts (as listed in
Para 1 of Memo)

REQUIREMENTS OF FEC AS CONTAINED IN APPENDIX A, SCAPIN 550

Provisions of Appendix A, SCAPIN 550	Requirements of FEC Directives
Para A. War Criminals	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a) in that the directive required war criminals be taken into custody - and by implication - be subjected to the lesser restrictions of the Purge.
Para B.1. Member of: Board of Fleet Admirals and Field Marshals	Direct requirement of Para. 13a, FEC 017/20 (Tab b)
Supreme Military Council	"
Imperial General Headquarters	"
Army and Navy General Staffs	"
Supreme Council for Direction of the War	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a), in that such were active exponents of militarism and militant nationalism.
2. Commissioned officer in the Imperial Japanese Regular Army or Navy or in the Special Volunteer Reserve	Direct requirement of Para 13, FEC 017/20 (Tab b)
3. Kempei Tai, etc. Personnel: (Career) Commissioned officer	Direct requirement of Para 13, FEC 017/20 (Tab b)
(Reserve) Commissioned officer	Conditional requirement of Para 13 b, FEC 017/20 (if non purge would harm cause of peace and security).
Non-commissioned officer Enlisted man Civilian	Conditional requirement of Para 1, Part III, FEC 014/10 (if individual was an active exponent of militarism and militant nationalism.)

Provisions of Appendix A. SCAPIN 550	Requirements of FEC Directives
4. Ministry of War Minister	Direct requirement of Para 13 a, FEC 017/20 (Tab b) in that Ministers of War were selected from Career Officers.
Permanent Vice-Minister Parliamentary Vice-Minister Parliamentary Councillor Chief Secretary	Logical inference of Para 1, Part III, FEC 014/10 (Tab a) in that such were active exponents of militarism and militant nationalism.
All civilian officials of the civil service rank of Chokunin, or above, or who occupy positions normally held by persons of such rank	Conditional requirement of Para 1, Part III, FEC 014/10 (if individual was an active exponent of militarism and militant nationalism.)
5. Ministry of the Navy Minister	Direct requirement of Para 13 a, FEC 017/20 (Tab b) in that Ministers of Navy were selected from Career Officers.
Permanent Vice-Minister Parliamentary Vice-Minister Parliamentary Councillor Chief Secretary	Logical inference of Para 1, Part III, FEC 014/10 (Tab a) in that such were active exponents of militarism and militant nationalism.
All civilian officials of the civil service rank of Chokunin, or above, or who occupy positions normally held by persons of such rank	Conditional requirement of Para 1, Part III, FEC 014/10 (if individual was an active exponent of militarism and militant nationalism.)

Provisions of Appendix A, SCAPIN 550	Requirements of FEC Directives
Para C. <u>Influential Members of Ultra-nationalistic, Terroristic or Secret Patriotic Societies.</u> Any person who has at any time: 1. Been a founder, officer, or director of; or 2. Occupied any post of authority in; or 3. Been an editor of any publication or organ of; or 4. Made substantial voluntary contributions (a sum or property the value of which is large in itself or large in proportion to the means of the individual in question) to any of the organizations or their branches, subsidiaries, agencies, or affiliates (other than the organizations referred to in paragraph D below) described in the Memorandum to the Japanese Government on "Abolition of Certain Political Parties, Associations and Societies" AG 091 (4 Jan 46) GS.	Logical inference of Para 1, Part III, FEC 014/10 in that these may be regarded as <u>leaders</u> of ultranationalistic and militaristic organizations who are required to be taken into custody, with the implication that they should be subjected also to the purge.
Para D. <u>Persons Influential in the Activities of IRAA, IRAPS, and the Political Association of Great Japan</u> Any person who has at any time: 1. Been a founder or national officer, a national committee chairman, or a leading official of a prefectural or metropolitan sub-division of; or	Logical inference of Para 1, Part III, FEC 014/10 in that these may be regarded as <u>leaders</u> of ultranationalistic and militaristic organizations who are required to be taken into custody, with the implication that they should be subjected also to the purge.

Provisions of Appendix A, SCAPIN 550	Requirements of FEC Directives
Para D. (cont'd) 2. Been an editor of any publication or organ of: a. The Imperial Rule Assistance Association (Taisei Yokusankai) and any of its affiliates. b. The Imperial Rule Assistance Political Society (Taisei Seijikai) and any of its affiliates or agencies. c. The Political Association of Great Japan and any of its affiliates or agencies.	
Para E. Officers of Financial and Development Organizations involved in Japanese Expansions: Any person who has at any time between 7 July 1937 and 2 September 1945, occupied any of the positions listed below: Chairman of the Board of Directors, President, Vice-President, Director, Advisor or Auditor of any of the following or, in territory occupied by the Japanese armed forces since 7 July 1937, manager of a branch of: (See list of 20 organizations named in SCAPIN 550) Any other bank, development company or institution whose foremost purpose has been the financing of colonization and development activities in colonial and Japanese-occupied territory, or the financing of war production by the mobilization or control of the financial resources of colonial or Japanese-occupied territories.	Logical inference of Para 2, Part IV, FEC 014/10 (Tab a) in that the FEC Directive prohibits the retention in important positions in the Economic field of individuals who because of their past association cannot be trusted to direct Japanese economic effort solely towards peaceful and democratic ends. Logical inference of Para 1, Part III, FEC 014/10 in that such persons may be regarded as active exponents of militarism and militant nationalism. Logical inference of Para 1, Part III, FEC 014/10 in such may be regarded as important exponents of aggression who were required to be taken into custody and by implication subjected also to the lesser restrictions of the purge.

Provisions of Appendix A, SCAPIN 550	Requirements of FEC Directives
Para F. Governors of Occupied Territories Japanese officials who have held the positions listed below: (See list of positions in SCAPIN 550)	Logical inference of Para 1, Part III, FEC 014/10 (Tab a) in that such persons may be regarded as active exponents of militarism and militant nationalism.
	Logical inference of Para 1, Part III, FEC 014/10 in that such persons may be regarded as important exponents of militarism and aggression who were required to be taken into custody and by implication subjected also to the lesser restrictions of the purge.
Para C. Additional Militarists and Ultra-Nationalists 1. Any person who has denounced or contributed to the seizure of opponents of the militaristic regime. 2. Any person who has instigated or perpetrated an act of violence against opponents of the militaristic regime. 3. Any person who has played an active and predominant governmental part in the Japanese program of aggression or who by speech, writing or action has shown himself to be an active exponent of militant nationalism and aggression.	Logical inference of Para 1, Part III, FEC 014/10 (Tab a) in that such persons may be regarded as active exponents of militarism and militant nationalism. Logical inference of Para 1, Part III, FEC 014/10 in that such persons may be regarded as important exponents of militarism and aggression who were required to be taken into custody and by implication subjected also to the lesser restrictions of the purge.

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN PARAGRAPH I, APPENDIX I, CABINET AND HOME MINISTRY ORDINANCE NO. 1 OF 1947

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
War Criminals	Direct requirement of Para. A, Appendix A, SCAPIN 550.	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a) in that the directive required war criminals be taken into custody - and by implication - be subjected to the lesser restrictions of the Purge.

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN PARAGRAPH II, APPENDIX I, CABINET AND HOME MINISTRY ORDINANCE NO. 1 OF 1947

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
1. Member of:		
Board of Fleet Admirals and Field Marshals	Direct requirement of Para. B 1, Appendix A, SCAPIN 550	Direct requirement of Para. 13a. FEC 017/20 (Tab b)
Supreme Military Council	"	"
Imperial General Headquarters	"	"
Army and Navy General Staffs	"	"
Supreme Council for Direction of War	"	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a), in that such were active exponents of militarism and militant nationalism.
2. Commissioned officer in the Regular Army	Direct requirement of Para. B 2, Appendix A, SCAPIN 550	Direct requirement of Para 13 a, FEC 017/20 (Tab b)
3. Army Special Volunteer Reserve	"	"
4. Commissioned officer in the Regular Navy	"	"
5. Navy Special Volunteer Reserve Officer	"	"
6. Kempei Tai Personnel:		
Career Commissioned Officer	Direct requirement of Para. B 3, Appendix A, SCAPIN 550	Direct requirement of Para 13 a, FEC 017/20 (Tab b)

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
Reserve Commissioned Officer	Direct requirement of Para. B 3, Appendix A, SCAPIN 550	Conditional requirement of Para. 13 b, FEC 017/20 (if non purge would harm cause of peace and security).
Non-Commissioned Officer Enlisted man Civilian employee	"	Conditional requirement of Para 1, Part III, FEC 014/10 (if individual was an active exponent of militarism and militant nationalism.)
7. Ministry of War: Minister	Direct requirement of Para. B 4,	Direct requirement of Para. 13 a, FEC 017/20 (Tab b) in that Ministers of War were selected from Career Officers
Permanent Vice Minister Parliamentary Vice-Minister Parliamentary Councillor Chief Secretary	Direct requirement of Para. B 4, Appendix A, SCAPIN 550.	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a) in that such may be regarded as active exponents of militarism and militant nationalism.
Any civilian official of the Civil Service Rank of Chokunin or above, or who occupied a position normally held by a person of such rank.	"	Conditional requirement of Para 1, Part III, FEC 014/10 (if individual was an active exponent of militarism and militant nationalism.)

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
8. Ministry of Navy	Direct requirement of Para. B 5, Appendix A, SCAPIN 550.	Direct requirement of Para. 13 a, FEC 017/20 (Tab b) in that Ministers of Navy were selected from Career Officers
Permanent Vice Minister Parliamentary Vice-Minister Parliamentary Councillor Chief Secretary	Direct requirement of Para. B 5, Appendix A, SCAPIN 550.	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a) in that such may be regarded as active exponents of militarism and militant nationalism.
Any civilian official of the Civil Service Rank of Chokunin or above, or who occupied a position normally held by a person of such rank.	"	Conditional requirement of Para. 1, Part III, FEC 014/10 (if individual was an active exponent of militarism and militant nationalism.)

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN PARAGRAPH III, APPENDIX I, CABINET AND HOME MINISTRY ORDINANCE NO. 1 of 1947.

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
Influential Members of Ultra-nationalistic, Terroristic or Secret Patriotic Societies. Any person who has at any time: 1. Been a founder, officer or director of, or 2. Occupied any post of authority in; or 3. Been an editor of any publication or organ of; or 4. Made substantial voluntary contributions (a sum or property the value of which is large in itself or large in proportion to the means of the individual in question) to: The national organization or metropolitan, Do, Fu, Ken... branch of any of the following organizations. (List of organizations follows)	Direct requirement of Para. C, Appendix A, SCAPIN 550	Logical inference of Para. 1, Part III, FEC 014/10 in that these may be regarded as leaders of ultra-nationalistic and militaristic organizations, who are required to be taken into custody, with the implication that they should also be subjected to the lesser restrictions of the purge.
The ... Gun (including area under jurisdiction of head of branch of the prefectural office) city, ward, town or village branch of any of the following organizations. (List of organizations follows)	Not specifically required (See Para. C, Appendix A, SCAPIN 550)	Not specifically required by Para. 1, Part III, FEC 014/10 in that these may not necessarily be the leaders of ultra-nationalistic and militaristic organizations.

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN PARAGRAPH IV, APPENDIX I, CABINET AND HOME MINISTRY ORDINANCE NO. 1 of 1947

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
Persons influential in the Activities of IRAA, IRAPS and the Political Associations of Great Japan: Any person who has at any time held any of the following or commensurate positions: (List of IRAA and affiliates follows with list of National, Prefectural and metropolitan positions)	Direct requirement of Para. D, Appendix A, SCAPIN 550	Logical inference of Para. 1, Part III, FEC 014/10 in that these may be regarded as <u>leaders</u> of ultranationalistic and militaristic organizations who are required to be taken into custody, with the implication that they should be subjected also to the purge.
(List of IRAA and affiliates follows with list of Gun, city, village and town positions)	Not specifically required (See Para. D, Appendix A, SCAPIN 550)	Not specifically required by Para. 1, Part III, FEC 014/10 in that these may not necessarily be regarded as the <u>leaders</u> of ultranationalistic and militaristic organizations

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN PARAGRAPH V, APPENDIX I, CABINET AND HOME MINISTRY ORDINANCE NO. 1 OF 1947

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
Officers of Financial and Development Organizations involved in Japanese Expansions:		
1. Any person who has at any time between 7 July 1937 and 2 September 1945 occupied the position of Chairman of the Board of Directors, President, Vice-President, Directors, Advisor, or Auditor of any of the following or, manager of a controlling branch or a branch commensurate thereto of the following in Japanese Colonial Possession or any territory occupied by the Japanese Army since July 7, 1937.	Direct requirement of Para. E., Appendix A, SCAPIN 550.	Logical inference of Para. 2, Part IV, FEC 014/10 (Tab a) in that the FEC Directive prohibits the retention in important positions in the Economic field of individuals who because of their past association cannot be trusted to direct Japanese economic effort solely towards peaceful and democratic ends
(List of organizations follow) Any other bank, development company or institution whose foremost purpose has been the financing of colonization and development activities in colonial and Japanese occupied territory or the financing of war production by the mobilization or control of the financial resources of colonial or Japanese-occupied territories.		Logical inference of Para. 1, Part III, FEC 014/10 in that such persons may be regarded as active exponents of militarism and militant nationalism Logical inference of Para. 1, Part III, FEC 014/10 in such may be regarded as important exponents of aggression who were required to be taken into custody and by implication subjected also to the lesser restrictions of the purge.

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
2. Any person who has held the position of the Manager of a branch, or agency or a representative in the territory occupied by the Japanese armed forces of the Bank of Japan at any time between July 7, 1937 and September 2, 1945.	Not specifically required (See Para. E., Appendix A, SCAPIN 550)	No specific requirement contained in Para. 1, Part III, or Para. 2, Part IV, FEC 014/10.

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN PARAGRAPH VI, APPENDIX I, CABINET AND HOME MINISTRY ORDINANCE No. 1 OF 1947

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
Governors of Occupied Territories. Any person who has held any of the following positions: (List of positions follows)	Direct requirement of Para. F, Appendix A, SCAPIN 550.	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a) in that such persons may be regarded as <u>active exponents of militarism and militant nationalism.</u>
		Logical inference of Para. 1, Part III, FEC 014/10 in that such persons may be regarded as <u>important exponents of militarism and aggression</u> who were required to be taken into custody and by implication subjected also to the lesser restrictions of the purge.

REQUIREMENTS OF FEC AND SCAPIN 550 AS CONTAINED IN
PARAGRAPH VII, APPENDIX I, CABINET AND HOME MINISTRY
ORDINANCE NO. 1 OF 1947

Provisions of Imperial Ordinance No. 1, Appendix I. of 1947	SCAPIN 550	FEC Directives
Whether a person will fall under Paragraph G, titled "Additional Militarists and Ultra-Nationalists", will be determined by inquiring into his past records. However, general criteria for such decisions will be as follows:		
1. Any person who held between July 7, 1937 and September 2, 1945, one of the following positions will be considered falling under the provisions of Paragraph G of the Memorandum. (List of important governmental positions follows.)	Not specifically required by Para. G., Appendix A, SCAPIN 550.	Not specifically required by Para. 1, Part III, FEC 014/10 in that such persons may not necessarily be regarded as important exponents of militarism and aggression, nor as active exponents of militarism or militant nationalism.
2. Any person who held between July 7, 1937 and September 2, 1945 one of the following positions and about whom there has been conspicuous evidence as a person falling under the provisions of Para. G.		

Provisions of Imperial Ordinance No. 1, Appendix I. of 1947	SCAPIN 550	FEC Directives
A. Governmental Offices (A list of governmental offices follows.)	Holders of these particular positions are not specified in Para. G., Appendix A, SCAPIN 550.	Holders of these particular positions are not specifically required by Para. 1, Part III, FEC 014/10 in that such persons may not necessarily be regarded as important exponents of militarism and aggression, nor as active exponents of militarism or militant nationalism.
B. Others (A list of other offices follows)		
Note: The term "Conspicuous evidence as a person falling under the provisions of Para. G" as mentioned in Paragraph 2 above, will mean and include, the following: (1) Facts that a person in question played an important part in the conclusion of: Tripartite Alliance Sino-Japanese Basic Treaty Japanese Thai Alliance Pact or in the stationing of Japanese forces in French Indo-China or in starting the Great East Asia War.	By logical inference of Para. G., Appendix A, SCAPIN 550, persons engaged in these activities may be regarded as falling under the purge.	By logical inference of Para.1 Part III, SCAPIN 550, persons engaged in such activities may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who-by implication--are required to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.

Provisions of Imperial Ordinance No. 1, Appendix I. of 1947	SCAPIN 550	FEC Directives
(2) Facts that a person in question played an important role in the supression of opponents of militarism.	By logical inference of Para. G., Appendix A, SCAPIN 550, persons engaged in these activities may be regarded as falling under the purge.	By logical inference of Para.1 Part III, SCAPIN 550, persons engaged in such activities may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who-by implication--are required to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.
3. Any person who has once been an official engaged in thought prosecution, protection and surveillance, preventive detention or penal administration and who is to fall under the provisions of Para. G. of Appendix "A" of the Memorandum because of the part he played in any important "thought" case while in office, any fact of trampling upon individual rights, his term of office, and his position while in office, etc.	Logical inference of Para. G 1, 2, and 3 of Appendix A, SCAPIN 550 in that such persons may be regarded as persons who denounced or contributed to the seizure of opponents of the militaristic regime, or as persons who instigated or perpetrated an act of violence against opponents of the militaristic regime, or as persons who played an active and predominant governmental part in the Japanese program of aggression or who by speech, writing or action showed himself to be an active exponent of militant nationalism and aggression.	Logical inference of Para. 1, Part III, FEC 014/10 in that such persons may be regarded as important exponents of militarism and aggression who were required to be taken into custody and by implication should be subjected also to the lesser restrictions of the purge, and may be regarded also as active exponents of militarism and militant nationalism.

Provisions of Imperial Ordinance No. 1, Appendix I, of 1947	SCAPIN 550	FEC Directives
4. Any person who has once been in special higher police service, and who is to fall under the provisions of Paragraph G, because of the part he played in any important case of arrest, his term of office and his position in office, etc.	Logical inference of Para. G 1, 2, and 3 of Appendix A, SCAPIN 550 in that such persons may be regarded as persons who denounced or contributed to the seizure of opponents of the militaristic regime, or as persons who instigated or perpetrated an act of violence against opponents of the militaristic regime, or as persons who played an active and predominant governmental part in the Japanese program of aggression or who by speech, writing or action showed himself to be an active exponent of militant nationalism and aggression.	Logical inference of Para. 1, Part III, FEC 014/10 in that such persons may be regarded as important exponents of militarism and aggression who were required to be taken into custody and by implication should be subjected also to the lesser restrictions of the purge, and may be regarded also as active exponents of militarism and militant nationalism.
5. Any person who has been in any of the following positions or professions and who has been positive in activities such as mentioned in Para. G. a. Government official (other than those who fall under paragraphs 1 to 4). 1.) Any person who during all these past years of war--namely from July 7, 1937 to September 3, 1945--took part in the planning or execution of important war-time policies of the Government	By logical inference of Para. G., Appendix A, SCAPIN 550.	By logical inference of Para.1 Part III, SCAPIN 550, persons engaged in such activities may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who-by implication--are required to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.

Provisions of Imperial Ordinance No. 1, Appendix I. of 1947	SCAPIN 550	FEC Directives
pertaining to the following matters (except those whose tenure of office was especially short): a. Propaganda or dissemination of news for the purpose of instigating war, suppressing opponents of jingoism or advocating dictatorship, totalitarianism of the Nazi or Fascist pattern, militarism or ultra-nationalism. b. Guidance or control of thought or speech for the same purpose.		
(List of positions follow)	Holders of these particular positions are not specified in Para. G., Appendix A, SCAPIN 550.	Holders of these particular positions are not specifically required by Para. 1, Part III, FEC 014/10 in that such persons may not necessarily be regarded as important exponents of militarism and aggression, nor as active exponents of militarism or militant nationalism.
2.) Any person who actively engaged by writing, speech or action in instigating war, suppressing opponents of jingoism, or advocating dictatorship, totalitarism of the Nazi or Fascist pattern, militarism or ultra-nationalism regardless of	Logical inference of Para. G., Appendix A, SCAPIN 550.	By logical inference of Para.1 Part III, SCAPIN 550, persons engaged in such activities may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who-by implication--are required

Provisions of Imperial Ordinance No. 1, Appendix I., of 1947	SCAPIN 550	FEC Directives
whether or not it was his official obligation to do so.		to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.
b. Member of the House of Peers or of House of Representatives.	Holders of these particular positions are not specified in Para. G., Appendix A, SCAPIN 550.	Holders of these particular positions are not specifically required by Para. 1, Part III, FEC 014/10 in that such persons may not necessarily be regarded as important exponents of militarism and aggression, nor as active exponents of militarism or militant nationalism.
Any person who in or outside the Diet was conspicuously active by writing, speech or action for the following purpose: instigation or direction of war, suppression of opponents of jingoism, or inspiring of dictatorship, totalitarianism of the Nazi or Fascist pattern, militarism or ultra-nationalism.	By logical inference of Para. G., Appendix A, SCAPIN 550, persons engaged in these activities may be regarded as falling under the purge.	By logical inference of Para.1 Part III, SCAPIN 550, persons engaged in such activities may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who-by implication--are required to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.

Provisions of Imperial Ordinance No. 1, Appendix I. of 1947	SCAPIN 550	FEC Directives
c. Man of letters or artist. Any person who in the capacity as scholar, journalist, member of a newspaper editorial staff, reviewer or writer for magazines or other publications, or in any other capacity, comes under one of the following categories because of his writing, lecture, speech, articles, news report, etc. 1.) Person who advocated aggression of militant nationalism, or actively contributed to such propaganda, or who through his political or philosophic doctrine laid down an ideological basis for the policies for the Greater East Asia, or New Order in the East Asia or policies of similar nature, or the Manchurian Incident, China Incident or the Pacific War. 2.) Person who advocated dictatorship or totalitarianism of the Nazi or Fascist pattern. 3.) Person who advocated the supremacy of the Japanese nation to be a leader of other nations or who cooperated actively with propaganda to the above effect. 4.) Person who persecuted or denounced liberals or anti-militarists for their liberal or anti-militaristic ideologies. 5.) Person who in any other way advocated or championed militarism or ultra-nationalism.	Logical inference of Para. G., Appendix A, SCAPIN 550.	By logical inference of Para.1 Part III, SCAPIN 550, persons engaged in such activities may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who-by implication--are required to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
d. Official or personnel of newspaper companies, magazine or other publishing companies, broadcasting corporations, companies producing motion pictures or theatrical presentations or any other media of public information or organization which sponsored or controlled the dissemination of information through the above media. (List of positions in PIM field follows)	Particular positions are not specified, but by logical inference, highest officials in PIM organizations may be regarded as coming under the provisions of Para. G., Appendix A, SCAPIN 550.	Particular positions are not specifically required by Para. 1, Part III, FEC 014/10, but by a logical inference highest officials in PIM organizations may be regarded as important exponents of militarism and aggression who are required to be taken into custody and who--by implication--are required to be subjected to the lesser restrictions of the purge; or may be regarded as active exponents of militarism and militant nationalism.
6. Any person who held between 7 July 1937 and 2 September 1945 a position of Chairman (Kaicho), Vice-Chairman (Fuku Kaicho), President (Shacho), Vice-President (Fuku Shacho), Managing Director (Senmu Torishimari Yaku), Standing Director (Jomu Torishimari Yaku), Standing Auditors (Jonin Kansa Yaku), Active Advisor (Komon) or Councillor (Sodan Yaku), principal stockholder who owned 10 per cent or more of capital stocks or who exercised, directly or indirectly, controlling influences in the management of the company or any other official, regardless of his title, including branch managers in any	Not specifically required (See Para. G., Appendix A, SCAPIN 550).	Not specifically required by Para. 1, Part III, or by Para. 2, Part IV, FEC 014/10 in that such persons may not be regarded as important exponents of militarism and aggression, as active exponents of militarism or militant nationalism or as individuals who cannot be trusted to direct Japanese economic effort solely towards peaceful and democratic ends.

Japanese-occupied territory, Axis or Axis-occupied country, who in fact exercised authority or influence commensurate with that of any of the positions listed above in any of the following companies which are listed specifically in paragraph 11 of Appendix II of the Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947.

(1) Conspicuously influential companies which have manufactured finished aircraft or arms or munitions or strategic or critical materials essential to the constructions or operations thereof.
(2) Conspicuously monopolistic companies which have engaged in production of basic productive materials or business of communication or transportation.
(3) Conspicuously monopolistic companies which have engaged in domestic or foreign trade.
(4) Holding companies designated or to be designated hereafter by the SCAP Memoranda and influential companies closely associated with the above.
(5) Companies which have the authorized capitalization exceeding one hundred million yen.
(6) Any other companies or financial institutions which have commanded excessive economic power.

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
7. Representatives of highest executive officer of ultra-nationalistic, terroristic, or secret patriotic societies other than those specified in the provisions of Paragraph C.	Logical inference of Para. C 1, 2, and 3, Appendix A, SCAPIN 550, when considered in conjunction with Para. C., Appendix A, SCAPIN 500 and Para. 18, SCAPIN 550.	Logical inference of Para. 1, Part III, FEC 014/10 (Tab a) in that these may be regarded as the <u>leaders</u> of ultra-nationalistic and militaristic organizations who are required to be taken into custody, with the implication that they should be subjected also to the lesser restrictions of the purge.
8. Any person who was "recommended" in the general election of 1942.	Not specifically required (See Para. C., Appendix A, SCAPIN 550)	Not specifically required by Para. 1, Part III, FEC 014/10 (Tab a) in that such persons may not necessarily be regarded as important exponents of militarism and aggression or as active exponents of militarism and militant nationalism.
9. Chief of metropolitan, city, ward, town or village federation of branches or chiefs of city, ward, town or village branch of the Imperial Ex-servicemen's Association (Zaigo Gunjin Kai)	Not specifically required (See Para. C., Appendix A, SCAPIN 550)	Not specifically required by Para. 13 c, 017/20 (Tab b) in that such persons may not be regarded as <u>officials</u> of ex-officers or other military and para-military associations or of bodies closely associated with the armed forces.
10. Persons who held the following offices in the Great Japan Military Virtue Association (Dai Nippon Butoku Kai)...between 22 March 1942 and 2 September		

Provisions of Imperial Ordinance No. 1, Appendix I of 1947	SCAPIN 550	FEC Directives
1945, with the exception of those who can give satisfactory proof to the contrary.		
(1) Central office President, Vice-President, Chief of the Board of Directors, Directors and Chiefs of Section	Logical inference of Para. G 3, Appendix A, SCAPIN 550.	Logical interpretation of Para 13 c, FEC 017/20 (Tab b) in that such persons may be regarded as officials of militar and para-military associations or of bodies closely associated with the armed forces.
(2) Prefectural Branch Chiefs, Vice-Chiefs, Chief of the Board of Directors, Directors and Chiefs of Sections.		
(3) Chief of Local Sub-Branches (including sub-office (BunKai) and others substantially corresponding with sub-branch), (including Chief of sub-office and others substantially corresponding with Chief of sub-branch;	Not specifically required (See Para. G3, Appendix A, SCAPIN 550.)	Not specifically required by Para. 13c, FEC 017/20 in that such persons may not be regarded as officials of military or para-military associations or of bodies closely associated with the armed forces.

FAR EASTERN COMMISSION

BASIC POST-SURRENDER POLICY FOR JAPAN

PART III - POLITICAL

1. Disarmament and Demilitarization

High officials of the Japanese Imperial General Headquarters and General Staff, other high military and naval officials of the Japanese Government, leaders of ultra-nationalist and militarist organizations and other important exponents of militarism and aggression will be taken into custody and held for future disposition. Persons who have been active exponents of militarism and militant nationalism will be removed and excluded from public office and from any other position of public or substantial private responsibility. Ultra-nationalistic or militaristic social, political, professional and commercial societies and institutions will be dissolved and prohibited.

The restoration, even in a disguised form, of any anti-democratic and militaristic activity shall be prevented, particularly on the part of former Japanese career military and naval officers, gendarmerie, and former members of dissolved militaristic, ultra-nationalistic and other anti-democratic organizations.

Militaristic, ultra-nationalistic and anti-democratic doctrines and practices, including para-military training, shall be eliminated from the educational system. Former career military and naval officers, both commissioned and non-commissioned, and all other exponents of militaristic, ultra-nationalistic and anti-democratic doctrines and practices shall be excluded from supervisory and teaching positions.

PART IV - ECONOMIC

...

2. Promotion of Democratic Forces

...

...

To this end it shall be the policy of the Supreme Commander:

a. To prohibit the retention in important positions in the economic field of individuals who because of their past associations or for other reasons cannot be trusted to direct Japanese economic effort solely towards peaceful and democratic ends;

FEC-017/20

FEC-RESTRICTED
FEC-017/20
17 February 1948

FAR EASTERN COMMISSION

PROHIBITION OF MILITARY ACTIVITY IN JAPAN AND DISPOSITION OF THE JAPANESE MILITARY EQUIPMENT

FEC 017/20

Paragraph 11.

All military and para-military organizations in Japan, including ex-officers' organizations, together with their affiliates and the clubs which were used for making propaganda for militarism and ultra-nationalism should be dissolved and their revival or establishment in any form, including a disguised form, should be prohibited. The application of this paragraph should extend also to various associations created under the guise of production associations, such as cooperative societies for joint cultivation of land, for fishing, and others, which are composed wholly or substantially of ex-officers of the Army and Navy and gendarmerie and headed by their former military commanders. This paragraph should apply also to any other associations composed wholly or substantially of ex-officers of the Japanese Army and Navy and gendarmerie, ostensibly created for legitimate purposes, but which are, in reality, disguised forms of military or para-military organizations, or which have some other disguised subversive purpose.

Paragraph 13.

13. For the purpose of prevention of the revival of Japanese militarism persons who have at one time fallen within any of the following categories should not be nominated or employed in the government service, public office, or educational institutions except as they may be necessary in performing duties essential to the demobilization of repatriated military and naval personnel.

a. Generals, Admirals, and all other senior officers, and all career officers of the Army, Navy, and gendarmerie;

b. Other officers of the Army, Navy and gendarmerie, including members of the reserve, if their employment would harm the cause of peace and security; and

c. Officials of ex-officers' and other military and para-military associations and of bodies closely associated with the armed forces.

The Supreme Commander for the Allied Powers may authorize the nomination or employment of a person coming within categories a and c if his record shows that he has been an opponent of Japanese expansionism and totalitarianism.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

APO 500
4 January 1946

AG 091.1 (4 Jan 46)GS
(SCAPIN - 550)

MEMORANDUM FOR: IMPERIAL JAPANESE GOVERNMENT

THROUGH : Central Liaison Office, Tokyo.

SUBJECT : Removal and Exclusion of Undesirable Personnel from Public Office.

1. The Potsdam Declaration states: "There must be eliminated for all time the authority and influence of those who have deceived and misled the people of Japan into embarking on world conquest, for we insist that a new order of peace, security, and justice will be impossible until irresponsible militarism is driven from the world".

2. In order to carry out this provision of the Potsdam Declaration, the Imperial Japanese Government is hereby ordered to remove from public office and exclude from government service all persons who have been:

a. Active exponents of militaristic nationalism and aggression.

b. Influential members of any Japanese ultra-nationalistic, terroristic, or secret patriotic society, its agencies or affiliates; or

c. Influential in the activities of the Imperial Rule Assistance Association, the Imperial Rule Assistance Political Society or the Political Association of Great Japan,

as those terms are defined in Appendix A to this directive.

3. The term "public office" as used in this directive shall mean and include.

a. Any position in the government service which is customarily filled by one with the civil service rank of Chokunin or above (or equivalent rank under any reorganization of the civil service system); or

b. Any other position in the government service not customarily filled by a member of the civil service which is equivalent or superior to the civil service rank of Chokunin (in the case of government corporations the term will include at least: Chairman of the Board of Directors, President, Vice-President, Director, Advisor and Auditor).

4. The term "government service", as used in this directive, shall mean and include all positions in the central Japanese and Prefectural Governments and all of their agencies and local branches, bureaus (including Regional Administrative Bureaus) and offices and all positions in corporations, associations and other organizations in which said Governments or any of their agencies have a financial interest representing actual or working control.

5. The term " remove for public office" as used in this directive shall mean to discharge the person from public office which he holds and to terminate his influence and participation therein, directly and indirectly. Persons removed from public office will not be entitled to any public or private pensions or other emoluments or benefits without the consent of this Headquarters. An official removed under this procedure will be dismissed summarily and will not be entitled to the hearing or other procedures precedent to removal to which he may have been entitled under Japanese Law.

6. The term "exclude from government service" as used in this directive shall mean to bar the person in question from any position in the government service. Thus, persons removed from public office will be disqualified for holding any other positions in the government service. Also persons who may not be holding public offices from which they must be removed, may nevertheless be disqualified from taking a position in the government service. This disqualification from holding public office shall be continued until the provisions of the Potsdam Declaration quoted in paragraph 1 have been fulfilled in Japan.

7. The mere removal of officials from public office and the exclusion from government service of those persons described herein will not be sufficient to establish the new order of peace, security and justice envisaged by the Potsdam Declaration. If Japan is to achieve a peacefully inclined and responsible government, the greatest care must be taken to appoint new officials who will foster the revival and strengthening of democratic tendencies among the Japanese people and who will respect fundamental human rights and freedom of speech, religion and thought. If existing civil service qualification regulations provide obstacles to the appointment of such officials or unduly narrow the field from which appointments may be made, such regulations shall be amended or superseded.

8. The removals ordered by this directive shall be effected as expeditiously as possible, priority being given to the more important positions. Removal may be postponed in the case of individuals who are absolutely required to insure demobilization of the Japanese armed forces in the outlying theaters or to carry out the provisions of this directive. When their assistance is no longer absolutely required they will be dismissed. The names of such individuals, their positions, the reason for their disqualification, and the reasons for their temporary retention will promptly be reported to theis Headquarters. The time of their final dismissal will also promptly be reported.

9. Appendix "A" contains a list of the categories of persons who must be removed from public office and excluded from government service by the Imperial Japanese Government in order to carry out the provisions of paragraph 2 of this directive. Persons included in the categories listed in Apprndix "A" shall be removed from public office as provided in paragraphs 8 and 10 and shall thereafter be excluded from government service. However, if the Imperial Japanese Government represents that in order to carry on indispensable peaceful executive activities of such government, the temporary reinstatement of an individual so removed is essential and that it is impossible to obtain a suitable replacement, an application so stating, signed by a responsible official of the Imperial Japanese Government, may be filed with this Headquarters. Such application shall contain a statement of the name, rank, position, duties, and responsibilities of the individual involved; shall state fully the reasons why such temporary reinstatement is regarded as essential, the requested period of temporary reinstatement and the efforts made to obtain a suitable replacement. Such application shall be accompanied by a copy of the questionnaire described in paragraph 10, below. No such temporary reinstatement will be effected by the Imperial Japanese Government until this Headquarters has registered its approval in writing.

10. In order to insure that the government service is cleansed of undesirable personnel the following action will be taken:

a. The Imperial Japanese Government will instruct each of its Ministries or other appropriate agencies to remove from the positions described in paragraph 3 which are within its competence, any persons whom the records show or who are known to have been within the categories listed in Appendix "A". A Questionnaire (see below) will be obtained from each such individual before he is notified of his dismissal.

b. In addition, the Imperial Japanese Government will instruct each of its Ministries or other appropriate agencies to prepare and distribute to all incumbents of positions described in paragraph 3 and to future applicants for government positions which are within its competence, the Questionnaire contained in Appendix "B". Such Questionnaires will be revieved and on the basis of them and any other knowledge in possession of the Government, individuals will be removed from office or denied employment in accordance with the provisions of this directive.

11. Each Ministry or other appropriate agency will prepare a Plan for handling the Questionnaires which will provide for:

a. Distribution.

b. Collection.

c. Review.

d. Action on basis of information in Questionnaire.

e. Classification and filing -- this system should permit reference to the Questionnaire in terms of agency, rank of officials, and action taken (e.g. removal or retention.)

12. Each plan will provide for screening of positions occupied by higher rank officials first. A duplicate set of completed Questionnaires will be provided at the Headquarters of each Ministry or other agency where it will be available for inspection or removal by this Headquarters.

13. In addition to the Questionnaries each Ministry or other agency will maintain at its headquarters an alphabetical file of Questionnaire Record Cards substantially in the form indicated in Apprendix "C" available for inspection or removal by this Headquarters. The cards will be filled out in English (also in Japanese if desired). Identical numbers, with an identifying symbol for each Ministry or other agency, will be assigned to each Questionnaire and the Record Card relating thereto.

14. In order that the forthcoming elections may provide a full opportunity for democratic elements in Japan to obtain memberships in the Imperial Diet denied them during the years of Japan's militaristic nationalism and aggression and in order to eliminate from the new Diet the influence of those who have deceived and misled the people of Japan into embarking on world conquest, any person who comes within the categories described in Appendix "A" shall be disqualified as a candidate for any elective position in the Imperial Diet. Any such person shall be disqualified from standing at any time as a candidate for Prefectural Governor or Mayor of a city (Shi). Also, all such persons shall be removed from and henceforth excluded from appointment to the House of Peers. The Imperial Japanese Government shall adopt measures to enforce this disqualification of candidates for elective office, including the issuance of necessary regulations, the publication of disqualification categories prepared in conformity herewith and the certification by each candidate that he is not thereby disqualified from standing for election. A comprehensive report of the measures proposed to be adopted will be furnished to this Headquarters.

15. The Imperial Japanese Government will make the following reports to this Headquarters (in English; in triplicate):

a. Reports required by paragraphs 8 and 14 hereof;

b. An initial report of the Plan of each Ministry or other agency called for by paragraph 11. This Headquarters may direct revision of any of these Plans if they are not considered adequate.

c. A weekly report, divided into sections for the fields of

competence of each Ministry or other agency, showing:

(1) Total number of positions whose incumbents are to be investigated.

(2) Number and type of positions investigated previously and during the current week.

(3) Number of persons removed or denied employment during the current week.

(4) Names, ranks, positions, and Questionnaire numbers of persons removed or denied employment during the current week.

16. This Headquarters will provide for inspections and investigations necessary to check compliance with this directive, and the Imperial Japanese Government will render any assistance required for the making of such inspections and investigations. Action taken by the Japanese Government with respect to removal or denial of employment and with respect to disqualification of candidates for elective office will be reviewed and may be reversed by this Headquarters.

17. Wilful falsification of or failure to make full and complete disclosures in any Questionnaire, report or Application provided for in this directive will be punishable by the Supreme Commander for the Allied Powers as a violation of the Surrender Terms. In addition, the Imperial Japanese Government will make any provisions necessary to provide adequate punishment in Japanese courts and under Japanese law for such wilful falsification or non-disclosure and willundertake such prosecutions as may be required.

18. In addition to the general provisions of this directive covering all public offices, t is Headquarters has made and may make more restrictive requirements respecting employment of certain classes of individuals at all levels in special fields.

19. All officials and subordinates of the Imperial Japanese Govenment affected by the terms of this order will be held personally responsible and strictly accountable for compliance with and adherence to the spirit and letter of this directive.

FOR THE SUPREME COMMANDER:

/s/ H. W. ALLEN
H. W. ALLEN,
Colonel, A.G.D.,
Asst Adjutant General.

Inclosures:

Appendix A - Removal and Exclusion Categories.
Appendix B - Questionnaire.
Appendix C - Questionnaire Record Card.

APPENDIX "A"

REMOVAL AND EXCLUSION CATEGORIES

A. War Criminals.

Persons arrested as suspected war criminals unless released or acquitted.

B. Career military and naval personnel: special police and officials of the war ministries.

Any person who has at any time held any of the following positions:

1. Member of:

Board of Fleet Admirals and Field Marshals
Supreme Military Council
Imperial General Headquarters
Army and Navy General Staffs
Supreme Council for Direction of the War

2. Commissioned officer in the Imperial Japanese Regular Army or Navy or in the Special Volunteer Reserve.

3. Commissioned or non-commissioned officer, enlisted man or civilian employee who served in or with the Military Police (Kempei-Tai) or Naval police, the TOKOMU KIKAN, KAIGUN TOKUMU BU, or other special or secret intelligence or military or naval police organizations.

4. Ministry of War (unless appointed since 2 September 1945)

Minister
Permanent Vice-Minister
Parliamentary Vice-Minister
Parliamentary Councillor
Chief Secretary

All civilian officials of the civil service rank of Chokunin, or above, or who occupy positions normally held by persons of such rank.

5. Ministry of the Navy (unless appointed since 2 September 1945)

Minister
Permanent Vice-Minister
Parliamentary Vice-Minister
Parliamentary Councillor
Chief Secretary

All civilian officials of the civil service rank of Chokunin, or above, or who occupy positions normally held by persons of such rank.

C. Influential Members of Ultr-nationalistic, Terroristic or Secret Patriotic Societies.

Any person who has at any time:

1. Been a founder, officer, or director of; or
2. Occupied any post of authority in; or
3. Been an editor of any publication or organ of; or
4. Made substantial voluntary contributions (a sum or property the value of which is large in itself or large in proportion to the means of the individual in question) to any of the organizations or their branches, subsidiaries, agencies, or affiliates (other than the organizations referred to in paragraph D below) described in the Memorandum to the Japanese Government on "Abolition of Certain Political Parties, Associations and Societies" AG 091 (4 Jan 46) GS.

D. Persons Influential in the Activities of IRRA, IRAPS, and the Political Association of Great Japan.

Any person who has at any time:

1. Been a founder or national officer, a national director, national committee chairman, or a leading official of a prefectural or metropolitan subdivision of; or

2. Been an editor of any publication or organ of:

a. The Imperial Rule Assistance Association (Taisei Yokusankai) and any of its affiliates.

b. The Imperial Rule Assistance Political Society (Taisei Seijikai) and any of its affiliates or agencies.

c. The Political Association of Great Japan and any of its affiliates or agencies.

E. Officers of Financial and Development Organizations involved in Japanese Expansions:

Any person who has at any time between 7 July 1937 and 2 September 1945, occupied any of the positions listed below;

Chairman of the Board of Directors, President, Vice-President, Director, Adviser or Auditor of any of the following or, in territory occupied by the Japanese armed forces since 7 July 1937, manager of a branch of:

South Manchurian Railway Company
Manchuria Development Company
North China Development Company
Central China Development Company

Southern Development Company
Taiwan Development Company
Manchuria Heavy Industry Development Company
Nanyo Development Company
Oriental Development Company
Wartime Finance Bank
United Funds Bank
Southern Development Bank
Overseas Funds Bank
Chosen Colonization Bank
Deutsche Bank Fuer Ostasien
Bank of Chosen
Bank of Taiwan
Bank of Manchukuo
Manchurian Development Bank
Korean Trust Company

Any other bank, development company or instituion whose foremost purpose has been the financing of colonization and development activities in colonial and Japanese-occupied territory, or the financing of war production by the mobilization or control of the financial resources of colonial or Japanese-occupied territories.

F. Governors of Occupied Territories.

Japanese officials who have held the positions listed below:

1. Korea:

Governor General
Chief Civilian Administrator
Members of Privy Council

2. Formosa:

Governor General
Chief Civilian Administrator

3. Kwantung:

Governor General
Chief Administrator
Director of the Bureau of Pacification

4. South Seas:

Governor General
Director of South Seas Administration Office

5. Netherlands East Indies:

Chief Military Administrator
Chief Civil Adminstrator

6. Malaya:

Chief Military Administrator
Chief Civil Administrator
Mayor of Singapore

7. French Indo-China:

Governor General
Inspector General of Police
Director of Bureau of General Affairs
Financial Charge d'Affaires

8. Burma:

Advisers to the Burmese Administration
Chief to the Political Affairs Department of the Japanese Military Administration
Chief of the Internal Affairs Department of the Central Administration

9. China:

Advisers to the Nanking Puppet Government
Ambassador

10. Manchukuo:

Director of General Affairs Board
Vice-Director of General Affairs Board
Officers of the Central organization of the Concordia Society

11. Others:

Responsible Japanese Officials controlling collaborationist native governments in the Mongolian Federated Autonomous Government, the Philippine Puppet Republic, the Provisional Government of Free India, and Thailand.

G. Additional Militarists and Ultra-Nationalsits.

1. Any person who has denounced or contributed to the seizure of opponents of the militaristic regime.

2. Any person who has instigated or perpetrated an act of violence against opponents of the militaristic regime.

3. Any person who has played an active and predominant governmental part in the Japanese program of aggression or who by speech, writing or action has shown himself to be an active exponent of militant nationalism and aggression.

QUESTIONNAIRE

Questionnaire number _____
(to be assigned by Ministry or other Appropriate agency)

(Instructions: This Questionnaire shall be filled out in both Japanese and English. The English version will prevail if discrepancies exist between it and the Japanese version. Answers must be typewritten or printed clearly in block letters. Every question must be answered precisely and conscientiously and no space is to be left blank. If the question is to be answered by either "yes" or "no", print the word "yes" or "no" in the appropriate space. If the question is inapplicable, so indicate by some appropriate word or phrase such as "none" or "not applicable". Add supplementary sheets if there is not enough space in the Questionnaire. Omissions or false or incomplete statements are criminal offenses and will result in prosecution and punishment.)

A. PERSONAL

1. List position which you hold or for which you are under consideration, with Civil Service Grade: _____

2. Name: _____
(Surname) (First & Middle Name)

3. Other names which you have used or by which you have been known: _____

4. Date of Birth: _____ 5. Place of birth: _____

6. Height: _____ 7. Weight: _____ 8. Scars, marks, or deformities: _____

9. Present address: _____
(in full)

10. Permanent Residence: _____
(in full)

11. Identity card type & number: _____

12. List any instances when you have been arrested, together with the reasons therefor, and any crimes of which you have been convicted: _____

13. Give any Civil Service rank and grade now held: _____

B. CHRONOLOGICAL RECORD OF EMPLOYMENT AND MILITARY SERVICE

14. In the space below, give a chronological history of your employment, including all of the positions which you have held, since 1 January 1931. In reporting either governmental or military positions, be sure to give all of the ranks which you may, at any time, have held: _____

APPENDIX "B"

C. MEMBERSHIP IN ORGANIZATIONS

15. In the space below, report whether or not you are or were a member or a founder or organizaer or an officer of a national office or of a prefectural or metropolitan sub-division of the Imperial Rule Assistance Association, the Imperial Rule Assistance Political Society, or the Political Association of Great Japan. Report also whether or not you acted as edititor for any publication of any of these associations or organized any branches or special activities for any of them:

16. In the space below, report any other party, association, society, fraternity, club, union, institution, whether social, political, military, patrictic professional, cultural, honorary, athletic or otherwise, of which you are or were a member. Make this report whether or not this society was secret. State whether or not you were a founder or organizer or leader, or occupied any post of authority in any such organization and whether you have been an editor of any of its publications:

17. Has any member of you family held office, rank, or post of authority, or been otherwise influential, in any of the organizations listed above? If so give his name and address, his relationship to you and a description of the position which he held and of the organization:

18. With the exception of regular membership dues, list and give details of any contributions of money or property which you have made, directly or indirectly, to any of the organizations listed above, including any contributions made by any natural or juridical person or legal entity on your behalf or through your solicitation or influence:

19. Have you ever been the recipient of any titles, ranks, medals, testimonials, or other honors from any of the above organizations? If so, state the nature of the honor, the date conferred, and the reason:

D. RECORD OF OTHER SERVICE

20. With exception of those you have specifically mentioned in Sections B and C above, list:

(a) Any part time, unpaid or honorary position of authority or trust you have held since 1 January 1931 as a representative of the Army or Navy or of any National Ministry or other Central Government agency or as a representative of the Imperial Rule Assistance Association, the Imperial Rule Assistance Political Society, the Political Association of Great Japan, or their agencies, affiliates, or successor organizations.

(b) Any service of any kind you have rendered, since 1 January 1931, in any military, police, law-enforcement, peace protection, or intelligence organization or in any organization concerned with Protection and Surveillance and control of thought, speech, religion, or assembly.

From:	To:	Name and Type of Organization	Highest office or Rank you held or Type of your service	Date of Apmt to highest office or rank	Duties

E. WRITINGS AND SPEECHES

21. List on a separate sheet the titles and publishers of all publications from 1 January 1931 to the present which were written in whole or in part or compiled or edited by you, and all public addresses made by you, giving subject, date and approximate circulation and in the case of speeches, the number in audience. If such publications or speeches were sponsored by any organization give its name. If no speeches or publications write "None" in this space: _____

F. CORPORATE POSITIONS

22. With the exception of those you have specifically mentioned above, list any corporate directorships or executive positions held by you since 1 January 1931 and where you served whether in Japan proper or outside of Japan.

Corporation	Position Held	Dates

G. REMARKS

23. _____

_____

_____

_____

The statements on this Questionnaire are true and I understand that any omissions or false or incomplete statements are criminal offenses and will subject me to prosecution and punishment.

Signed _____ Date _____
(Signature of individual to whom the Questionnaire relates)

CERTIFICATION OF SERVICE SUPERIOR

(Instructions: This certification shall be signed by the service superior (or other responsible official) of the incumbent of public office, or, in the case of applicants for public office, by the official responsible for employing the applicant).

I certify that the above is the true name and signature of the individual concerned and that, with the exceptions noted below, the answers made on this Questionnaire are true to the best of my knowledge and belief and the information available to me.

Exceptions (if no exceptions, write "none")

_____

_____

_____

_____

Signed _____ Official Position _____ Date _____

QUESTIONNAIRE RECORD CARD

Questionnaire No. _____

NAME: _____ Japanese Governmental
(Surname) (First & Middle Name)

ADDRESS: _____ Agency _____

Position which applicant holds or for which he is under consideration (with Civil Service Grade):

_____

Summary of pertinent portions of Individual's Record: _____

_____

_____

ACTION TAKEN (Cheek one): DATE: _____

( ) Removed from position: _____
(describe position)

( ) Application for employment as _____ denied.
(describe position)

( ) Retained in position: _____
(describe position)

( ) Application for employment as: _____ approved.

OTHER ACTION:

(Here record any applications to Hq, SCAP, for approval of appointment or reinstatement, the action taken by Hq, SCAP, on such application, the action taken by the Japanese Government accordingly and the date of such action. Also record any other action concerning the individual, such as reversal of initial retention of the individual upon direction of SCAP, conviction of the individual for falsifications or omissions in the Questionnaire, subsequent employment of the individual, etc.)

_____

_____

APPENDIX "C"

Review of Japanese Ordinances Implementing SCAP Directives.

Gov't Section

Chief of Staff

2 May 1951

1. The command decision concerning above subject was transmitted to the Japanese Government at 1400 hrs. 29 April 1951 through The Chief, Foreign Liaison Bureau, (The Chief Cabinet Secretary was out of town). Area of action by Government was clarified, with immediate priority assigned to purge ordinances. Confidential treatment enjoined.

2. Follow-up action took place at 1130 hrs. 30 April in conference with Chief Cabinet Secretary. Possible unfavorable reaction to any effort to make private political capital out of the SCAP decision was stressed. In the Government's opinion, Japanese will receive this action with gratitude. Present indication is that Government's own proposals for relaxation would not include prominent exponents of militarism such as leaders of the notorious "secret" societies and "high" military officers, (colonels and above).

3. As of 1 May, the Japanese technical experts charged with purge matters were awaiting the outcome of policy discussions now going on at high government levels before preparing definite proposals. Studies have already been made, however, from which concrete proposals may quickly be drafted.

4. Apart from the flurry of speculation in press circles attending premature reports of impending purge relaxation in the Japanese press of 1 May, for which the Prime Minister impliedly assumed responsibility in his message of 1 May to the Supreme Commander, the Supreme Commander's Constitution Day statement was well received.

3 Incls:
Tab "A" - Memo for Record, 30 April 51: Conferences with Gov't officials.
Tab "B" - Asahi story of 1 May 1951.
Tab "C" - Japanese opinion on Army and Navy officers.

- F.R. - - - - - - - -

30 April 1951

MEMORANDUM FOR RECORD

1. At 1400 hours, 29 April 1951, Mr. Shiroshichi Kimura, Chief, Liaison Bureau, Foreign Office, called on Lt. Col. Napier at Government Section for the purpose of receiving instructions concerning the SCAP's decision to permit the Japanese Government to re-examine its purge ordinances in order to effect certain relaxations. Mr. Kimura was placed under assurances of the confidential nature of the matter and was then informed that the Supreme Commander's May 3 Constitution Promulgation Day statement would contain the following permissive clause:

> "With the full expectation that pertinent Allied policy decisions will continue to be observed, the Japanese Government has been authorized to review existing ordinances issued in implementation of directives from this headquarters, for the purpose of evolving under existing procedures such modifications as past experience and the present situation may make necessary and desirable."

2. Mr. Kimura was informed that the SCAP statement permits the Japanese Government to institute action on a broad base which should result in the release of probably more than one half of the persons now under purge restrictions. He was informed of the provisions of the ruling Allied policies to which the Supreme Commander's statement makes reference and was further informed that there is no intention to rescind SCAPIN 550. Mr. Kimura was instructed to convey this information to Chief Cabinet Secretary Okazaki and Prime Minister Yoshida and to no other and to convey to them that any attempt to make political capital for any individual, group, or party out of the SCAP's action would inevitably evoke repercussions detrimental to the scope of administrative relaxation possible under the SCAP's action. Mr. Kimura signified that he fully understood. He had one question: "Of interest to the Prime Minister," he said, "will be whether or not the SCAP's memorandum cases can be released." Colonel Napier said that the memorandum cases like all other cases could be examined in terms of SCAP's permissive statement but that these cases would necessarily receive particular study.

3. During the evening of 29 April, Mr. Kimura confirmed that he had exactly transmitted the above information and instruction to the Chief Cabinet Secretary and the Prime Minister.

4. At 1130 hours, 30 April 1951, Chief Cabinet Secretary called on Government Section Chief, Mr. Rizzo, and was informed by Mr. Rizzo of the terms of the SCAP statement concerning Japanese ordinances to be issued on May 3 and of its particular significance concerning the purge. Mr. Rizzo advised Mr. Okazaki in the same general tenor as the instructions previously transmitted through Mr. Kimura. One additional facet of the problem was

touched on when Mr. Okazaki said that this action would be received with gratitude by the whole Japanese people but that it would be necessary to work out a device whereby certain non-military persons who as individuals had been notorious proponents of militarism, totalitarianism, and agression could be retained under purge restrictions even though other persons in the same categories but not individually responsible were released. Mr. Okazaki added that of course high military officers should not be released. When questioned by Mr. Rizzo as to his interpretation of "high military officers", Mr. Okazaki said, "Colonels and above, not captains, and as to majors and lieutenant colonels, I am not sure."

J.P.N.

OVERALL DEPURGE

AUTHORITY TO BE TRANSFERRED TO THE GOVERNMENT

PRIME MINISTER YOSHIDA MEETS WITH GENERAL RIDGWAY

Prime Minister YOSHIDA called on General Ridgway in GHQ at 1030 hrs on the 30th and held an important conference. It seems that concrete instructions were given to the Prime Minister from the Supreme Commander with regard to over-all depurge. Later, Chief Cabinet Secretary OKAZAKI called on Chief of Government Section, Mr. Rizzo, and discussed the details of the matter. As a result, the Government seems to have gained assurance that authority will be granted to carry out the depurge on its own initiative. It appears that Prime Minister YOSHIDA has ordered government quarters concerned to make all preparations concerning over-all release of purgees.

HATOYAMA AND HUNDRED AND SEVERAL THOUSAND OTHERS AFFECTED

The indication is that at present the government has not arrived at the final conclusion as to how the depurge would be carried out; however, it will be made clear within several days. A total number of purgees is about 190 thousand. Of this number, with the exception of a very few, most of the purgees will be released upon completing necessary procedures of the government. As a result, people in positions of leadership in political, economic and other circles will be released and permitted to enter public activity. In the face of the Peace Treaty, it is anticipated that a great influence will be brought upon various circles.

PRIME MINISTER HAS NO INTENTION OF RETIRING IMMEDIATELY

COMPLICATION WITHIN THE LIBERAL PARTY

It is assumed that with the administration of the depurge on the initiation of the Japanese Government, HATOYAMA will be depurged shortly among the memorandum cases. As the forces within the Liberal Party suddenly showed signs of unity since the last DULLES-HATOYAMA meeting, HATOYAMA, with his depurge, will have much to say about the personnel problems within the Party and other matters. The depurge of HATOYAMA was discussed on many occasions in the past; however, according to the Liberal Party, the depurge of HATOYAMA prior to the Peace Treaty was made possible through GHQ's interpretation that the Cabinet concluding the Peace Treaty should be without change the YOSHIDA Cabinet, but in order to achieve future independence of Japan, influential leader HATOYAMA and forces connected with him should take part in the Peace Treaty on the side of the Government. With the reinstatement of HATOYAMA, it is assumed that YOSHIDA will concede his position as President of the Party to HATOYAMA automatically following the Peace Treaty in view of the circumstances in which he assumed the Presidence of the Party. However, it is reported that YOSHIDA has decided recently that he will hold the reign of the government during the term of the present Cabinet and handle various diplomatic problems in regard to commercial and military agreements following the Peace Treaty without retiring from the political circles immediately even after the depurge of HATOYAMA and the signing of the Peace Treaty. In connection with the decision of the Prime Minister, there are indications that the Minister of Agriculture and Forestry, HIROKAWA and others are planning to eliminate from the Party all anti-Yoshida elements at the

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election of "big-three Party officials", chairmen of standing committees of the Diet, and Parliamentary vice ministers at the end of the current Diet session. On the other hand, the HATOYAMA faction is trying to muster the influence of its faction through OKUBO Tomejiro, who was depurged recently, and through ONO Banboku. Placed between these two factions, Secretary-General SATO is trying to make adjustments of both factions, However, because of ill feelings between OKUBO and KONO Ichiro within thw HATOYAMA camp, it seems that progress is not made so smoothly. At any rate, the reinstatement of HATOYAMA in the political circle will have a great effect upon the Liberal Party. It is a fatal blow politically to HATOYAMA to be without seat in the Diet given after his depurge. The future trend of the political situation hinges upon the time of the dissolution of the Diet.

THREE CATEGORIES EXCLUDED

WAR CRIMINALS, HIGH RANKING FORMER MILITARY OFFICERS

With regard to the scope of the depurge which is being planned in haste by the government, it is said that there are several plans in government quarters concerned, but it is almost certain that war criminals, leaders of ultra-nationalistic organizations and high ranking former military officers will be excluded (for instance, field marshals, fleet admirals and full generals).

SOURCE: Asahi Shimbun,
1 May 1951

EXCERPTS FROM JAPANESE GOVERNMENT'S STUDY OF POSSIBLE PURGE RELAXATION PREPARED -- 4 NOV. 49.

Lower Army and Navy Officers:

The Appeal Board has been strictly examining the cases of Army and Navy officers. Its decisions on special remission have so far been confined to those whose designations have been proved to be erroneous, and to those who fall within the very narrow limits of release criteria already approved by the GHQ authorities. Certain other lower officers now claim attention. The facts that have emerged in the course of examination of numerous cases have led the Appeal Board to believe it is desirable that those who were Captains (Army) or Lieutenants (Navy) or still lower in rank at the end of the war may be removed from purge criteria. Reasons for this belief follow:

(1) At the time these men aspired to Army and Navy careers, Japan's armed forces were undergoing a rapid and enormous expansion, and vastly more officers were being appointed than was ordinarily imaginable. It was the overwhelming fashion of the day throughout the country that young men should aspire to be Army and Navy officers. These aspirants did not belong to any special classes of society, nor were they actuated by any particular trends of thoughts. The fact is: There was many a son of an impecunious fmily who, either perceiving the emptiness of the family purse or urged by his parents and elders, fixed his vhoice on a military carrer, which supplied education at Government expense and which held the door wide open to easy promotions. There was many a young man who, rather than being taken away from the unfinished course of schooling by conscription or forced enlistment, was constrained under the then prevailing circumstancdes to prefer the only alternative of becoming an Army or a Navy officer.

Army and Navy Officers De-Activated before 1931

It might be said that the Japanese military began to be "militarized" and to evince manifestations of militarism in 1931 and after, when the "March Incident", the "Manchuria Incident" and the "October Incident" occurred in succession. Those Army and Navy officers who had left the active service before this period and subsequently trod other walks of life are, for all practical purposes, in the same position as other people generally, and should not properly be said to have had any special connections with the late war. (In saying so, an exception should, of course, be made of those who were General Officers or Flag Officers.)

Above all, special mention needs to be made of the fact that even some officers, who in the First World War fought on the side of the Allies against Germany and who since retirement have had no connection whatever with the military, have been purged with respect to the late war. This fact can hardly be reconciled with reason and justice.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

1400
1 May 51

TO: Chief of Staff

SUBJECT:

For information

ALONZO P. FOX
Major General, GSC
Deputy Chief of Staff

GENERAL HEADQUARTERS
FAR EAST COMMAND

CHECK SHEET

(Do not remove from attached sheets)

CONFIDENTIAL

File No:

Subject: Review of Purge Ordinances.

Note No.	
1	From: Chief, GS To: Chief of Staff Date: 1 May 1951 At 1020 hours today Mr. Akiro Matsui, Secretary to the Prime Minister, called on the undersigned and stated that the Prime Minister had instructed him to call and express the Prime Minister's concern and regret over the premature publicity given the contemplated review of the purge ordinances in this morning's Japanese newspapers. He asked that this message be transmitted to the Supreme Commander with the assurance that every precaution has been taken to respect his confidence and that even greater caution will be exercised in the future. He was told that the message would be transmitted. -F.R.- - - - - - - - - - - - - - - - -

FEC AGO Form No 37

CONFIDENTIAL

8116—FEC P&PC—11/50—100M

CONFIDENTIAL

Review of Purge Ordinances.

Chief, GS Chief of Staff 1 May 1951

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- F.R. - - - - - - - - - - - - - - - - - -

CONFIDENTIAL

SOURCE: ASAHI SHIMBUN
DATE: 1 May 1951

OVER-ALL DEPURGE
AUTHORITY TO BE TRANSFERRED TO THE GOVERNMENT
PRIME MINISTER YOSHIDA MEETS WITH GENERAL RIDGWAY

Prime Minister YOSHIDA called on General Ridgway in GHQ at 1030 hours on the 30th and held an important conference. It seems that concrete instructions were given to the Prime Minister from the Supreme Commander with regard to the over-all depurge. Later, Chief Cabinet Secretary OKAZAKI called on Chief of Government Section, Mr. Rizzo and discussed the details of the matter. As a result, the Government seems to have gained assurance that authority will be granted to carry out the depurge on its own initiative. It appears that Prime Minister YOSHIDA has ordered government quarters concerned to make all preparations concerning over-all release of purgees.

HATOYAMA AND HUNDRED AND SEVERAL THOUSAND OTHERS AFFECTED

The indication is that at present the government has not arrived at the final conclusion as to how the depurge would be carried out; however, it will be made clear within several days. A total number of purgees is about 190 thousand. Of this number, with the exception of a very few, most of the purgees will be released upon completing necessary procedures of the government. As a result, people in positions of leadership in political, economic and other circles will be released and permitted to enter public activity. In the face of the Peace Treaty, it is anticipated that a great influence will be brought upon various circles.

PRIME MINISTER HAS NO INTENTION OF RETIRING IMMEDIATELY?
COMPLICATION WITHIN THE LIBERAL PARTY

It is assumed that with the administration of the depurge on the initiative of the Japanese Government, HATOYAMA will be depurged shortly among the memorandum cases. As forces within the Liberal Party suddenly showed signs of unity since the last DULLES-HATOYAMA meeting, HATOYAMA, with his depurge will have much to say about the personnel problems within the Party and other matters. The depurge of HATOYAMA was discussed on may occassions in the past; however, according to the Liberal Party, the depurge of HATOYAMA prior to the Peace Treaty was made possible through GHQ's interpretation that Cabinet concluding the Peace Treaty should be without

change, the YOSHIDA Cabinet but in order to achieve future independence of Japan, influential leader, HATOYAMA and forces connected with him should take part in the Peace Treaty on the side of the Government. With the reinstatement of HATOYAMA, it is assumed that YOSHIDA will concede his position as President of the Party to HATOYAMA automatically following the Peace Treaty in view of the circumstances in which he assumed the Presidency of the Party. However, it is reported that YOSHIDA has decided recently that he will hold the reign of the government during the term of the present Cabinet and handle various diplomatic problems in regard to commercial and military agreements following the Peace Treaty without retiring from the political circles immediately even after the depurge of HATOYAMA and the signing of the Peace Treaty. In connection with the decision of the Prime Minister, there are indications that the Minister of Agriculture & Forestry, HIROKAWA and others are planning to eliminate from the Party all anti-YOSHIDA elements at the election of 'big three Party officials', chairmen of standing committees of the Diet and parliamentary vice ministers at the end of the current Diet session. On the other hand, the HATOYAMA faction is trying to muster the influence of its faction through OKUBO Tomejiro who was depurged recently, and through ONO Banboku. Placed between these two factions, Secretary-General SATO is trying to make adjustments of both factions. However, because of ill feelings between OKUBO and KONO Ichiro within the HATOYAMA camp, it seems that progress is not made so smoothly. At any rate, the reinstatement of HATOYAMA in the political circle will have a great effect upon the Liberal Party. It is a fatal blow politically to HATOYAMA to be without seat in the Diet even after his depurge. The future trend of the political situation hinges upon the time of the dissolution of the Diet.

THREE CATEGORIES EXCLUDED
WAR CRIMINALS, HIGH RANKING FORMER MILITARY OFFICERS

With regards to the scope of the depurge which is being planned in haste by the government, it is said that there are several plans in government quarters concerned, but it is almost certain that war criminals, leaders of ultra-nationalistic organizations and high ranking former military officers will be excluded (for instance, field marshals, fleet admirals and full generals).

Art 16... Any person who has been sentenced to penalties provided in the preceding paragraph who does not fall under the Memorandum shall be removed, in addition to cases provided in other laws or ordinances, from any position in the public service which he occupies and be excluded thereafter from any position in the public service...

SIB says:

(1) Any purgee who serves a prison sentence or pays a fine because of a purge violation cannot hold public office even though later reinstated - unless so authorized by the Amnesty Law .

(2) Any reinstated purgee who serves a prison term or pays a fine for purge violation subsequent to his reinstatement cannot hold public office unless so authorized by the Amnesty Law.

(3) Any person - ~~whether purgee~~, reinstated purgee or non-purgee,-- who is convicted of a purge violation, ~~and placed on probation~~ with sentence suspended can hold public office after his probation is ~~ended~~ has ended.

9 Apr 51

This interpretation was discussed with Mr. Tokuhisa through Welsington. We explained we only wanted to be sure we had the right interpretation of SIB's opinion. The interpretation is correct with the notable changes.

Attorney Generals' Official Recommendation
misprecedents
what is meaning
in fore word? 1/25

April 24th, 1951

On Application of Paragraph 2, Article 16, Imperial Ordinance No. 1 of 1947 to the Cases of Those Who Have Undergone Special Remission after Being Designated as Falling under the Memorandum.

1. Opinion of This Office.

Any person who was designated as falling under the Memorandum and have thereafter undergone any penalties under Paragraph 1, Article 16, Imperial Ordinance No. 1 of 1947 (relating to exclusion of undesirable personnel from public offices) is to be prohibited from taking any public offices or from standing as candidate for any elective public positions, even if he has undergone special remission, thereafter, from the said designation.

2. Reason.

Not only it is clear from the context that there are contained those who have undergone special remission from the designation of coming under the Memorandum among those who are provided "not to come under the Memorandum," in the provision, Paragraph 2, Article 16

of the foregoing Imperial Ordinance No. 1, but also the purpose of the paragraph can be interpreted as purging those who have been sentenced to penalties because of violating the provisions of the same Ordinance, even if they do not come under the Memorandum.

Furthermore, as clearly mentioned in the provision of the Cabinet Order concerning the special remission from purge designation of those falling under the Memorandum in accordance with the provision of the Imperial Ordinance No. 1, 1947 (Cabinet Order No. 39, 1949), the special remission mentioned above is done as the result of examination into whether the purge designation itself is remarkably unfair or not. Therefore, it is impossible to think that this special remission will eliminate an effect of punishment under the Article 16, Para. 1 of the Imperial Ordinance mentioned above.

Accordingly, as to the question, we interpret that one who was sanctioned special remission from the designation of persons fallen under the provisions of the Memorandum, cannot hold any position in the public office or run candidacy for any elective position in the public service, unless he is authorized qualification by favor of rehabilitation of the Amnesty Law.

remarked pengan or kem-pengan

However, when a person in question was sentenced with a criminal judgement as well as a certain term of probation and passed the above term without cancellation of probation, it is needless to say that he will be able to hold any position in the public office or to run candidacy for any elective position in the public service.

Lt.Col. Jack P. Napier
26-6962

Purge of Career Military Officers

GS Maj. Gen. A. P. Fox 21 April 1951

1 1. FEC and SCAP Directives categorically require that all career Japanese military officers be removed and barred from the public service. Tab A contains the ruling extract of the SCAP Purge Directive, SCAPIN 550. Tab B is the ruling extract of pertinent FEC Directives 014/10 and 017/20.

2. Pursuant to SCAP's Directive, the Japanese Government issued implementing ordinances which removed and barred 76,748 career military officers from the public service. Tab C herewith contains the legal definition of public service.

3. Subsequent thereto, continuing administrative action has been exercised by the Japanese Government subject to SCAP review to individually re-screen cases in which it appears that an injustice has been done for the reason that the person affected was not a career officer within the spirit and intent of the guiding directives. Approximately 6,645 officers have been released from the restrictions of the purge in the course of such continuing action. Tab D contains categories of releases and exemplifies the procedures of such action.

4. An additional approximately 700 persons similarly will be released from purge restrictions as soon as the Japanese Government can complete clerical procedures for formal notifications of the individuals affected. Since these actions are administrative and are in correction of error of interpretation or application, no publicity is given to them that neither the Japanese nor member nations of the FEC be misled by inaccurate reporting to the false conclusion that FEC Directives are being violated by wholesale release from the purge of career military officers.

5. Under the same procedures and on the assumptions already accepted in the release of the thousands of officers referred to herein, it is possible, if desirable, to interpret the existing Purge Directives to SCAP to permit release of the academy classes graduated after December 8, 1941. In justification of this course when questioned by the FEC the SCAP could hold that the officers, who entered the academy in 1937 and after were not ipso facto advocates of militarism and aggression but were motivated by feelings and pressures comparable to those which induced Americans to enter military academies in 1941. To attempt administrative relaxation on a broader base would court the danger of serious repercussions in the FEC where "spirit and intent" interpretations would never be admitted to extend to the release of that group of fire-brand officers who as the "young officer clique" became notorious by their acts of violence aimed at seizing the reins of the government in the 1930's, including several attempts at armed revolt against the legitimate government in Tokyo.

GS Files

----------F.R.----------

733.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

APO 500
4 January 1946

AG 091.1 (4 Jan 46)GS
(SCAPIN - 550)
MEMORANDUM FOR: IMPERIAL JAPANESE GOVERNMENT

THROUGH : Central Liaison Office, Tokyo.

SUBJECT : Removal and Exclusion of Undesirable Personnel from Public Office.

* * * * * *

2. . . . the Imperial Japanese Government is hereby ordered to remove from public office and exclude from government service all persons who have been:

a. Active exponents of militaristic nationalism and agression . . .

c. . . . as those terms are defined in Appendix A to this directive.

* * * * * *

APPENDIX "A"

REMOVAL AND EXCLUSION CATEGORIES

* * * * * *

B. Career military and naval personnel: special police and officials of the war ministries.

Any person who has at any time held any of the following positions:

1. Member of:

Board of Fleet Admirals and Field Marshals
Supreme Military Council
Imperial General Headquarters
Army and Navy General Staffs
Supreme Council for Direction of the War

2. Commissioned officer in the Imperial Japanese Regular Army or Navy or in the Special Volunteer Reserve.

Tab a

3. Commissioned or non-commissioned officer, enlisted man or civilian employee who served in or with the Military Police (Kempei-Tai) or Naval police, the TOKOMU KIKAN, KAIGUN TOKUMU BU, or other special or secret intelligence or military or naval police organizations.

4. Ministry of War (unless appointed since 2 September 1945)

Minister
Permanent Vice-Minister
Parliamentary Vice-Minister
Parliamentary Councillor
Chief Secretary

All civilian officials of the civil service rank of Chokunin, or above, or who occupy positions normally held by persons of such rank.

5. Ministry of the Navy (unless appointed since 2 September 1945)

Minister
Permanent Vice-Minister
Parliamentary Vice-Minister
Parliamentary Councillor
Chief Secretary

All civilian officials of the civil service rank of Chokunin, or above, or who occupy positions normally held by persons of such rank.

* * * * * *

FEC-014/10

FEC-RESTRICTED
FEC-014/10
9 July 1947

FAR EASTERN COMMISSION

BASIC POST-SURRENDER POLICY FOR JAPAN

(Note: 014/9 was a policy decision of FEC, dated 20 Jun 47. 014/10 was a United States Directive to the Supreme Commander containing the same information, dated 9 Jul 47.)

* * * * * * * * * *

FEC-014/10

PART III - POLITICAL

1. Disarmament and Demilitarization

High officials of the Japanese Imperial General Headquarters and General Staff, other high military and naval officials of the Japanese Government, leaders of ultra-nationalist and militarist organizations and other important exponents of militarism and aggression will be taken into custody and held for future disposition. Persons who have been active exponents of militarism and militant nationalism will be removed and excluded from public office and from any other position of public or substantial private responsibility. Ultra-nationalistic or militaristic social, political, professional and commercial societies and institutions will be dissolved and prohibited.

The restoration, even in a disguised form, of any anti-democratic and militaristic activity shall be prevented, particularly on the part of former Japanese career military and naval officers, Gendarmerie, and former members of dissolved militaristic, ultra-nationalistic and other anti-democratic organizations.

Militaristic, ultra-nationalistic and anti-democratic doctrines and practices, including para-military training, shall be eliminated from the educational system. Former career military and naval officers, both commissioned and non-commissioned, and all other exponents of militaristic, ultra-nationalistic and anti-democratic doctrines and practices shall be excluded from supervisory and teaching positions.

Tab E

FAR EASTERN COMMISSION

PROHIBITION OF MILITARY ACTIVITY IN JAPAN AND DISPOSITION OF THE JAPANESE MILITARY EQUIPMENT

(Note: 017/20 was a policy decision of FEC, dated 17 Feb 48. W 97791 was a radio from JCOS containing the same information, dated 18 Mar 48. 017/21 was a United States Directive to the Supreme Commander containing the same information, dated 30 Mar 48. According to the new numbering, this latter is Serial No. 89.)

* * * * * * * *

FEC 017/20

Paragraph 13.

For the purpose of prevention of the revival of Japanese militarism persons who have at one time fallen within any of the following categories should not be nominated or employed in the Government service, public office, or educational institutions except as they may be necessary in performing duties essential to the demobilization of repatriated military and naval personnel.

a. Generals, admirals, and all other senior officers and all career officers of the Army, Navy and Gendarmerie;

b. Other officers of the Army, Navy and Gendarmerie, including members of the reserve, if their employment would harm the cause of peace and security; and

c. Officials of ex-officers; and other military and para-military associations and of bodies closely associated with the Armed Forces.

The Supreme Commander for the Allied Powers may authorize the nomination or employment of a person coming within categories a and c if his record shows that he has been an opponent of Japanese expansionism and totalitarianism.

IMPERIAL ORDINANCE No. 1 of 1947

Promulgated on 4 January 1947

(Explanation of Legal Terms)

* * * * *

Article II. The term "public service" as used in this Ordinance shall mean and include positions of members of National Diet, personnel of the national government entity, assembly members and personnel of the local public organizations (including To, Do, Fu, Ken, Shi, Ku, Machi, Mura and Cho-Son Kuniai), and positions of specific personnel of specific companies, associations, mass communication media and other organizations.

* * * * *

* * * * *

Tobe

21 April 1951

MEMORANDUM FOR: Lt Col Jack P. Napier

SUBJECT : Reinstatement of Ex-Japanese Army and Navy Officers

As of 20 April 1951, a total of 7822 military personnel had been reinstated. These included:

14 Reinstated approximately on 10 August 1948
335 Reinstated 4 November 1948
56 Reinstated 25 February 1949*
1095 Reinstated 4 April 1949**
838 Reinstated 27 September 1950***
2234 Reinstated 13 October 1950****
3250 Reinstated 30 October 1950*****

Included in the above were 6,645 army and navy officers. Others were civilian officials of the War and Navy Ministries and members of the Kempei Tai*.

* See Tab a
** See Tab b
*** All 838 were Reserve Officers, erroneously purged as career officers
**** See Tab c
***** All 3250 were young officers who had no military service nor schooling prior to 8 December 1941.

JDM

Tab d

The scope of persons of Category B unpurged by the former Central Screening Committee, the Appeal Board and the Supervision Section, ... is as follows:

1. Categorically unpurgeable
   a. Reserve officers
   b. Officers from two-year active service (graduates of technical (non-military) colleges, commissioned for two years, but extended)
   c. Officers from civilians: (commissioned from Army or Navy civilians)
2. Precedents of unpurge established in December 1947 by the Central Screening Committee.
   a. Officers commissioned after 8 December 1941 having graduated from universities or colleges other than those of Army or Navy ones. None was a "combatting officer". They were doctors, technicians, veterinarians, dentists, pharmacists, pay-masters, etc.
   b. Officers from 25th and 26th "Shoi-Kohosei" (cadets) (only army). ...
   c. Surgeons or Military Police who retired from the active service prior to 1920 and their term of service was not long enough to receive the ordinary pension.
   d. Military musicians (commissioned officers)
   e. Military Police after 15 August 1945 (so-called "temporary Kempei's")
3. Precedents of unpurge established in March 1948 by the Central Screening Committee.
   a. Assistant Military Police whose job was only chores other than proper work of Military Police ....
   b. Officers commissioned after the war.
4. Precedent of unpurge established in May 1948 by the former Appeal Board.
   a. Manchurian regular officer ...(subject person was a pharmacist)
5. Precedent of unpurge established in July 1948 by the Supervision Section.
   a. An officer who became blind in the Russo-Japanese War and since then for about 40 years taught the many blind by establishing a school for the blind.(Shibanai Kaizo)
6. Precedent of unpurge established in November 1948 by the Supervision Section.
   a. Officers commissioned just before the end of the War and could not know their commission on account of communications difficulties, because they were "marooned" on the spot, and were not treated as commissioned officers by the time of their repatriation.

TAB "A"

Number of Non-regular Officers to be reinstated

March 10, 1949

		Army	Navy	Total
1.	Reserve Officers	201	47	248
2.	Two-year Active Service	34	33	67
3.	Scholarship Students	483	142	625
4.	Officers from Civilian	13	7	20
5.	25th and 26th Class Officer	99		99
6.	Musical Officers	5	9	14
7.	Non-commissioner	0	1	1
8.	Temporary Kempeis	8	0	8
9.	Kempeis prior to 1920	13	0	13
	Total	856	239	1,095

TAB "B"

Reference: Number of Appellants Granted Special Remission Classified by Categories and Standards of Examination Followed by the Appeal Board

Reinstate: Reserve officers; officers who were ordered to duty for two years and "extended"; officers who were transferred from civil officials to military officials; officers in each Department of the Army Service who are graduates of colleges to higher institutions and who were commissioned on or after 8 December 1941; musical officers; officers of Medical and other Departments who were de-activated in or before 1920; those who were commissioned as Sub-Lieutenants after being Sub-Lieutenant candidates who were of the 25th Class or of the 26th Class; those who were commissioned after the termination of hostilities; officers in each Department of the Manchukuo Armed Service; temporary Military Policemen, Military Policemen prior to 1920; Assistant Military Policemen; Military Policemen who entered an institution for education, shortly, before the end of hostilities, but required education as Military Policemen had not been completed; officers commissioned just before the end of hostilities and could not know their commission on account of communication difficulties.

COPY

18 October 1950

MEMORANDUM FOR: The Record

SUBJECT : Release of Certain Erroneously Purged Junior Officers

1. At 1000 hours, 18 October 1950, Major Napier conferred with OKADA Norikazu, Chief of the Public Office Qualification Section of the Prime Minister's Office, on the above subject. Also present, were Mr. Aka and Captain McWherter. Preliminarily, Major Napier stated that he knew Mr. OKADA had a good command of English, but that Mr. Aka was to interpret so that there could be no possibility of misunderstanding.

2. The following points were emphasized by Major Napier:

a. That SCAP's intention in utterance of SCAPIN 550 was to remove from positions of leadership all those persons responsible for Japan's ultranationalism and militarism — those who fomented war preparations, prepared the national consciousness to accept war as an instrument of national policy, and led the Japanese people down the path of armed aggression.

b. That SCAP had no intention that the restrictions of this directive should bear upon personnel not sharing such responsibility.

c. That it appeared that certain military personnel were technically classified as career military persons and therefore subject to the provisions of SCAPIN 550, who in fact did not share responsibility for the mistaken policies of the old regime.

d. That, particularly, those young men who before 8 December 1941 were themselves in no way connected with the military service or with military schools and who received first military training after that date and were subsequently accepted as regular officers of the military services should be considered for release in the correction of individual injustice.

e. That by no means should effort be made to expand this clarification of SCAP's intention; and that an estimate of the numbers of those who should be released be prepared after careful investigation of the problem.

/s/ J.P.N.
J.P.N.

18 October 1950
1400 hours

The above matters were communicated to Mr. OKAZAKI, Chief Secretary of the Cabinet, together with the suggestion that he submit an official request to SCAP through Chief, Government Section, for release of that limited class of persons mentioned above. Mr. OKAZAKI agreed fully, stating that it was his Government's long-time purpose to correct this matter; and he dispatched Mr. KIMURA, Liaison Chief, to confer on terms and wordings of the proposed letter.

/s/J. P. N.
J. P. N.

C O P Y

The Prime Minister's Office

23 October 1950

Dear General Whitney:

After carefully reviewing the cases of purged junior officers of the former army and navy and weighing them in the light of the spirit and intent of SCAPIN 550, the Japanese Government has arrived at the conclusion that those among them who belong to a certain category have been disqualified as a result of an erroneous interpretation of the aforesaid memorandum.

Specifically reference is made to the officers of the army and navy who did not attend any military school or receive any military training before 8 December 1941; that is to say, those who received military training for the first time after that date and subsequently were commissioned as regular officers. Technically classified as career officers they were made subject to SCAPIN 550.

If the Government's reading of the memorandum is correct, the intention of the Supreme Commander for the Allied Powers in issuing it was to disqualify and exclude from public offices persons who in some way shared responsibility for the mistaken policies of the old regime, and, if this is so, young men of the category mentioned above do not fall within its purview. The Government feels, on the basis of the foregoing considerations, that an injustice has been committed and therefore to correct it wishes to release the following from the purge:

ARMY: Approximately 1,517 officers of the 58th class of the Military Academy, commissioned August 1945, and 297 paymasters of the 6th and 7th classes of the Paymasters' Academy, commissioned May 1944 and August 1945 respectively, totalling approximately 1,814.

NAVY: 1,328 officers of the 74th class of the Naval Academy, commissioned, July 1945, and 99 paymasters of the 35th class of the Naval Paymasters' Academy, commissioned July 1945, totalling 1,427.

TOTAL for both army and navy: Approximately 3,241

The Japanese Government, hoping that your Headquarters will agree with the step here proposed, hereby requests that it will be favorably received and approved.

Sincerely yours,

/s/KATSUO OKAZAKI
Katsuo Okazaki
Chief Secretary of
The Cabinet

Brig. Gen. Courtney Whitney
Chief, Government Section
General Headquarters
Supreme Commander for the Allied Powers

File Courts

Issued to local Office

Date

DRAFT

FOR : Chief Prosecutor of the High Court

Chief Prosecutor of the District Court

FROM : Director of Prosecution Affairs Bureau

SUBJECT: Concerning the disposal of the cases violating the Organizations Control Order.

With reference to the disposal of the cases, etc., violating the Organizations Control Order, it is connected a great deal with the fundamental policy of Government Section of the General Headquarters and the policy of administrative guidance of Special Examining Bureau based on it. Accordingly, with the exception of the cases in which the authority of prosecution is exercised in accordance with the information from the Director of the said Bureau, it is desirous to deal with it generally in the following policy.

Wants to make it belong to "To carry out the order of G.S."

I. Concerning the case violating Article (6) of the Organizations Control Order.

(1) Regarding the case in which the clue of the examination has been obtained by the personnel of the judicial police, the case shall first be reported to the prosecutor before it is transferred or forwarded

Before investigation

and the direction of those in authority shall be obtained corresponding to the instance of the request for the instructions concerning the disposal of it as to whether it is necessary to start the examination or not.

(2) In respect to the case in which the clue of the examination has been obtained by the prosecutor through the complaint and so on, the instance in the preceding paragraph shall be adopted.

(3) In case where the direction of those in authority is obtained in accordance with the preceding two paragraphs, communication shall be arranged before it with the Chief in charge of the Section of the metropolis, the district, or the urban or rural prefecture, and listening to the circumstances of administrative guidance given hitherto (as to whether the organization concerned has been disposed as one which should file declaration or not or whether it has previously been advised to file declaration or not), the result shall be mentioned in addition without fail.

(4) In case where the direction is given that it is unnecessary to start examination, it need not be prosecuted with the exception of the case which has been complained. And, regarding to the case which has been complained, the examination shall be made only in the smallest degree, and the instructions for the dis-

posal of non-prosecution shall be requested without delay.

(5) In case where the direction has been obtained to start examination, it shall be disposed in accordance with the ordinary instance.

II. Concerning other cases violating the Organizations Control Order.

In regard with other cases violating the Organizations Control Order, the direction of those in authority shall likewise be obtained in relation to the start of examination corresponding to the aforementioned I.

III. With reference to the case violating the Imperial Ordinance No. 1 of 1947, it is not necessary, as before, to obtain the direction of those in authority relating to the start of examination. The directive given by the Director of Criminal Administration at the gathering of Chief Prosecutors held on June 16 is not against this purport. This is added for caution's sake.

Furthermore, of the report addressed to the Attorney-General in connection with the cases violating the Organizations Control Order and the Imperial Ordinance No. 1 of 1947, the report for the instructions of the start of examination and the report of the acceptance of the case with the exception of the information addressed to the Director of Special Examining Bureau, you are required to dispatch two copies of them, one for the Prosecution Affairs Bureau with the other for the Special Examining Bureau.

Re Article 25 of the Public Procurator's Office Law

The words "lose his office" as mentioned in Article 25 of the Public Procurator's Office Law mean that the person who is the Procurator-General, Superintending Procurator (Kenjicho), Public Procurator (Kenji) or Assistant Procurator (Fuku-Kenji) ceases to be a public procurator (Kensatsukan) by losing his position. Accordingly it is not included within the meaning of these words that he is transferred from one procuratorial position to another (hereinafter referred to "transfer of position").

Explanation

1. As regards judges, the Court Organization Law prohibits, in Article 48, their dismissal, removal to any other official position. and transfer from one court to another in order to guarantee their status, but the Public Procurator's Office Law which was enacted at the same time simply use the words "lose his office". Accordingly we cannot but admit that there is no legal guarantee for public procurators to protect them from being removed to other procuratorial position, not to mention being transferred from one procurator's office to another.

2. Examining the other Articles of the Public Procurator's Office Law, we find that Article 23 authorizes the dismissal of those public procurators who are unsuitable to discharge their duties only by a decision of the Committee for the Examination of Qualification of Public Procurators, but there is no guarantee like this, in regard to the transfer of public procurators from

one position to another. It is natural, therefore, from this viewpoint as well, that "Except in the cases mentioned in the preceding three Articles, ---------- lose his office ---------- " in Article 25 is stipulated in connection with Article 23, and it is difficult to interpret that the transfer of position within the procuratorial circle is included within the meaning of "lose his office".

Suppose that Article 25 protects public procurators from being transferred from one position to another against their will. Then there is no way to transfer such public procurators as are disqualified for a certain position to another suitable position against their will. Therefore in this case we shall have to force their dismissal under Article 23, and this is unreasonable.

3. There is an essential difference between judges and procurators in that the duties of each judge is completely independent, while public procurators are under the direction of seniors under the principle of "unité et indivisibilité du ministér public", (or Principe de l'unité et de la subodination du ministér public). It is because of this difference in their character that the status of judges is guaranteed especially by the present Constitution as well as the old one . It is considered to be because of the same reason that there was a difference of status between the two under the old Court Organization Law. Accordingly it is by no means unreasonable that there is a diffirence between the two under the present laws.

(Apartt from the essential difference like this, it goes without saying that there is necessity to secure the fair execution of duties of public procurators. Therefore the Public Procurator's Office Law fully guarantees their status in regard to the fundamental matters such as suspension from the performance of their duties or reduction of salary besides the losing of office.)

By the way, since public procurators are within the category of Government officials in Regular Service, it is needless to say that their status is guaranteed by the National Public Service Law as regards the matters not particularly provided by the Public Procurator's Office Law.

Atty-Gen Office
Okd 4th May 51
by Kagawa

I hereby promulgate the Cabinet Order for partial amendment to the Cabinet Order concerning the Custody and Disposition, etc. of the Properties of Dissolved Organizations.

Signed: HIROHITO, Seal of the Emperor

This day of the month of the twenty-sixth year of Showa (, 1951)

Prime Minister

YOSHIDA Shigeru

Cabinet Order No.

Cabinet Order for Partial Amendment to
The Cabinet Order concerning the Custody and
Disposition, etc. of the Properties of Dissolved
Organizations

In accordance with the Ordinance concerning the Orders to be Issued in consequence of the Acceptance of the Potsdam Declaration (Imperial Ordinance No. 542 of 1945), the Cabinet establishes this Cabinet Order.

The Cabinet Order concerning the Custody and Disposition, etc. of the Properties of Dissolved Organizations (Cabinet Order No. 238 of 1948) shall be partially amended as follows:

In Article 7 paragraph 3, "In case there is any one bid for purchase of any one unit of real property amounting to ¥ 1,500,000 or more, the Sales Commission of the Dissolved Organizations' Properties shall submit all bids with regard to the properties concerned to the General Headquarters, Supreme Commander for the Allied Powers, Civil Property Custodian for approval of sale.

In other cases, the Sales Commission of the Dissolved Organisations' Properties may accept the sale without prior approval of the General Headquarters, Supreme Commander for the Allied Powers, Civil Property Custodian." shall be deleted.

In Article 11 paragraph 1, "designated by the Supreme Commander for the Allied Powers for specific use by Government agencies" shall be amended as "designated by the Attorney-General, as necessary for public or government use by the state or local public entities", paragraph 3 of the said Article be deleted, paragraph 4 of the said Article be made paragraph 3 of the same Article, and the said paragraph be amended as follows:

3. The Property Appraisal Board as referred to in the preceding paragraph shall be commissioned by the Attorney-General from among officials of government agencies concerned, or learned and experienced persons.

In Article 17, paragraph 1 shall be deleted, paragraph 2 be made paragraph 1, "and report" in the said paragraph be deleted, and paragraph 3 be made paragraph 2.

In Article 19 item (3), "Art. 17: Par. 2/4" shall be amended as "Article 17 paragraph 1".

Supplementary Provisions:

1. This Cabiner Order shall come into force as from the day of its promulgation, and apply as from March 23, 1951, excluding the provisions amending the provisions of Articles 17 and 19.
2. As for the penal provisions applicable to an act committed prior to the enforcement of this Cabinet Order the precedents under the former provisions shall apply.

Cabinet Order No.238

Promulgated	19 Aug.	1948
Amended	9 Feb.	1949
"	4 Apr.	"
"	30 Apr.	"
"	8 Sep.	"
"	17 Oct.	"
"	31 Mar.	1950
"	14 Sept.	"

Cabinet Order concerning the Custody and Disposition, etc. of the Properties of Dissolved Organizations

The Cabinet hereby establishes the Cabinet Order concerning the Custody and Disposition, etc. of the Properties of Dissolved Organizations under the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration (the Imperial Ordinance No.542 of 1945).

Article 1. The "dissolved organization" in this Cabinet Order shall mean the organization dissolved in accordance with the provisions of Article 4 of the Organizations Control Order (Cabinet Order No.64 of 1949.)

Article 2. The disposition of properties made by Dissolved Organizations after August 15th, 1945, shall be null and void. However, such dispositions as undermentioned shall be excepted:

1. Payment of public taxes and imposts;
2. Payment of salaries of employees, house and land rents, electric and gas charges, and payment of other daily necessary expenses;
3. Gift and grants, loans liquidation expenses, investments in other organizations, or other transfers of monies made in amounts of less than 10,000 yen;
4. Disposition of properties made on receipt of consideration not improperly low.

2. Concerning the properties which have once belonged to Dissolved Organizations after August 15th, 1945 and are to be designated by the Attorney-General, the dispositions done thereto after the initial transfer from the Dissolved Organizations concerned shall be null and

void, although it is not to be null and void under the provisions of the preceding paragraph.

Article 3. Title to all real and movable properties, claims and any other assets of Dissolved Organizations shall be vested in the National Treasury, and the rights of retention, preferential rights, pledge and hypothec, which have the properties of Dissolved Organizations as their object shall be extinct.

Article 4. Any person who occupies the properties mentioned in the preceding articles shall submit a report giving the following matters to the Attorney-General through the governor of prefecture where he lives, within thirty days from the day of designation according to the provisions of Art. 4 of the Organizations Control Order, regarding the Dissolved Organizations concerned.

1. Name, address and occupation;
2. If he was in the position of Dissolved Organizations' officer or personnel, the fact thereon and description of his duties;
3. Description, quantity and location of the property;
4. Cause, time and consideration for acquiring the properties; Name and address of the former owner;
5. Other matters regarded to be necessary.

2. The provisions of the preceding paragraph shall apply with necessary modifications to a person who has taken over any properties in excess of 10,000 yen from Dissolved Organizations, or to a person who has owed to Dissolved Organization any amounts in excess of 10,000 yen, after 15 Aug. 1945 or to their successors, besides the cases which come under the same paragraph.

Article 5. In case a person who occupies the properties mentioned in Art. 3 fails to deliver them, the Attorney-General shall order him to deliver.