

ment of Japan in the post-war world, nor does it seek to prescribe in detail the measures which you are to take throughout the period of your occupation of Japan in the effort to give effect to the surrender and the Potsdam Declaration. Those policies and the appropriate measures for their fulfillment will in large measure be determined by developing circumstances in Japan. It is, therefore, essential that surveys dealing with economic, industrial, financial, social and political conditions in Japan be constantly maintained by you and made available to your government. These surveys should be developed in such a manner as to form the basis for effecting modifications in the initial measures of control set forth herein as well as for the progressive formulation of policies to promote the ultimate objectives of the United Nations. Supplemental directives will be issued to you through the Joint Chiefs of Staff as may be required.

4. The Establishment of Military Authority Over Japan

(a) Immediately upon the surrender of Japan you will require the Emperor, the Japanese Government and the Japanese Imperial General Headquarters to issue orders to all the armed forces of Japan and all armed forces under Japanese control to cease hostilities and to surrender their arms and to issue such other orders as may be required to give effect to the instrument of surrender and the policies set forth in the Potsdam Declaration. You will require the Emperor and the Japanese Government to take all necessary steps to assure that all orders issued to effectuate the objectives of your mission are promptly and fully complied with by all persons in Japan.

(b) You will occupy the Imperial capital of Tokyo, and the capitals of such prefectures as you deem necessary in order to facilitate your control over the Japanese Government. You will also occupy such strategic places as you may deem necessary. Otherwise you should not occupy any part of Japan unless it becomes essential to impose direct military government therein. However, you may temporarily utilize your forces in any area of Japan as may be required for the fulfillment of your mission. Subject to the provisions of subparagraph 4 (c) below, you will take prompt action to assure the restoration and maintenance

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of law and order by Japanese authorities or by your forces, if necessary.

(c) Where action is necessary in order to carry out the surrender, you have the right to act directly from the outset. Otherwise, subject always to your right as the Supreme Commander to take direct action in the event of the unwillingness or failure of the Emperor or other Japanese authority to act effectively, you will exercise your supreme authority through the Emperor and Japanese governmental machinery, national and local. The policy is to use the existing form of government in Japan, not to support it. Changes in the direction of modifying the feudal and authoritarian tendencies of the government are to be permitted and favored. In the event that the effectuation of such changes involves the use of force by the Japanese people or government against persons opposed thereto, you as Supreme Commander should intervene only where necessary to ensure the security of your forces and the attainment of all other objectives of the occupation. You may, as circumstances require, exercise your supreme power and authority in the fullest measure including the imposition of direct military government. If it becomes necessary to impose direct military government in any part of Japan, you will immediately thereafter advise the Joint Chiefs of Staff. You will not remove the Emperor or take any steps toward his removal without prior consultation with and advice issued to you through the Joint Chiefs of Staff.

(d) You will take appropriate steps in Japan to effect the complete governmental and administrative separation from Japan of (1) all Pacific islands which she has seized or occupied under mandate or otherwise since the beginning of the World War in 1914, (2) Manchuria, Formosa and the Pescadores, (3) Korea, (4) Karafuto, and (5) such other territories as may be specified in future directives.

(e) By appropriate means you will make clear to all levels of the Japanese population the fact of their defeat. They must be made to realize that their suffering and defeat have been brought upon them by the lawless and irresponsible aggression of Japan, and that only when militarism has been eliminated from Japanese life and institutions will Japan be admitted to the family of

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nations. They must be told that they will be expected to develop a non-militaristic and democratic Japan which will respect the rights of other nations and Japan's international obligations. You will make it clear that military occupation of Japan is effected in the interests of the United Nations and is necessary for the destruction of Japan's power of aggression and her war potential and for the elimination of militarism and militaristic institutions which have brought disaster on the Japanese. With this end in view, and to insure the security of the troops, a policy of non-fraternization may be applied in Japan if and to the extent that you may deem it to be desirable. Your officers and troops, however, should so treat the Japanese population as to develop confidence in the United States and the United Nations and their representatives.

(f) You will require the Emperor to abrogate all laws, ordinances, decrees and regulations which would prejudice the achievement of the objectives set forth in the Potsdam Declaration or which conflict with the instrument of surrender or with directives which may be issued to you through the Joint Chiefs of Staff. You will, in particular, assure the abrogation of all laws, orders and regulations which established and maintained restrictions on political and civil liberties and discriminations on grounds of race, nationality, creed or political opinion. Agencies or parts of agencies charged specifically with the execution of legislation abrogated or to be abrogated shall be abolished immediately.

(g) You will establish such military courts as may be necessary with jurisdiction over offenses against the forces of occupation and over such other matters as are consistent with the implementation of the surrender. You will, however, except as otherwise deemed necessary by you assure that Japanese courts exercise an effective jurisdiction over cases not of direct and predominant concern to the security of your troops.

(h) Representatives of civilian agencies of the United States Government or of other United Nations governments shall not participate in the occupation or function independently within Japan except upon your approval, and subject, as to purpose, time and extent, to decisions communicated to you by the Joint Chiefs of Staff.

5. Political and Administrative Reorganization

(a) Local, regional and national agencies of governmental administration, excluding those with functions and responsibilities inconsistent with the purposes of the occupation, will be permitted to continue to function after the removal of officials who are unacceptable as described in paragraph 5 (b) below, or who are ascertained to be unreliable. Such agencies and their personnel will be held responsible for the administration of government and will be charged with the execution of your policies and directives. At all times, however, and in all circumstances you are empowered yourself to take direct action if and to the extent that Japanese authorities fail satisfactorily to carry out your instructions.

(b) Except as indicated in paragraph 7 (c) below, in no circumstances will persons be allowed to hold public office or any other positions of responsibility or influence in public or important private enterprise who have been active exponents of militant nationalism and aggression, who have been influential members of any Japanese ultranationalistic, terroristic or secret patriotic society, its agencies or affiliates, who have been influential in the activities of the other organizations enumerated in paragraph 5 (g) below, or who manifest hostility to the objectives of the military occupation.

(c) You will assure that at all times, so long as the present form of government is retained, the posts of Lord Privy Seal, Privy Council, Prime Minister and Cabinet members are held only by persons who may be relied upon to further the purposes of your mission. You will require the immediate abolition of the Ministry of Greater East Asia but may retain such of its machinery and personnel as may be necessary to carry out the separation of colonies provided for by paragraph 4 (d) above. You will progressively disband and eliminate the Ministries of War, Navy, and Munitions during the process of disarmament and demobilization.

(d) Local responsibility for the local enforcement of national policy will be encouraged.

(e) Ordinary criminal and civil courts in Japan will be permitted to continue to function subject to such regulations, supervision and control as you may determine. As rapidly as possible, judges and

other court personnel who are unacceptable under the provisions of paragraph 5 (b) above will be removed. Such officials will be replaced with acceptable and qualified successors. Full power of review will be retained by you over all courts which are allowed to function. You will veto all decisions which are inconsistent with the purpose of your mission. You will take all practicable measures to cause the release of persons held in custody solely under laws or regulations of the type to be abrogated under paragraph 4 (f) above.

(f) Criminal and ordinary police agencies, and such others as you may consider proper to be retained under appropriate supervision, must be purged of undependable and undesirable elements, in particular, of members of ultra-nationalistic, terroristic and secret patriotic societies.

(g) Throughout Japan you will assure the dissolution of the Political Association of Great Japan, the Imperial Rule Assistance Association (*Taisei Yokusankai*), the Imperial Rule Assistance Political Society (*Taisei Seijikai*), their affiliates and agencies or any successor organizations, and all Japanese ultra-nationalistic, terroristic and secret patriotic societies and their agencies and affiliates.

(h) You will direct the Japanese Government to recall such Japanese diplomatic and consular officials and other agents abroad as the Department of State may request through the Joint Chiefs of Staff. You will also direct the Japanese Government to arrange for the turning over to the custody of properly accredited representatives of the Allied governments of archives and property of Japanese diplomatic and consular establishments for the purposes of effectuating the surrender.

(i) All property, real and personal, owned or controlled by any of the organizations referred to in paragraph 5 (g) above, should be considered public property. If there is any doubt as to the public status of any property (e.g., property of quasi-official companies or of private companies in which the Japanese Government or the Japanese Imperial Household has an important interest), it should be considered public property. Imperial Household property shall not be exempted from any action necessary to carry out the objectives set forth in this directive.

6. Demilitarization

(a) You will assure that all units of the Jap-

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anese armed forces including the Gendarmerie (*Kempei*) (but not the civil police), Civilian Volunteer Corps, and all para-military organizations are promptly disarmed. Personnel of such units will not be held as prisoners of war, but as disarmed units under their own officers and will be demobilized in accordance with directives issued or to be issued by you. You will require that provision be made against any inequitable treatment of or disabilities against any member of the Japanese armed forces taken as a prisoner of war who is returned to Japan.

(b) You will provide for the permanent dissolution of all military and para-military organizations, including the Supreme Military Council, the Board of Field Marshals and Fleet Admirals, the Imperial General Headquarters, the Army and Navy General Staffs, the Army, Navy, Civilian Volunteer Corps and Gendarmerie, together with all reservists and other militaristic associations which might serve to keep alive the military tradition in Japan. You may, however, for a brief period of time, utilize military and naval agencies, including those enumerated above, for the limited purpose of giving effect to the surrender with particular reference to demobilization. All military and para-military training on land and sea and in the air will be prohibited.

(c) In accordance with the provisions of the directive already issued you, you will seize or destroy all arms, ammunition, naval vessels, and implements of war, including aircraft designed for civil use, and stop the production thereof.

(d) You will take proper steps to destroy the Japanese war potential, as set forth in Parts II and III in this directive.

7. Arrest and Internment of Japanese Personnel

(a) The following will be arrested as rapidly as practicable and held as suspected war criminals, pending further instructions concerning their disposition:

(1) All members of the Supreme Military Council, the Board of Field Marshals and Fleet Admirals, the Imperial General Headquarters, and the Army and Navy General Staffs;

(2) All commissioned officers of the Gendarmerie (*Kempei*), and all officers of the Army and Navy who have been important exponents of militant nationalism and aggression.

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(3) All key members of ultra-nationalistic, terroristic and secret patriotic societies; and

(4) All persons who you have reason to believe are war criminals or whose names or descriptions are contained in lists of suspected war criminals which have been or may be furnished to you.

(b) All persons who have played an active and dominant governmental, economic, financial or other significant part in the formulation or execution of Japan's program of aggression and all high officials of the Political Association of Great Japan, the Imperial Rule Assistance Association, the Imperial Rule Assistance Political Society and their agencies and affiliates or successor organizations will be interned pending further disposition. You may intern other civilians as necessary for the achievement of your mission.

(c) You may, however, for a brief period of time, utilize the closely supervised services of those persons within the categories enumerated in subparagraphs 7 (a) (1) and (2) above, who are absolutely required by you to insure the demobilization of the Japanese armed forces.

(d) You will receive further instructions concerning your responsibility with relation to war criminals, including those who have committed crimes against peace and crimes against humanity.

(e) No differentiation shall be made or special consideration be accorded to civilian or military personnel arrested as war criminals either as to manner of arrest or conditions of detention, upon the basis of wealth, or political, industrial, or other rank or position.

(f) All nationals of countries except Japan with which any of the United Nations are or have been at war in World War II (Bulgaria, Finland, Germany, Hungary, Italy, Roumania, and Thailand) will be identified and registered and may be interned or their activities curtailed as may be necessary under the circumstances. Diplomatic and consular officials of such countries will be taken into protective custody and held for further disposition.

(g) Property, real and personal, owned or controlled by persons who have been detained or arrested under the provisions of paragraph 7 will be taken under your control pending directions as to its eventual disposition.

8. Prisoners of War, United Nations Nationals, Neutrals, and Other Persons

(a) You will insure that prisoners of war and displaced persons of the United Nations are cared for and repatriated.

(b) Nationals of neutral countries will be required to register with the appropriate military authorities. They may be repatriated under such regulations as you may establish. However, all nationals of neutral nations who have actively participated in any way in the war against one of the United Nations will be arrested for disposition in conformity with later instructions. Nationals of neutral nations will be accorded no special privileges of communications or business relationships with their home countries or people resident outside Japan. The persons, archives and property of diplomatic consular officials of neutrals will be accorded full protection.

(c) All civilians who are nationals of the United Nations, resident or interned in Japan will be identified, examined closely, and if you deem it advisable, may be placed in custody or restricted residence. All such nationals who fall within the provisions of paragraph 7 (b) above shall be arrested and held as suspected war criminals. All other United Nations nationals who have actively participated in any way in the war against one or more of the United Nations will be arrested and held for later disposition. Thereafter, they will be dealt with in accordance with instructions to be furnished you. In general, practical measures will be taken to insure the health and welfare of United Nations nationals.

(d) You will treat Formosan-Chinese and Koreans as liberated peoples in so far as military security permits. They are not included in the term "Japanese" as used in this directive but they have been Japanese subjects and may be treated by you, in case of necessity, as enemy nationals. They may be repatriated, if they so desire, under such regulations as you may establish. However, priority will be given to the repatriation of nationals of the United Nations.

(e) Within such limits as are imposed by the military situation, you should take all reasonable steps necessary to preserve and protect the property of the United Nations and their nationals.

9. Political Activity

(a) The dissemination of Japanese militaristic

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and ultra-nationalistic ideology and propaganda in any form will be prohibited and completely suppressed. You will require the Japanese Government to cease financial and other support of National Shinto establishments.

(b) You will establish such minimum control and censorship of civilian communications including the mails, wireless, radio, telephone, telegraph and cables, films and press as may be necessary in the interests of military security and the accomplishment of the purposes set forth in this directive. Freedom of thought will be fostered by the dissemination of democratic ideals and principles through all available media of public information.

(c) You will immediately place under control all existing political parties, organizations and societies. Those whose activities are consistent with the requirements of the military occupation and its objectives should be encouraged. Those whose activities are inconsistent with such requirements and objectives should be abolished. Subject to the necessity of maintaining the security of the occupying forces, the formation and activities of democratic political parties with rights of assembly and public discussion will be encouraged. Free elections of representative local governments should be held at the earliest practicable date, and at the regional and national levels as directed, after consideration of your recommendation, through the Joint Chiefs of Staff. Your action in connection with the program referred to in this subparagraph should be taken in the light of one of the ultimate objectives of the occupation, the establishment, in accordance with the freely expressed will of the Japanese people, of a peacefully inclined and responsible government.

(d) Encouragement will be given to the development of democratic organizations in labor, industry and agriculture.

(e) Freedom of religious worship shall be proclaimed promptly by the Japanese Government. To the extent that the security of your military occupation and the attainment of its objectives are not prejudiced and subject to paragraph 9 (a) and (c) above, you will insure freedom of opinion, speech, press, and assembly.

10. Education, Arts, and Archives

(a) As soon as practicable educational institutions will be reopened. As rapidly as possible, all

teachers who have been active exponents of militant nationalism and aggression and those who continue actively to oppose the purposes of the military occupation will be replaced by acceptable and qualified successors. Japanese military and para-military training and drill in all schools will be forbidden. You will assure that curricula acceptable to you are employed in all schools and that they include the concepts indicated in paragraph 3 (a) above.

(b) You should cause to be preserved for your information and use the records of all governmental and quasi-governmental, important private financial, industrial, manufacturing and business concerns, and the Japanese organizations referred to in paragraph 5 (f) above.

(c) You will, so far as practicable, cause to be protected and preserved, all historical, cultural and religious objects, against depredations by the occupational forces, or others.

PART II

A. Economic

Objectives and General Basic Principles

11. The policies of the American Government in regard to the economic affairs of Japan during the period of occupation are intended simultaneously to accomplish the following purposes:

(a) To eliminate existing specialized facilities for the production of arms, munitions, or implements of war of any kind.

(b) To destroy the economic ability of Japan to create or support any armaments dangerous to international peace.

(c) To execute such program of reparations and restitution as may be decided upon by the appropriate Allied authorities.

(d) To encourage the development within Japan of economic ways and institutions of a type that will contribute to the growth of peaceful and democratic forces in Japan.

(e) To supervise and guide the operation of Japanese economic arrangements and operations to assure that they conform to the general purposes of the occupation, and make possible the eventual readmission of Japan to the ranks of peaceful trading nations.

The instructions composing the economic part

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of the directive are intended to advance these objectives during the first and immediate period of occupation that lies ahead; they will be subject to addition and revision in the light of the circumstances which you encounter and the conduct of the Japanese people.

12. Your supreme authority as Supreme Commander for the Allied powers in Japan will extend to all matters in the economic sphere. In the exercise of that authority, to the extent that the accomplishment of your objectives permits, you will use the services of the Emperor and the machinery of the Japanese Government to accomplish your objectives. You will require them to carry out your orders, and to make such changes in the administrative organization of those branches of government concerned with economic matters as may seem to you necessary to carry out your objectives.

You should act directly:

(a) If because of the very nature of the task action through Japanese authorities will not effectively accomplish your economic objectives.

(b) In the event that operation through the Japanese Government clearly fails in any particular phase of your operations to prove a satisfactory method.

In acting directly, you will establish administrative machinery independent of and superior to the Japanese officials and agencies to execute or assure the execution of the economic measures contained in this directive until such time as you may deem that the tasks can be satisfactorily assigned to the Japanese Governmental authorities.

13. You will not assume any responsibility for the economic rehabilitation of Japan or the strengthening of the Japanese economy. You will make it clear to the Japanese people that:

(a) You assume no obligations to maintain, or have maintained, any particular standard of living in Japan, and

(b) That the standard of living will depend upon the thoroughness with which Japan rids itself of all militaristic ambitions, redirects the use of its human and natural resources wholly and solely for purposes of peaceful living, administers adequate economic and financial controls, and cooperates with the occupying forces and the governments they represent.

It is not the policy of the United States to prevent the eventual achievement by Japanese working effort and resources of conditions of living in Japan consistent with objectives specified in paragraph 11.

Economic Disarmament

14. In order to effect the economic disarmament of Japan

(a) You will stop immediately and prevent the future production, acquisition, development, maintenance, or use of all arms, ammunitions, and other implements of war; naval vessels; all types of aircraft including those designed for civilian use; and all parts, components, and materials especially designed for incorporation in any of the foregoing.

(b) You will take such measures as you deem necessary to safeguard the facilities used or intended for use in the production or maintenance of any of the items above mentioned. Pending further instructions as to their ultimate disposition such facilities are not to be destroyed except in emergency situations.

(c) You will not postpone the enforcement of the prohibitory program specified in subparagraph (a) or carrying out instructions that you will receive pursuant to subparagraph (b) without specific approval through the Joint Chiefs of Staff. Should you, however, find that production of any of the items enumerated in subparagraph (a) is essential to meet your requirements for military operations, the occupying forces, or temporary military research, you will make suitable recommendations to the Joint Chiefs of Staff; and pending the decision of the Joint Chiefs of Staff, you are authorized to make arrangements for production to the minimum extent necessary therefor.

15. Instructions which will be subsequently transmitted to you for carrying out programs for economic disarmament, reparations and restitution will involve the reduction or elimination of certain branches of Japanese production, such as iron, steel, chemicals, non-ferrous metals, aluminum, magnesium, synthetic rubber, synthetic oil, machine tools, radio and electrical equipment, automotive vehicles, merchant ships, heavy machinery, and important parts thereof.

Pending, however, final and specific decision on these matters, you will permit continued produc-

tion in these industries and the repair of production facilities to the minimum extent required to meet the needs of the occupation forces, and the minimum peaceful requirements of the population.

You will make clear to the Japanese that any permission to continue production or to repair production facilities is granted without prejudice to final decisions, as to either the limitations that may be imposed upon any branch of the Japanese economy or deliveries which may be required as reparations or restitution.

16. You may also permit the conversion of plant and equipment, including those types mentioned in paragraphs 14 and 15, to the production of essential consumer goods. You will satisfy yourself that any such conversion undertaken is a genuine move towards a peaceful economy and not a disguised attempt to preserve capacity to produce for military purposes.

You will also make clear to the Japanese that any such permission to convert is granted without prejudice to subsequent decisions as regards removal of plant or equipment on account of reparations or restitution or scrapping for security reasons under paragraph 11.

17. You will

(a) Immediately establish a system of inspection, and control to insure that production of the type forbidden in paragraphs 14 and 15 is not undertaken in concealed or disguised form.

(b) Have prepared as rapidly as possible inventory reports upon all significant facilities that have been producing or are intended to produce the products covered in paragraph 14, and in all the industries specifically mentioned in paragraph 15. These reports should specify the condition and capacity of plant and equipment and the extent of raw materials stocked, finished goods, and goods in process. You will also inventory the Japanese merchant fleet.

In order to furnish the information necessary for further decisions concerning economic policy you will communicate these reports to the Joint Chiefs of Staff.

(c) Develop and recommend to the Joint Chiefs of Staff controls which will prevent Japanese rearmament after termination of your occupation.

18. You will insure that all laboratories, research institutes, and similar technological organ-

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izations are closed immediately except those you deem necessary to the purposes of the occupation. You will provide for the maintenance and security of physical facilities thereof when deemed necessary, and for the detention of such personnel as are of interest to your technological or counter-intelligence investigations. You will at once investigate the character of the study and research conducted in such closed organizations and as rapidly as possible permit the resumption of those forms of study and research that have an obviously peaceful purpose under appropriate regulations which (1) define the specific type of research permitted, (2) provide for frequent inspection, (3) require free disclosure to you of the results of the research, and (4) impose severe penalties, including permanent closure of the offending institution whenever the regulations are violated.

The Operation of the Japanese Economic System

19. The Japanese authorities will be expected to develop and effectively carry out programs of working activity that will enable them out of their own resources and labor to accomplish the following:

(a) To avoid acute economic distress.

(b) To assure just and impartial distribution of available supplies.

(c) To meet your demands for the needs of the occupying forces.

(d) To meet the requirements for such reparations deliveries as may be agreed upon by the Allied Governments.

In order to achieve these aims, the Japanese authorities will have to make the utmost effort to maximize production of agricultural and fishery products, coal, charcoal, housing repair materials, clothing and other essentials. In the event that they fail to do so, you will direct them to take such measures as in your judgment are necessary.

20. You will require the Japanese authorities to provide goods and services to meet the needs of the occupying forces to the extent that this can be effected without causing starvation, widespread disease and acute physical distress.

21. The Japanese authorities shall be permitted on their own responsibility to establish and administer any controls over economic activities that are appropriate or necessary in order to achieve the economic ends specified in paragraph 19. Both

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the policy and the administration of these controls shall be subject to your approval and supervision particularly in so far as they may conflict with paragraph 15. This paragraph shall not preclude your taking direct action as provided in paragraph 12.

22. Serious inflation will substantially retard the accomplishment of the ultimate objectives of the occupation. You will, therefore, direct the Japanese authorities to make every feasible effort to avoid such inflation. However, prevention or restraint of inflation shall not constitute a reason for limiting the removal, destruction, or curtailment of productive facilities in fulfillment of programs for reparations, restitution, demilitarization, or economic disarmament.

Elimination of Certain Elements in the Japanese Economic System

23. You will prohibit the retention in or selection for positions of important responsibility or influence in industry, finance, commerce, or agriculture of all persons who have been active exponents of militant nationalism and aggression, of those who have actively participated in the organizations enumerated in paragraph 5 (g) (Page 8 [35], Part I, General and Political) of this directive, and of any who do not direct future Japanese economic effort solely towards peaceful ends. (In the absence of evidence, satisfactory to you, to the contrary, you will assume that any persons who have held key positions of high responsibility since 1937, in industry, finance, commerce or agriculture have been active exponents of militant nationalism and aggression.)

24. You will require the protection from destruction and the maintenance for such disposition as may be determined by this and other directives of all plants, equipment, patents, books and records and all other significant property of the large Japanese industrial and financial companies and trade and research associations that have played an important part in the Japanese war effort or economy.

Democratization of Japanese Economic Institutions

25. It is the intent of the United States Government to encourage and show favor to:

(a) Policies which permit a wide distribution of income and of ownership of the means of production and trade.

(b) The development of organizations in labor, industry, and agriculture organized on a democratic basis.

Accordingly, you will:

(1) Require the Japanese to establish a public agency responsible for reorganizing Japanese business in accordance with the military and economic objectives of your government. You will require this agency to submit, for approval by you, plans for dissolving large Japanese industrial and banking combines or other large concentrations of private business control.

(2) Establish and maintain surveillance, until satisfactory plans for reorganization have been approved, over the Japanese businesses described in subparagraph (1) above in order to ensure conformity with the military and economic objective of your government.

(3) Dissolve the Control Associations. Any necessary public function previously performed by these associations should be transferred to public agencies, approved and supervised by you.

(4) Abrogate all legislative or administrative measures which limit free entry of firms into industries to be reorganized where the purpose or effect of such measures is to foster and strengthen private monopoly.

(5) Terminate and prohibit all Japanese participation in private international cartels or other restrictive private international contracts or arrangements.

(6) Require the Japanese to remove, as rapidly as practicable, wartime controls over labor and reinstate protective labor legislation.

(7) Require the removal of all legal hindrances to the formation of organizations of employees along democratic lines, subject to any necessary safeguards to prevent the perpetuation of militaristic influences under any guise or the continuation of any group hostile to the objectives and operations of the occupying forces.

(8) Prevent or prohibit strikes or other work stoppages only when you consider that these would interfere with military operations or directly endanger the security of the occupying forces.

Foreign Economic Transactions

26. You will establish controls over all Jap-

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Japanese foreign trade in goods and services. Such controls should be so operated as to give effect during the initial period to the following policies:

(a) Exports shall not be approved if such goods are clearly needed to meet minimum domestic requirements.

(b) No exports of plant and equipment shall be permitted until determination has been made as to whether they may be required for reparations or restitution.

(c) Exports other than those directed to be shipped on reparation account or as restitution may be made only to those recipients who agree to provide necessary imports in exchange or agree to pay for such exports in foreign exchange.

(d) All proceeds of exports shall be controlled by you and made available in the first place for the payment for approved imports. No person, corporation or organization in Japan shall be permitted to acquire foreign assets of any kind except with your special approval.

(e) Approval should be given only to imports which are clearly in accord with the economic policies elsewhere set down in this directive.

(f) Neither the need for imports or exports (including exports that might be made on reparations account) shall be deemed a reason for requiring or permitting any branch of Japanese industry to be restored or developed to an extent that might significantly contribute to Japan's war making potential, or promote dependence by other countries on Japan for strategic products.

27. The Japanese authorities are to enter into no economic agreements of any kind with foreign governments or interest except after prior consultation with you by your express approval. Any such proposed agreements should be submitted to the Joint Chiefs of Staff for their consideration.

Reparations and Restitutions

28. You will assure the execution of programs of reparations in kind and of restitution of identifiable looted property in accordance with decisions of the appropriate Allied authorities transmitted to you by the Joint Chiefs of Staff. Reparations will be accomplished:

(a) Through the transfer of Japanese property located outside of the territories to be retained by Japan;

(b) Through the transfer from Japan of goods,

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existing plant, equipment, and facilities that are not necessary to the operation of a peaceful Japanese economy, or the supplying of the occupying forces.

All requests received by you, for reparations or restitution from the United Nations which have been victims of Japanese aggression will be reported with your recommendations to the Joint Chiefs of Staff.

B. Civilian Supply and Relief

Civilian Supply Policy and Standard of Provision

29. (a) You will assure that all practicable economic and police measures are taken to achieve the maximum utilization of essential Japanese resources in order that imports into Japan may be strictly limited. Such measures will include production and price controls, rationing, control of black markets, fiscal and financial controls and other measures directed toward full employment of resources, facilities and means available in Japan.

(b) You will be responsible for providing imported supplies only to supplement local resources and only to the extent supplementation is needed to prevent such widespread disease or civil unrest as would endanger the occupying forces or interfere with military operations. Such imports will be confined to minimum quantities of food, fuel, medical and sanitary supplies and other essential items, including those which will enable local production of such supplies which you would otherwise have to import.

(c) Supplies necessary to be imported under paragraph 29 (b) above will be obtained to the extent possible from surpluses available from other Asiatic and Pacific Ocean areas. To the extent that such surpluses are available in areas under the jurisdiction of other United States commanders, arrangements may be made by you directly with such other commanders. To the extent that such surpluses are available in areas under the jurisdiction of governments other than the United States, or the military commanders of such governments, negotiations necessary to obtain such surpluses will be conducted by or with approval of local United States diplomatic representatives in the areas in question. In the event such diplomatic

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representatives are not available, you will report the situation, with your recommendations to the Joint Chiefs of Staff.

(d) If you deem that you should assume responsibility for additional imports to accomplish the objectives of your occupation, you will submit your recommendations to the Joint Chiefs of Staff.

Methods and Conditions of Distribution

30. You will require that all practicable steps be taken to assure the fair and equitable distribution of supplies under uniform ration scales.

31. To the maximum extent consistent with military expediency, imported supplies for the civilian population should, in so far as practicable and desirable, be delivered to such Japanese public supply agencies or other consignees as are acceptable to you and under your direct supervision or control. Whenever possible, such deliveries will be at ports of entry, but if necessary, deliveries may take place at appropriate inland centers of distribution.

32. You may make sales directly to wholesalers or other commercial dealers in the event that no satisfactory public supply agency exists or that operational or other reasons render distribution of civilian supplies through such an agency impracticable. In order to limit direct provision and distribution of supplies by you to the civilian population, you should assure that the Japanese do not unnecessarily involve the occupying forces in such responsibility. Such direct sales by you as are necessary will be paid for by the purchaser in local currency at prices determined by you to be consistent with the internal economy.

33. Supplies delivered to supply agencies or other consignees will be sold by them through distribution channels and in accordance with distribution policies satisfactory to you and at prices determined by you to be consistent with the internal economy. When military necessity requires, civilian supplies may be made the subject of direct relief issue by you or by supply agencies under your supervision or control.

PART III**Financial**

34. In the financial field you will make full application of the principles stated elsewhere in this directive, acting through the Japanese Government

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to the extent that effective execution of the policies and programs hereinafter enumerated will permit, but establishing administrative machinery not dependent upon Japanese authorities and agencies to the extent necessary to execute or assure the effective execution of such policies and programs. You are specifically directed to establish such independent administrative machinery in order to execute or assure the effective execution of the provisions of paragraphs 40, 41, 45, 46 and 47 of this directive.

35. Japanese financial organizations and the public finance system will be expected to function on the basis of Japanese resources. You will take no steps designed to maintain, strengthen, or operate the Japanese financial structure except in so far as may be necessary for the purposes specified in this directive.

36. You may authorize or require the Bank of Japan or any other bank or agency to issue bank notes and currency which will be legal tender; without such authorization no Japanese governmental or private bank or agency will be permitted to issue bank notes or currency.

37. You will require the Japanese authorities to make available to you legal tender yen notes or yen credits free of cost and in amounts sufficient to meet all expenses of your forces including the costs of your military occupation.

38. (a) In the event that for any reason adequate supplies of regular legal tender yen notes are not available you will use supplemental military yen (Type "B") issued pursuant to military proclamation. Supplemental yen will be declared legal tender and will be interchangeable at par without distinction with other legal tender yen currency.

(b) Regular yen currency will include currencies which are now legal tender in the area.

(c) Japanese military yen issued for circulation in territories occupied by the Japanese will not be legal tender and will not be acceptable nor interchangeable with supplemental yen or regular yen currencies.

39. You will not announce, establish or permit the use or publication, until receipt of further instructions, of any general rate of exchange between the Japanese yen on the one hand the U.S. dollar and other currencies on the other. However, a rate of conversion to be used exclusively for pay

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of military and naval personnel and for military and naval accounting purposes, namely 15 regular or supplemental yen equal one U.S. dollar, has already been communicated to you.

40. You will remove and exclude from positions of important responsibility or influence in all public and private financial institutions, agencies or organizations all persons who have been active exponents of militant nationalism and aggression or who have actively participated in the organizations enumerated in paragraph 7 of this directive. It may be generally assumed in absence of evidence to the contrary that any persons who have held key positions in any such institutions, agencies, or organizations are active exponents of militant nationalism and aggression. You will also prevent the retention in or selection for places of importance in the financial field of individuals who do not direct future financial effort solely towards peaceful ends.

41. You will close and not allow to reopen banks and other financial institutions whose paramount purpose has been the financing of war production or the mobilization or control of financial resources in colonial or Japanese occupied territories. These include:

- (a) The Wartime Finance Bank,
- (b) The National Financial Control Association and its member control associations,
- (c) Offices, in the area, of the Bank of Chosen and the Bank of Taiwan,
- (d) The various banks and development companies whose fields of operation have been outside Japan proper such as the Southern Development Company, the Southern Development Company Bank and the Tokyo offices of the Central Bank of Manchu, Bank of Mongolia, Federal Reserve Bank of China, and Central Reserve Bank of China. You will take custody of all the books and records of these banks and other institutions.

42. You are authorized to take such financial measures as you may deem necessary to accomplish the objectives of your military occupation, specifically including, without limitation, the following:

- (a) Close banks, other than those indicated in paragraph 41 above, only where clearly necessary for the purposes of introducing satisfactory control, removing objectionable personnel and taking measures to effectuate the program for the blocking of certain accounts and transfers or the de-

OCCUPATION DIRECTIVE

termination of accounts to be blocked or for other reasons of military necessity. You should reopen any banks so closed except those indicated in paragraph 41 above, as promptly, as is consistent with the accomplishment of the foregoing purposes;

- (b) Prohibit, or regulate transfers or other dealings in private or public securities or real estate or other property;

- (c) Establish a general or limited moratorium or moratoria only to the extent clearly necessary to carry out the objectives of your military occupation;

- (d) Close stock exchanges, insurance companies and similar financial institutions for such periods as you deem appropriate.

43. You will prohibit the payment of:

- (a) All military pensions, or other emoluments or benefits, except compensation for physical disability limiting the recipient's ability to work, at rates which are no higher than the lowest of those for comparable physical disability arising from non-military causes;

- (b) All public or private pensions or other emoluments or benefits granted or conferred:

- (1) By reason of membership in or services to the Political Association of Great Japan, the Imperial Rule Assistance Association (*Taisei Yokusankai*), the Imperial Rule Assistance Political Society (*Taisei Seijikai*), their affiliates and agencies or any successor or similar organizations, and all Japanese ultranationalistic terroristic and secret patriotic societies and their agencies and affiliates,

- (2) To any person who has been removed from an office or position in accordance with paragraphs 5 or 40 of this directive,

- (3) To any person interned in accordance with paragraph 7 of this directive, during the term of his internment, or permanently in case of his subsequent conviction.

44. (a) Any laws, ordinances and regulations or practices relating to taxation or other fields of finance which tend to discriminate for or against any person because of nationality, race, creed or political opinion will be amended, suspended or abrogated to the extent necessary to eliminate such discrimination. The collection of contributions of any kind for nationalistic, imperialistic, militaristic or anti-democratic societies of any kind will be prohibited.

OCCUPATION DIRECTIVE

(b) You will insure that Japanese public expenditures are consistent with the objectives stated elsewhere in this directive.

45. You will impound or block all gold, silver, platinum, currencies, securities, accounts in financial institutions, credits, valuable papers, and all other assets within the categories listed below:

(a) Property owned or controlled directly or indirectly, in whole or in part, by any of the following:

(1) The Japanese national, prefectural and local governments, or any agency or instrumentality of any of them, including all utilities, undertakings, public corporations or monopolies under the control of any of the above;

(2) The Governments, nationals, or residents of Germany, Italy, Bulgaria, Rumania and Hungary, including those of territories formerly occupied by them and by Japan;

(3) The Japanese Imperial Household;

(4) The Political Association of Great Japan, the Imperial Rule Assistance Association, the Imperial Rule Assistance Political Society, their affiliates and agencies or any successor or similar organizations, and all Japanese nationalistic, terroristic and secret patriotic societies, agencies and affiliates and their officials, leading members and supporters;

(5) The National Shinto;

(6) All organizations, clubs or other associations prohibited or dissolved by you;

(7) Absentee owners of non-Japanese nationality including United Nations and neutral governments and Japanese outside of Japan;

(8) Any person or concern in any area under Japanese control at any time since 1894, except the islands of Honshu, Hokkaido, Kyushu, Shikoku and whatever minor islands are left to Japan;

(9) Persons subject to internment under provisions of paragraph 7, and all other persons specified by Military Government by inclusion in lists or otherwise.

(b) All Japanese (public and private) foreign exchange and external assets of every kind and description located within or outside Japan.

(c) Property which has been the subject of transfer under duress, wrongful acts of confiscation, dispossession or spoliation, whether pursuant

to legislation or by procedure purporting to follow forms of law or otherwise.

(d) Works of art of cultural or material value of importance, regardless of ownership.

You will take such action as will insure that any impounded or blocked assets will be dealt with only as permitted under licenses or other instructions which you may be issued. In the case particularly of property blocked under *a* (1) above you will proceed to adopt licensing measures which will [while] maintaining such property under surveillance would permit its use by you or by the licensees in consonance with this directive. In the case of property blocked under *(c)* above, you will institute measures for prompt restitution, in conformity with the objectives of this directive and subject to appropriate safeguards to prevent the cloaking of militaristic and other undesirable influence.

You will require from the Japanese Government such reports as you deem necessary to obtain full disclosure of all assets mentioned in *(b)* above.

46. You will seek out and reduce to the possession or control of a special agency established by you within your command all Japanese (public and private) foreign exchange and external assets of every kind and description located within or outside Japan.

47. All foreign exchange transactions, including those arising out of exports and imports, will be controlled with the aim of preventing Japan from developing a war potential and of achieving the other objectives set forth in this directive. To effectuate these purposes you will:

(a) Prohibit, except as authorized by regulation or license, all dealings in gold, silver, platinum, foreign exchange, and all foreign exchange transactions of any kind.

(b) Make available any foreign exchange proceeds of exports for payment of imports directly necessary to the accomplishment of the objectives of this directive, and authorize no other outlay of foreign exchange assets without specific approval of your government through the Joint Chiefs of Staff.

(c) Establish effective controls with respect to all foreign exchange transactions, including:

(1) Transactions as to property between persons inside Japan and persons outside Japan;

(2) Transactions involving obligations owed by or to become due from any person in Japan to any person outside Japan; and

(3) Transactions involving the importation into or exportation from Japan of any foreign exchange asset or other form of property.

(d) You will provide full reports to your government with respect to all Japanese foreign and external assets.

48. No extension of credit to Japan or Japanese by any foreign person, agency or government will be permitted except as may be authorized by your government through the Joint Chiefs of Staff upon your recommendations.

49. It is not anticipated that you will make credits available to the Bank of Japan or any other bank or to any public or private institution. If, in your opinion, such action becomes essential,

you may take such emergency actions as you may deem proper, but in any such event, you will report the facts to your government through the Joint Chiefs of Staff.

50. You will maintain such accounts and records as may be necessary to reflect the financial operations of your military occupation and you will provide the Joint Chiefs of Staff with such information as it may require, including information in connection with the use of currency by your forces, any governmental settlements, occupation costs, and other expenditures arising out of operations or activities involving participation of your forces.

[NOTE: This directive from the State, War, and Navy Departments was approved on Nov. 1, 1945, and was dispatched on Nov. 8, 1945, to the Supreme Commander for the Allied Powers, General of the Army Douglas MacArthur, by the Joint Chiefs of Staff.]

Constitution of the Italian Republic

The Provisional Head of the State

HAVING SEEN the resolution of the Constituent Assembly, which, in the session of December 22, 1947, approved the Constitution of the Italian Republic;

HAVING SEEN the XVIII final provision of the Constitution;

Promulgates the Constitution of the Italian Republic in the following text:

FUNDAMENTAL PRINCIPLES

Article 1

Italy is a democratic Republic founded on labor. Sovereignty belongs to the people, who exercise it within the forms and limits of the Constitution.

Article 2

The Republic recognizes and guarantees the inviolable rights of man, whether as an individual or in social groups through which his personality develops, and requires the fulfilment of inalienable duties of political, economic, and social solidarity.

Article 3

All citizens have equal social dignity and are equal before the law, without distinction of sex, of race, of language, of religion, of political opinion, of personal and social condition.

It is the task of the Republic to remove the obstacles of an economic and social order which, limiting in fact the liberty and equality of citizens, prevent the full development of the human personality and the effective participation by all workers in the political, economic, and social organization of the country.

Article 4

The Republic recognizes the right of all citizens to work and promotes the conditions which render this right effective.

Every citizen has the duty to develop, according to his own capabilities and his own choice, an activity or function which contributes to the material or spiritual progress of society.

Article 5

The Republic, one and indivisible, recognizes and promotes local autonomy; it gives effect to the most ample administrative decentralization in the services which depend on the state; it adjusts the principles and the methods of its legislation to the requirements of autonomy and decentralization.

Article 6

The Republic protects linguistic minorities with appropriate norms.

Article 7

The state and the Catholic Church are, each in its own order, independent and sovereign.

Their relationships are regulated by the Lateran Pacts. Modifications of the pacts, which have been accepted by the two parties, do not require the procedure of constitutional amendment.

Article 8

All religious confessions are equally free before the law.

Religious confessions other than the Catholic have the right to organize according to their own statutes, in so far as they do not conflict with the Italian juridical order.

Their relationships with the state are regulated by law on the basis of agreements with the appropriate representatives.

Article 9

The Republic promotes the development of culture and scientific and technical research.

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It protects the scenic beauty and the historic and artistic patrimony of the nation.

Article 10

The Italian juridical order conforms to the generally recognized norms of international law.

The juridical condition of the foreigner is regulated by law in conformity with international norms and treaties.

The foreigner, who in his own country is prevented from effectively exercising the democratic liberties guaranteed by the Italian Constitution, has the right of asylum under conditions established by law.

Extradition of the foreigner for political offenses is not admitted.

ITALIAN CONSTITUTION

Article 11

Italy repudiates war as an instrument of offensive action against the liberty of other peoples and as a means for the resolution of international controversies; it consents, on conditions of parity with other states, to limitations of sovereignty necessary to an order for assuring peace and justice among the nations; it promotes and favors international organizations directed toward that end.

Article 12

The flag of the Republic is the Italian tricolor: green, white, and red, in three vertical bands of equal dimensions.

PART I: RIGHTS AND DUTIES OF CITIZENS

Title I: Civil Relations

Article 13

Personal liberty is inviolable.

No form of arrest, inspection, or personal search is admitted nor any other restriction whatsoever of personal liberty, except by warrant of judicial authority and only in cases and modes provided by law.

In exceptional cases of necessity and urgency, indicated positively by law, the police authority may adopt provisional measures which must within forty-eight hours be communicated to the judicial authority and, if this authority does not within the succeeding forty-eight hours validate them, they are understood to be revoked, and they remain without any effect.

Any physical or moral violence to persons who are in any way subject to restrictions of liberty is punished.

The law establishes the maximum limits of preventive imprisonment.

Article 14

The domicile is inviolable.

Inspections or searches or distrains cannot be executed except in cases and according to methods established by law and in accordance with the guarantees prescribed for the protection of personal liberty.

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Verifications and inspections for reasons of public health and safety or for economic and fiscal purposes are regulated by special laws.

Article 15

Liberty and secrecy of correspondence and of every other form of communication are inviolable.

Limitation upon them may take place only by means of a warrant of the judicial authority stating the reasons and within the guarantees established by law.

Article 16

Every citizen may move and travel freely in any part whatsoever of the national territory, except for generally applicable limitations which the law establishes for reasons of health or security. No restriction may be determined by political reasons.

Every citizen is free to leave the territory of the Republic and to return to it, subject only to legal obligations.

Article 17

Citizens have the right to assemble peaceably and without arms.

Notice is not required for meetings even in places open to the public. For meetings in public [private] places, notice shall be given to the authorities who may forbid them only for well-established reasons of public security or safety.

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ITALIAN CONSTITUTION**Article 18**

Citizens have the right to meet freely, without authorization, for whatever purposes are not forbidden to individuals by the penal laws.

Secret associations are prohibited, and those which pursue even indirectly military aims by means of organizations of military character.

Article 19

All have the right freely to profess their own religious faith in whatever form, individual or collective; to propagate it and to conduct worship in private or in public, provided this does not involve rites contrary to morality.

Article 20

The ecclesiastical character and religious purpose or the purpose of worship of an association or institution may not be the cause of special legislative restrictions or of special fiscal burdens upon its constitution, its legal capacity, or any form of its activity.

Article 21

Everyone has the right freely to manifest his own thought by word, by writing, and by every other means of dissemination.

The press may not be subjected to authorization or censure.

A distraint may be exercised only by warrant of judicial authority with statement of reasons in case of crimes, for which the press law expressly authorizes it, or in case of violation of the norms which the law itself prescribes for those designated as responsible.

In such cases, when there is absolute urgency and opportune intervention of the judicial authority is not possible, a distraint on the periodical press may be executed by police agents of the courts. These must immediately, and in any case within not more than twenty-four hours, present charges before the courts. If the judicial authority does not sustain the charge within the succeeding twenty-four-hour period, the distraint is understood to be revoked and without effect.

The law may provide, with norms of a general character, that the means by which the periodical press is financed be made known.

Printed publications, entertainments, and all other manifestations contrary to good morals are prohibited. The law establishes provisions adequate to prevent and to repress violations.

Article 22

No one may be deprived for political reasons of legal capacity, of citizenship, or of his name.

Article 23

No forced loan may be imposed on person or estate except on the basis of law.

Article 24

Everyone may act at law for the protection of his own rights and legitimate interests.

The right of defense is inviolable at every stage and level of procedure.

The poor are assured, by appropriate institutions, of the means of action and defense before any court.

The law determines the conditions and the methods of reparation for judicial errors.

Article 25

No one may be removed from his natural judge as established in advance by law.

No one may be punished except by virtue of a law in force before commission of the act.

No one may be subjected to police measures except in cases prescribed by law.

Article 26

The extradition of a citizen may be granted only when it is expressly prescribed by international conventions.

In no case may it be granted for political offenses.

Article 27

Penal responsibility is personal.

The accused is not considered guilty until final conviction.

Penalties may not consist of treatment contrary to humane feeling and must be directed toward the reeducation of the condemned.

Capital punishment is not permitted except in cases prescribed by military law of war.

Article 28

In accordance with the penal, civil, and administrative laws, the officials and agents of the state and of public bodies are directly responsible for acts committed in violation of rights. In such cases the civil responsibility extends to the state and to public bodies.

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Title II: Ethical-Social Relations**Article 29**

The Republic recognizes the rights of the family as a natural society based on marriage.

Marriage is founded on the moral and juridical equality of the parties, within the limitations established by law to guarantee the unity of the family.

Article 30

It is the duty of parents to support, instruct, and educate their children, even if born out of wedlock.

In case of incapacity of parents, the law provides who shall acquit their tasks.

The law assures to children born out of wedlock every juridical and social protection compatible with the rights of the members of the legitimate family.

The law lays down the norms and the limits for the investigation of paternity.

Article 31

The Republic, by economic measures and other provisions, facilitates the development of the family and the fulfilment of the tasks pertinent thereto, with particular regard to large families.

It protects maternity, infancy, and youth, favoring the institutions necessary for this aim.

Article 32

The Republic protects health as a fundamental right of the individual and as an interest of society and guarantees free care to the indigent.

No one may be obliged to undergo a given treatment for illness except by provision of the law. In no case may the law violate the limits imposed by respect for the human personality.

Article 33

The freedom of art and science and freedom of instruction in them is affirmed.

The Republic lays down general standards for instruction and institutes state schools of all orders and grades.

Organized groups and private persons have the right to establish schools and educational institutions without burden to the state.

The law, in fixing the rights and obligations of non-state schools which request parity, must assure full liberty to them and must assure to their students a scholastic treatment equipollent to that of students of the state schools.

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A state examination is required for admission to the various orders and grades of school, or for passing any of them, and in order to qualify for practice of a profession.

Institutions of higher learning, universities and academies, have the right to give themselves autonomous regulations within limits established by the laws of the state.

Article 34

The school is open to all.

Elementary instruction, imparted for at least eight years, is obligatory and gratuitous.

Those of capacity and merit, even if without means, have the right to attain the highest grades of study.

The Republic renders this right effective by means of scholarships, allowances to families, and other aids which must be assigned by competition.

Title III: Economic Relations**Article 35**

The Republic protects labor in all its forms and applications.

It looks after the development and the professional advancement of workers.

It promotes and favors international agreements and organizations designed to affirm and regulate the rights of labor.

It recognizes freedom of emigration, except for obligations established by law in the general interest, and it protects Italian labor abroad.

Article 36

The worker has the right to a compensation proportionate to the quantity and quality of his labor and in any case sufficient to assure him and his family a free and dignified existence.

The maximum length of the work day is established by law.

The worker has the right to a weekly rest and to annual paid vacations and may not renounce them.

Article 37

The working woman has the same right and, for equal labor, receives the same compensation as the working man. The conditions of labor must permit the fulfilment of her essential functions in the family and assure to mother and child a special adequate protection.

ITALIAN CONSTITUTION

The law establishes the minimum age for paid labor.

The Republic protects the labor of minors with special norms and guarantees to them, for equal work, the right to equal wages.

Article 38

Every citizen unable to work and deprived of the means necessary to live has the right to support and to social assistance.

Laborers have the right to provisions and assured means adequate to their living requirements in case of accident, sickness, disability and old age, and involuntary unemployment.

Those unable to work and the disabled have the right to education and to a beginning in a profession.

Organs and institutions established or assimilated by the state provide for the fulfilment of the tasks contemplated in this article.

The freedom of private charity is affirmed.

Article 39

The organization of trade unions is free.

No other obligation may be imposed on a trade union except that of registering at local or central public offices, in accordance with the norms established by law.

A condition for registration is that the statutes of the unions sanction an internal organization on a democratic basis.

Registered trade unions have legal personality. They may, being represented as units in proportion to their membership, stipulate collective labor contracts with obligatory efficacy for all those members of the category of labor to which the contract refers.

Article 40

The right to strike is exercised within the sphere of the laws which regulate it.

Article 41

Private economic initiative is free.

This may not develop in conflict with social utility or in such a manner as to cause damage to security, to liberty, to human dignity.

The law determines the appropriate programs and controls in order that public and private economic activity may be directed and coordinated toward social ends.

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Article 42

Property is public or private. Economic goods belong to the state, to organized groups, or to individuals.

Private property is recognized and guaranteed by law, which determines the methods of its acquisition and enjoyment and the limitations designed to assure its social functioning and render it accessible to all.

In cases prescribed by law, and on the basis of compensation, private property may be expropriated for reasons of general interest.

The law establishes the norms and limits of legitimate and testamentary succession and the rights of the state in inheritance.

Article 43

For the purpose of general utility the law may originally reserve or may transfer, by means of expropriation and with indemnity, to the state, to public bodies, or to communities of workers or of utilizers, specified enterprises or categories of enterprises which relate to essential public services or to sources of energy or to situations of monopoly and which have a character of preeminent general interest.

Article 44

For the purpose of securing a rational exploitation of the soil and of establishing just social relationships, the law imposes obligations and restrictions on private property in land; it fixes limits to its extension according to the region and agrarian zone; it promotes and requires reclamation, the transformation of latifundia, and the reconstitution of productive units; it aids the small and medium-scale proprietor.

The law frames provisions in favor of the mountainous zones.

Article 45

The Republic recognizes the social function of cooperation conducted on the basis of mutuality and without purposes of speculation for private gain. The law promotes and favors its extension by suitable means and assures its character and permanence, subject to appropriate controls.

The law provides for the protection and development of artisanship.

Article 46

With a view to the economic and social advancement of labor and in harmony with the require-

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ments of production, the Republic recognizes the right of workers to collaborate, in ways and within limits established by law, in the management of business enterprises.

Article 47

The Republic encourages and protects saving in all its forms; it disciplines, coordinates, and controls the administration of credit.

It favors the direction of popular savings to residential property, to property in productive land, directly cultivated, and to direct and indirect investment in the great productive enterprises of the country.

Title IV: Political Relationships

Article 48

All citizens, men and women, who have reached the age of majority, are electors.

The vote is personal and equal, free and secret. Its exercise is a civic duty.

The right to vote may not be limited except for civil incapacity or by reason of irrevocable penal sentence or in cases of moral unworthiness indicated by law.

Article 49

All citizens have the right to associate freely in political parties in order to compete by democratic methods to determine national policy.

Article 50

All citizens may submit petitions to the Chambers in order to request legislative provisions or to explain general needs.

PART II: THE ORGANIZATION OF THE REPUBLIC

Title I: The Parliament

SECTION I: THE CHAMBERS

Article 55

The Parliament is composed of the Chamber of Deputies and of the Senate of the Republic.

The Parliament assembles in joint session of the members of the two Chambers only in cases established by the Constitution.

Article 56

The Chamber of Deputies is elected by universal

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ITALIAN CONSTITUTION

Article 51

All citizens of either sex may hold public offices and elective positions on the basis of equality, according to requirements established by law.

The law may, for admission to public offices and to elective positions, equalize the status of Italians not belonging to the Republic with that of citizens.

Whoever is called to elective public functions has the right to devote to them the time necessary for their performance and to retain his job.

Article 52

Defense of the fatherland is a sacred duty of the citizen.

Military service is obligatory within the limits and procedures established by law. Its fulfillment does not prejudice the job of the citizen or his exercise of political rights.

The organization of the armed forces is informed by the democratic spirit of the Republic.

Article 53

All are bound to contribute to public expenses in proportion to their taxable capacity.

The system of taxation conforms to the criteria of progressivity.

Article 54

All citizens are in duty bound to be faithful to the Republic and to observe its Constitution and laws.

Citizens to whom public offices are entrusted are bound to perform their official duties with discipline and honor, swearing an oath in cases established by law.

and direct suffrage, in the proportion of one deputy for 80,000 inhabitants or for fractions greater than 40,000.

Eligible as deputies are all electors who on the day of election have reached their twenty-fifth birthday.

Article 57

The Senate of the Republic is elected on a regional basis.

ITALIAN CONSTITUTION

To each Region is attributed one senator for 200,000 inhabitants or for a fraction greater than 100,000.

No Region may have a number of senators less than six. The Valle d' Aosta has a single senator.

Article 58

The senators are elected by means of universal and direct suffrage by the electors who have attained their twenty-fifth birthday.

Those electors are eligible as senators who have attained their fortieth birthday.

Article 59

Whoever has been President of the Republic is by right senator for life unless he renounces the right.

The President of the Republic may nominate as senators for life citizens who have brought renown to the fatherland by merits of the highest order in the social, scientific, artistic, or literary fields.

Article 60

The Chamber of Deputies is elected for five years, the Senate of the Republic for six.

The term of either Chamber may not be extended except by law and only in case of war.

Article 61

The elections of new Chambers take place within seventy days of the end of the term of the preceding ones. The first meeting takes place within not less than twenty days of the elections.

The powers of the preceding Chambers are extended until the new Chambers have met.

Article 62

The Chambers meet by right on the first day of February and of October that is not a holiday.

Each Chamber may be exceptionally convoked on the initiative of its President or that of the President of the Republic or on that of one third of its members.

When one Chamber meets in exceptional session, the other is also by right convoked.

Article 63

Each Chamber elects from among its members its President and Presidential Bureau.

When the Parliament meets in joint session, the President and Presidential Bureau are those of the Chamber of Deputies.

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Article 64

Each Chamber adopts its own regulations by absolute majority of its members.

The sessions are public; nevertheless each of the two Chambers and the Parliament of the united Chambers may determine to meet in secret session.

The decisions of each Chamber and of the Parliament are not valid if there is not present an absolute majority of their members, and if not adopted by a majority of those present, except when the Constitution prescribes a special majority.

The members of the Government, even if not members of the Chambers, have the right and, upon request, the obligation to attend the sessions. They must be heard whenever they request it.

Article 65

The law determines cases of ineligibility for, and of incompatibility with, the office of deputy or that of senator.

No one may at the same time belong to both Chambers.

Article 66

Each Chamber judges the credentials of its members and unanticipated causes of ineligibility or incompatibility.

Article 67

Every member of Parliament represents the nation and exercises his function without restraint of mandate.

Article 68

The members of Parliament may not be prosecuted for opinions expressed or votes cast in the exercise of their functions.

No member of Parliament may, without authorization of the Chamber to which he belongs, be subjected to penal proceedings; nor may he be arrested, or otherwise deprived of personal liberty, or subjected to personal or domiciliary search, unless he be taken in the act of committing a crime for which the warrant or the order to seize is obligatory.

Like authorization is required for the arrest or for holding under arrest a member of Parliament in execution even of an irrevocable sentence.

Article 69

The members of Parliament receive a compensation established by law.

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SECTION II. THE ENACTMENT OF LAWS

Article 70

The legislative function is exercised collectively by the two Chambers.

Article 71

The initiative in legislation appertains to the Government, to each member of the Chambers, and to the organs and bodies on which it may be conferred by constitutional enactment.

The people exercise initiative in legislation by proposal of a bill drafted in the form of articles and supported by at least 50,000 electors.

Article 72

Every bill, having been presented to one Chamber, is, in accordance with its rules and regulations, examined by a committee and then by the Chamber itself, which approves it article by article and then by final vote.

The regulations will establish a shortened procedure for bills of declared urgency.

The regulations may also provide in what cases and what forms the examination and approval of bills are to be referred to committees, including standing committees composed to reflect the proportions of the parliamentary groups. Furthermore in such cases, until the moment of definitive approval, a bill is to be submitted to the Chamber, if the Government, or one tenth of the members of the Chamber, or one fifth of the members of the committee, request that it be discussed and voted upon by the Chamber itself, or else that it be considered for final approval by roll call. The regulations shall determine the forms of publicity to be given to the labors of the committees.

Normal procedure for examination and direct approval by the Chamber is always adopted for bills pertaining to the Constitution and the electorate, and for those delegating legislative power, authorizing the ratification of international treaties, or approving the budget or expenditures.

Article 73

The laws are promulgated by the President of the Republic within one month of their approval.

If the Chambers, each by an absolute majority of its own members, declare the urgency of a law, it is promulgated within the time which that law itself establishes.

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ITALIAN CONSTITUTION

The laws are published immediately after promulgation and take effect on the fifteenth day following publication, except when the laws themselves establish a different period.

Article 74

The President of the Republic, before promulgating a law, may by means of a message stating the reasons request a new decision of the Chambers.

If the Chambers again approve a law, it must be promulgated.

Article 75

Popular *referendum* is established to determine the abrogation, total or partial, of a law, or of an act having the force of law, when it is demanded by 500,000 electors or by five regional Councils.

The *referendum* is not permitted for tax laws or laws on the budget, for laws of amnesty and of pardon, or for laws authorizing the ratification of international treaties.

All citizens who are eligible as electors of the Chamber of Deputies have the right to participate in the *referendum*.

The proposal submitted to *referendum* is approved if the majority of those eligible have participated in the voting, and if it has received a majority of votes validly cast.

The law determines the methods and procedures of carrying the *referendum* into effect.

Article 76

The exercise of the legislative function may not be delegated to the Government except after determination of principles and of governing criteria and only for a limited time and for defined objectives.

Article 77

The Government may not, without delegation of power by the Chambers, issue decrees which have the force of ordinary law.

When, in extraordinary cases of necessity and urgency, the Government on its own responsibility adopts provisional measures having the force of law, it must on the same day present them for conversion into law by the Chambers which, even if dissolved, are convoked for the purpose and assemble within five days.

The decrees lose effect as of the date of issue if not converted into law within sixty days of their

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publication. The Chambers may nevertheless regulate by law juridical relationships arising from decrees not converted into law.

Article 78

The Chambers decide upon the state of war and confer upon the Government the necessary powers.

Article 79

Amnesty and pardon are conceded by the President of the Republic on the basis of laws enacted by the Chambers delegating such power.

They may not apply to crimes committed subsequently to the proposal of delegation.

Article 80

The Chambers authorize by law the ratification of international treaties which are of a political nature, or which provide for arbitration or judicial regulation, or which involve changes of the territory, or charges on the finances, or modifications of the laws.

Article 81

The Chambers approve each year the budget and the account of expenditures presented by the Government.

Provisional exercise of the budget may not be conceded except by law and for periods which total not more than four months.

After approval of the budget by law, new taxes and new expenditures may not be established.

Every other law which involves new or greater expenditures must indicate the means to meet them.

Article 82

Each Chamber may provide for investigations of matters of public interest.

For this purpose it nominates from among its members a committee formed to reflect the proportions of its various groups. The committee of investigation proceeds in its inquiries and in its examinations with the same powers and subject to the same limitations as apply to the judicial authority.

Title II: The President of the Republic**Article 83**

The President of the Republic is elected by Parliament in joint session of its members.

Three delegates for each Region, elected by the Regional Council in such manner as to assure rep-

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resentation of minorities, participate in the election. The Valle d' Aosta has a single delegate.

The election of the President of the Republic takes place by secret ballot and requires a two-thirds majority of the assembly. After the third ballot an absolute majority is sufficient.

Article 84

Any citizen may be elected President of the Republic who has reached his fiftieth birthday and who enjoys civil and political rights.

The office of President of the Republic cannot be held contemporaneously with any other office whatsoever.

The salary and the endowment of the President are determined by law.

Article 85

The President of the Republic is elected for seven years.

Thirty days before the expiration of the President's term of office, the President of the Chamber of Deputies convokes the Parliament in joint session, together with the regional delegates, to elect the new President of the Republic.

If the Chambers are dissolved, or if their term has less than three months to run, the election takes place within fifteen days from the meeting of the new Chambers. In the meantime the powers of the President in office are extended.

Article 86

The functions of the President of the Republic, in each case in which he cannot perform them, are exercised by the President of the Senate.

In case of permanent disability, death, or resignation of the President of the Republic, the President of the Chamber of Deputies announces the election of a new President of the Republic within fifteen days, except for the longer period provided for when the Chambers are dissolved or when their term has less than three months to run.

Article 87

The President of the Republic is the head of the state and represents the national unity.

He may send messages to the Chambers.

He announces the elections of new Chambers and signifies the date of their first meetings.

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Title III: The Government

SECTION I: THE COUNCIL OF MINISTERS

Article 92

The Government of the Republic is composed of the President of the Council and of the Ministers who collectively constitute the Council of Ministers.

The President of the Republic nominates the President of the Council of Ministers and on his proposal nominates the Ministers.

Article 93

The President of the Council of Ministers and the Ministers, before assuming their functions, swear an oath in the hands of the President of the Republic.

Article 94

The Government must have the confidence of the two Chambers.

Each Chamber accords or revokes confidence by means of a motion stating the reasons and voted by roll call.

Within ten days of its formation the Government presents itself to the Chambers to obtain their confidence.

An opposing vote by one or by both of the Chambers on a motion of the Government does not carry with it the obligation of resigning.

The motion of lack of confidence must be signed by at least one tenth of the members of the Chamber and may not be placed in discussion until three days after its presentation.

Article 95

The President of the Council of Ministers directs the general policy of the Government and is responsible for it. He maintains unity of political and administrative direction, and promotes and coordinates the activity of the Ministers.

The Ministers are responsible collectively for the acts of the Council of Ministers, and individually for the acts of their respective departments.

The law provides for the organization of the presidency of the Council and it determines the number, attributes, and organization of the ministries.

Article 96

The President of the Council of Ministers and the Ministers are impeached by Parliament in joint session for crimes committed in the exercise of their functions.

He authorizes the presentation to the Chambers of bills initiated by the Government.

He promulgates the laws, and he issues decrees having the force of law, and regulations.

He announces the popular *referendum* in cases provided for by the Constitution.

He nominates, in the cases indicated by law, the officials of the state.

He accredits and receives diplomatic representatives, ratifies international treaties after securing, when it is needed, the authorization of the Chambers.

He has command of the Armed Forces; presides over the Supreme Council of Defense constituted according to law; declares the state of war on decision by the Chambers.

He presides over the Superior Council of the Judiciary.

He may concede pardons and commute penalties.

He confers the decorations of the Republic.

Article 88

The President of the Republic may, having heard their respective Presidents, dissolve both Chambers or only one of them.

He may not exercise such a power within the last six months of his term.

Article 89

No act of the President of the Republic is valid unless countersigned by the Ministers proposing it, who assume responsibility for it.

Acts which have the force of legislation and other acts indicated by law are countersigned also by the President of the Council of Ministers.

Article 90

The President of the Republic is not responsible for acts performed while exercising his functions, except high treason or offenses against the Constitution.

In such cases he is impeached by Parliament in joint session, by absolute majority of its members.

Article 91

The President of the Republic, before taking office, swears, in the presence of Parliament in joint session, an oath of fidelity to the Republic and of observance of the Constitution.

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ITALIAN CONSTITUTION**SECTION II: PUBLIC ADMINISTRATION****Article 97**

The public offices are organized according to legal dispositions in such fashion as to assure effectiveness and impartiality of administration.

The spheres of competence, attributes, and appropriate responsibilities of officials are determined in the organization of the offices.

Admission to positions in the public administration is by means of competition except in cases established by law.

Article 98

Public employees are exclusively at the service of the Nation.

If they are members of Parliament they may not receive promotion except by reason of seniority.

Limitations of the right of affiliation with political parties may be established by law as regards judges, professional military officers in active service, police functionaries and agents, and diplomatic and consular representatives abroad.

SECTION III: AUXILIARY ORGANS**Article 99**

The National Council of Economy and Labor is composed, in accordance with methods established by law, of experts and of representatives of the productive categories, in such a way as to take account of their numerical and qualitative importance.

It is a consultative organ of the Chambers and of the Government for the matters and in accordance with the functions attributed to it by law. It can initiate legislation and contribute to the elaboration of economic and social legislation according to principles and within limitations established by law.

Article 100

The Council of State is an organ of juridical-administrative advice and an organ for safeguarding justice in administration.

The Court of Accounts exercises a preventive control to assure the legitimacy of acts of the Government, and also audits the administration of the budget. It participates, in cases and under procedures established by law, in control over the financial administration of bodies to which the state regularly contributes. It reports directly to

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the Chambers on the results of the audit so executed.

The law provides for the independence of the two institutions and of their members as against the Government.

Title IV: The Judiciary**SECTION I: JURISDICTIONAL ORGANIZATION****Article 101**

Justice is administered in the name of the people. The judges are subject only to the law.

Article 102

The judicial function is exercised by regular judges instituted and regulated by the norms governing the judicial order.

Extraordinary judges or special judges may not be instituted. There may only be instituted, for stipulated subjects, specialized sections attached to the regular judicial organs, and in these sections may participate qualified citizens not drawn from the magistracy.

The law regulates the cases and forms governing the direct participation of the people in the administration of justice.

Article 103

The Council of State and the other organs of administrative justice have jurisdiction for the protection of legitimate interests as against the public administration and, in particular subjects indicated by law, for the protection also of subjective rights.

The Court of Accounts has jurisdiction in matters of public accounting and in other matters specified by law.

Military courts in time of war have jurisdiction established by law. In time of peace they have jurisdiction only for military crimes committed by members of the Armed Forces.

Article 104

The judiciary constitutes an autonomous order independent of every other power.

The Superior Council of the Judiciary is presided over by the President of the Republic.

The first president and the general procurator of the Court of Cassation are of right members.

The other members are elected: two thirds by all the regular judges from those belonging to the

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various categories; one third by Parliament in joint session from the regular university professors of law and lawyers who have had fifteen years of practice.

The Council elects a vice president from the members chosen by Parliament.

The elective members of the Council remain in office four years and are not immediately reeligible.

So long as they are in office they may not be inscribed in the professional registers nor belong to Parliament or to a Regional Council.

Article 105

In accordance with the norms of the judicial order, the following matters pertain to the Superior Council of the Judiciary: appointments, assignments and transfers, promotions, and disciplinary measures in regard to judges.

Article 106

The nomination of judges takes place by competition.

The law on the judicial organization may permit the nomination even by election of honorary judges for all functions attributed to individual judges.

Upon designation by the Superior Council of the Judiciary there may be called to the office of Counselor of Cassation, on the ground of outstanding merit, regular university professors of law and lawyers who have had fifteen years of practice and who are inscribed in the special registers of those practicing in the superior courts.

Article 107

Judges are irremovable. A judge may not be exempted or suspended from service or assigned to another seat or function except as a result of decision by the Superior Council of the Judiciary, adopted either for just cause and with the guaranty of defense as established by the judicial organization, or with the consent of the judge himself.

The Minister of Justice has authority to institute disciplinary action.

Judges differ only in diversity of function.

The Public Prosecutor enjoys for his office the guaranties established according to the norms of the judicial order.

Article 108

The norms governing the judicial order and each magistracy are established by law.

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The law assures the independence of judges of special jurisdictions, of the Public Prosecutors attached to such courts, and of outsiders who participate in the administration of justice.

Article 109

The judicial authority has the judicial police directly at its disposal.

Article 110

Except as regards the competence of the Superior Council of the Judiciary, the organization and functioning of the services relating to justice pertain to the Minister of Justice.

SECTION II: NORMS REGARDING JURISDICTION

Article 111

All measures pertaining to jurisdiction must be accompanied by a statement of reasons.

Appeal for violation of law is always admitted from sentences and from measures infringing personal liberty which are pronounced or taken by regular or special courts. This norm may be departed from only in the case of sentences of military courts in time of war.

From decisions of the Council of State and of the Court of Accounts, appeal is admitted only on grounds of jurisdiction.

Article 112

The Public Prosecutor has the obligation of administering penal action.

Article 113

The judicial protection of rights and of legitimate interests against acts of the public administration is always permitted before either ordinary or administrative courts.

Such judicial protection may not be excluded, or limited to particular means of impugment, or apply simply to specified categories of acts.

The law determines which courts may annul acts of the public administration in cases and with effects provided for by the law itself.

Title V: The Regions, the Provinces, the Communes

Article 114

The Republic is divided into Regions, Provinces, and Communes.

ITALIAN CONSTITUTION**Article 115**

The Regions are constituted as autonomous bodies with their own powers and functions according to the principles fixed by the Constitution.

Article 116

Particular forms and conditions of autonomy, in accordance with special statutes adopted as constitutional laws, are attributed to Sicily, to Sardinia, to Trentino-Alto Adige, to Friuli-Venezia Giulia, and to Valle d' Aosta.

Article 117

Within the limits of the fundamental principles established by the laws of the state, the Region legislates in regard to the following matters, provided that such legislation is not in conflict with the interest of the Nation or of other Regions:

- Organization of the offices and of the administrative bodies dependent on the Region;
- Communal boundaries;
- Urban and rural local police;
- Fairs and markets;
- Public charities and health and hospital assistance;
- Professional instruction, training of artisans, and scholastic assistance;
- Museums and libraries of local bodies;
- City matters;
- Tourist trade and hotel industry;
- Street railways and automobile lines of regional interest;
- Thoroughfares, aqueducts, and public works of regional interest;
- Lake ports and lake navigation;
- Mineral and thermal waters;
- Quarries and peat bogs;
- Hunting;
- Fishing in domestic waters;
- Agriculture and forests;
- Artisanship;
- Other subjects indicated by the constitutional laws.

The laws of the Republic may delegate to the Regions the power to issue norms for their execution.

Article 118

The administrative functions pertaining to the subjects listed in the preceding article reside in the Regions, except those of exclusively local interest

which by the laws of the Republic may be attributed to the Provinces, the Communes, or other local bodies.

The state may by law delegate to the Region the exercise of other administrative functions.

The Region normally exercises its administrative functions by delegating them to the Provinces, to the Communes or other local bodies or by making use of their officials.

Article 119

The Regions have financial autonomy within forms and limits established by the laws of the Republic which coordinate this regional autonomy with the finances of the state, of the Provinces, and of the Communes.

To the Regions are assigned their own taxes and quotas of the taxes of the treasury in relation to the needs of the Regions for the expenses necessary to fulfil their normal functions.

In order to provide for specified ends, and particularly for the development of the South and of the Islands, the state by law assigns special contributions to individual Regions.

The Region has its own domain and patrimony according to forms established by the laws of the Republic.

Article 120

The Region may not levy import or export duties or duties on the transit trade between Regions.

The Region may not adopt provisions which hinder in any way the free circulation of persons and things among the Regions.

It may not limit the right of citizens to exercise their professions, employments, or labor in any part of the national territory whatsoever.

Article 121

The organs of the Region are the Regional Council, the Executive Committee (*Giunta*) and its President.

The Regional Council exercises the power of legislation and regulation attributed to the Region and the other functions conferred on it by the Constitution and the laws. It may propose bills to the Chambers.

The Executive Committee (*Giunta*) is the executive organ of the Region.

The President of the Executive Committee (*Giunta*) represents the Region; he promulgates regional laws and regulations; he directs the ad-

ministrative functions delegated by the state to the Region, conforming to the instructions of the central Government.

Article 122

The system of elections, the number and cases of ineligibility and incompatibility of the regional councilors, are established by laws of the Republic.

No one may belong at the same time to a Regional Council and to either Chamber of Parliament or to another Regional Council.

The Council elects from its membership a President and a presidential bureau for its own labors.

The regional councilors cannot be called to answer for opinions expressed or votes cast in the exercise of their functions.

The President and members of the Executive Committee (*Giunta*) are elected by the Regional Council from its own members.

Article 123

Every Region has a constitution which, in harmony with the Constitution and with the laws of the Republic, establishes the norms relative to the internal organization of the Region. The regional constitution regulates the right of initiative and of *referendum* on laws and administrative provisions of the Region and the publication of regional laws and regulations.

The regional constitution is enacted by the Regional Council by absolute majority of its members, and it is approved by legislative action of the Republic.

Article 124

A Commissioner of the Government, residing in the capital of the Region, supervises the administrative functions exercised by the state and coordinates them with those exercised by the Region.

Article 125

The control of the legitimacy of the administrative acts of the Region is exercised, in decentralized form, by an organ of the state according to modes and within limits established by the laws of the Republic. In specified cases the law may admit control on the basis of general merit, solely with the effect of prompting, by formal demand, a re-examination of the decision on the part of the Regional Council.

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Within the Region are established organs of administrative justice of the first grade in accordance with the order established by law of the Republic. Sections may be established with seats in other places than the regional capital.

Article 126

The Regional Council may be dissolved when it performs acts contrary to the Constitution or commits grave violations of the laws, or if it fails to respond to the request of the Government to replace its Executive Committee (*Giunta*) or President when they have committed analogous acts or violations.

It may be dissolved when, by reason of resignations or through the impossibility of forming a majority, it is not in a position to function.

It may also be dissolved for reasons of national security.

A dissolution is executed by a decree of the President of the Republic stating the reasons, after hearing a committee of deputies and senators constituted for regional questions according to procedures established by law of the Republic.

With the decree of dissolution is nominated a Commission composed of three citizens who are eligible for the Regional Council, which Commission announces new elections within three months, and provides for ordinary administration within the competence of the Regional Executive Committee (*Giunta*) and for such acts as cannot be postponed. These acts are subject to ratification by the new Regional Council.

Article 127

Every law passed by the Regional Council is communicated to the Commissioner, who, except in case of opposition on the part of the Government, must approve it within a period of thirty days from its submission.

The law is promulgated within ten days from the date of approval, and becomes effective not earlier than fifteen days from its publication. If a law is declared urgent by the Regional Council, and the Government of the Republic consents, its promulgation and date of effect are not subject to the specified terms.

The Government of the Republic, when it considers that a law passed by a Regional Council exceeds the competence of the Region or conflicts with the interests of the nation or with those of

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other Regions, returns it to the Regional Council within the period fixed for approval.

When the Regional Council approves it anew by an absolute majority of its members, the Government of the Republic may, within fifteen days from communication of that fact, submit the question of its legitimacy to the Constitutional Court, or the question of the general merit of the regional law because of conflicts of interests to the Chambers. In case of doubt the Court decides the issue of competence.

Article 128

The Provinces and the Communes are autonomous bodies within the scope of principles fixed by the general laws of the Republic which determine their functions.

Article 129

The Provinces and the Communes are also territorial units of state and regional decentralization.

The Provinces may be subdivided into districts (*circondari*) with exclusively administrative functions for the sake of further decentralization.

Article 130

An organ of the Region, constituted in accordance with procedures established by the law of the Republic, exercises, likewise in a decentralized form, the control of legitimacy over acts of the Provinces, Communes, and other local bodies.

In cases specified by law, control on the issue of general merit may be exercised in the form of a request stating reasons, submitted to the deliberative bodies for re-examination of their decisions.

Article 131

The following Regions are constituted :

Piedmont	Marche
Valle d' Aosta	Lazio
Lombardy	Abruzzi e Molise
Trentino-Alto Adige	Campania
Venetia	Puglia
Friuli-Venezia Giulia	Basilicata
Liguria	Calabria
Emilia-Romagna	Sicily
Tuscany	Sardinia
Umbria	

Article 132

By constitutional enactment, the Regional Councils having been heard, arrangements may be

made for the fusion of existing Regions or the creation of new Regions with a minimum of one million inhabitants, when request for such arrangements is made by as many Communal Councils as represent at least one third of the interested populations, and when the proposal is approved by *referendum* of the majority of the populations themselves.

By means of a *referendum* and by law of the Republic, the Regional Councils having been heard, consent may be given that Provinces and Communes which so request it be detached from one Region and joined to another.

Article 133

Changes of provincial boundaries and the institution of new Provinces within the area of the Region are established by law of the Republic, on the initiative of the Communes, the Region itself having been heard.

The Region, having heard the interested populations, may by its own enactment establish within its own territory new Communes and change their boundaries and names.

Title VI: Constitutional Guaranties**SECTION I: THE CONSTITUTIONAL COURT****Article 134**

The Constitutional Court decides:

on controversies regarding the constitutionality of laws, and of acts having the force of law, emanating from the state and the Regions;

on conflicts arising over constitutional assignment of powers within the state, between the state and Regions, and between Regions;

on impeachments of the President of the Republic and of the Ministers, according to the norms of the Constitution.

Article 135

The Constitutional Court is composed of fifteen judges: one third named by the President of the Republic; one third named by Parliament in joint session; and one third named by the supreme judicial bodies, ordinary and administrative.

The judges of the Constitutional Court are chosen from the magistrates of the superior courts, ordinary and administrative, including magistrates in retirement; from regular university

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professors of law; and lawyers who have had twenty years of practice.

The Court elects its president from its members.

The judges are nominated for twelve years; they are renewed by instalments in accordance with the norms established by law; and they are not immediately reeligible.

The office of judge of the Constitutional Court cannot be held concurrently with that of member of Parliament or of a Regional Council, with the practice of law, or with any position or office indicated by law.

In cases of impeachment of the President of the Republic or of Ministers there shall take part, besides the regular judges of the Court, sixteen members who are to be elected at the beginning of each legislature by Parliament in joint session from citizens having the qualifications of eligibility for the Senate.

Article 136

When the Court declares unconstitutional a rule of law, or of an act having the force of law, the rule ceases to have effect from the day following the publication of the decision.

The decision of the Court is published and is communicated to the Chambers and to the interested Regional Councils in order that, where it is considered necessary, provision may be made according to constitutional forms.

Article 137

A constitutional law establishes the conditions,

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the forms, the time limits for proposing decisions as to constitutionality, and the guaranties of independence for the judges of the Court.

By ordinary law are established the other rules necessary for the establishment and functioning of the Court.

No impugment of the decisions of the Constitutional Court is admitted.

**SECTION II: AMENDMENT OF THE CONSTITUTION—
CONSTITUTIONAL LAWS**

Article 138

Amendments of the Constitution and other constitutional laws are passed by each Chamber in two successive deliberations at an interval of not less than three months, and they are approved by absolute majority of the members of each Chamber in the second voting.

The laws themselves are submitted to popular *referendum* when, within three months of their publication, a demand is made by one fifth of the members of either Chamber, or by 500,000 electors, or by five Regional Councils. A law submitted to *referendum* is not promulgated unless it is approved by a majority of the valid ballots.

Referendum does not take place if a law has been approved in its second voting by a majority of two thirds of the members of each Chamber.

Article 139

The republican form is not subject to constitutional amendment.

TRANSITIONAL AND FINAL ARRANGEMENTS

I

When the Constitution becomes effective the Provisional Head of the State exercises the attributes and assumes the title of President of the Republic.

II

If at the time of the election of the President of the Republic the Regional Councils have not all been constituted, only the members of the two Chambers will participate in the election.

III

For the initial composition of the Senate of the

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Republic are nominated as senators, by means of a decree of the President of the Republic, deputies of the Constituent Assembly who have by law the qualifications to be senators and who:

have been presidents of the Council of Ministers or of legislative assemblies;

have been members of the dissolved Senate;

have been three times elected, including election to the Constituent Assembly;

were declared dismissed in the session of the Chamber of Deputies of November 9, 1926;

have suffered the penalty of imprisonment of not less than five years in consequence of condem-

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nation by the Fascist Special Tribunal for the Defense of the State.

Likewise nominated as senators, by decree of the President of the Republic, are members of the dissolved Senate who were members of the National Consultative Assembly.

Before signature of the decree of nomination the right to be nominated senator may be renounced. Acceptance of candidacy in the political elections implies renunciation of the right to be nominated senator.

IV

For the first elections to the Senate, Molise is considered as a Region in itself with the number of senators which belong to it in proportion to its population.

V

The disposition in article 80 of the Constitution, in so far as it concerns international treaties which impose charges on the finances or modifications of the law, takes effect from the date of convocation of the Chambers.

VI

Within five years of the effective date of the Constitution, a revision of the special organs of jurisdiction now existing will be undertaken, excepting the jurisdictions of the Council of State, of the Court of Accounts, and of the military courts.

Within one year of the same date provision shall be made by law for the reorganization of the Supreme Military Tribunal with reference to article 112.

VII

Until the new law on the organization of the judiciary bringing it into conformity with the Constitution shall have been issued, the norms of the existing organization will continue to be observed.

Until the Constitutional Court begins to function, the decision of controversies indicated in article 134 takes place within the forms and limits of the norms pre-existent to the date when the Constitution takes effect.

The judges of the Constitutional Court nominated in the initial composition of that court are not subject to the system of partial renewal and remain in office twelve years.

62**VIII**

The elections of the Regional Councils and of the elective organs of provincial administration will take place within one year from the effective date of the Constitution.

Laws of the Republic regulate for each branch of the public administration the transfer of state functions attributed to the Regions. Until provision shall have been made for the reorganization and the distribution of administrative functions among the local bodies, the Provinces and Communes retain the functions which they now exercise, and others the exercise of which the Regions delegate to them.

Laws of the Republic regulate the transfer to the Regions of functionaries and dependents of the state, including those of the central administrations when rendered necessary by the new organization. In setting up their offices the Regions must, except in cases of necessity, draw their personnel from that of the state and of local bodies.

IX

The Republic, within three years from the effective date of the Constitution, will adjust its laws to the requirements of local autonomy and to the legislative competence attributed to the Regions.

X

In the Region of Friuli-Venezia Giulia, referred to in article 116, the general norms of part II, title V, apply. The protection of linguistic minorities in conformity with article 6 remains binding.

XI

Until five years from the effective date of the Constitution, other Regions may be formed, by constitutional enactment modifying the list in article 131, and without recourse to the procedure required by the first paragraph of article 132, but with the obligation to hear the interested populations nevertheless remaining in effect.

XII

The reorganization under any form whatsoever of the dissolved Fascist party is prohibited.

Notwithstanding article 48, temporary limitations are established by law, for a period of not over five years from the effective date of the Constitution, on the suffrage and eligibility of the responsible heads of the Fascist regime.

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ITALIAN CONSTITUTION**XIII**

The members and descendants of the House of Savoy are not electors and may not hold any public office or elective position.

To the former kings of the House of Savoy, their wives, and their male descendants are prohibited ingress into and sojourn in the national territory.

The properties within the national territory of the former kings of the House of Savoy, of their wives, and of their male descendants revert to the state. Transfers of and the establishments of royal rights on these same properties, which took place after June 2, 1946, are null and void.

XIV

Titles of nobility are not recognized.

The predicates of those existing before October 28, 1922, serve as parts of the proper name.

The Order of St. Maurice is conserved as a hospital corporation and functions in the modes established by law.

The law regulates the suppression of the Heraldic Council.

XV

When the Constitution goes into effect the legislative decree of the lieutenantcy of June 25, 1944, number 151, on the provisional organization of the state, is held to be converted into law.

XVI

Within one year from the effective date of the Constitution, the revision and coordination with the Constitution of the preceding constitutional laws, not until then explicitly or implicitly abrogated, will be undertaken.

The Constitution, furnished with the seal of the state, shall be inserted in the official collection of laws and decrees of the Republic.

The Constitution must be faithfully observed as the fundamental law of the Republic by all the citizens and by the organs of the state.

Given at Rome, this 27th December 1947.

ENRICO DE NICOLA

Countersigned:

The President of the Constituent Assembly

UMBERTO TERRACINI

The President of the Council of Ministers

ALCIDE DE GASPERI

XVII

The Constituent Assembly will be convoked by its President to decide, before January 31, 1948, on the law for the election of the Senate of the Republic, on the special regional statutes, and on the press law.

Until the date of the elections of the new Chambers, the Constituent Assembly may be convoked, if there is need to decide on matters placed within its competence by article 2, first and second paragraphs, and article 3, first and second paragraphs, of the legislative decree of March 16, 1946, number 98.

In this period the standing committees continue to function. The committees on legislation submit to the Government the bills transmitted to them, with contingent observations and proposals of amendment.

The deputies may present questions to the Government with request for written reply.

With reference to the second paragraph of the present article, the Constituent Assembly is convoked by its President on the written request of the Government or of at least two hundred deputies.

XVIII

The present Constitution is promulgated by the Provisional Head of the State within five days of its approval by the Constituent Assembly and takes effect on January 1, 1948.

The text of the Constitution is deposited in the town hall of every Commune of the Republic to remain displayed, during the whole of the year 1948, in order that every citizen may have knowledge of it.

[NOTE: The Constitution was translated by Howard McGaw Smyth, Mediterranean Section, and Kent Roberts Greenfield, Chief Historian, Historical Division, Department of the Army.]

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April 1948

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8—THE WASHINGTON DAILY NEWS, WEDNESDAY, MAY 9, 1945

Bender Urges Delay on Press Gag

By JIM G. LUCAS

Scripps-Howard Staff Writer

Rep. George Bender (R., O.) today demanded that the Truman Administration delay imposing proposed security regulations which he called "sweeping restrictions on the free flow of news."

They would give the head of any Government executive department or agency the right to classify as top-secret, secret, confidential or restricted any material under his control. In addition, he would have the right to impose "such additional restrictions" as he might choose.

'COMPLETELY UNWARRANTED'

Mr. Bender wrote Harold N. Moseley, secretary of the State-Army-Navy-Air Force Co-ordinating Committee, that "the imposition of any such sweeping restrictions on the free flow of news is completely unwarranted."

He pointed out that the House Expenditures Committee, of which he is a member, had held hearings and had severely criticized them. He said he was "shocked that these proposals remain in substantially the same form as they were drafted before congressional hearings were held. . . . Apparently the State-Army-Navy-Air Force Co-ordinating Committee has made no attempt to



REP. BENDER

meet the many sound objections which were made in the congressional hearings."

He objected particularly to the definition of "Confidential Information" as anything which would "be prejudicial to the interest or prestige of the nation or would cause unwarranted injury to an individual."

"Under this definition, he said, any department head could class-

ify as confidential any information which he believed would injure him. Evidence of any administrative bungling could be classified confidential. Evidence of any corruption would, of course become 'confidential.'"

An executive order prepared for President Truman's signature gives the Security Advisory Board of the State-Army-Navy-Air Forces Co-ordinating Committee authority to "interpret any and all" of the provisions of the proposed security code. Its interpretation would be binding.

The House Expenditures Committee called hearings on Nov. 16, 1947. At that time, the Security Advisory Board agreed to withhold action until the committee completed its investigation. Mr. Bender threatened then to introduce legislation to void the regulations if they were made the subject of an executive order.

REGULATIONS READY

His letter to Mr. Moseley repeated his request that nothing be done until the committee has made its report. Mr. Moseley last week had written the committee to say the regulations were ready to be sent to the Budget Bureau and eventually to the White House for President Truman's signature.

"We went thru World War II with no such restrictions on information," Mr. Bender wrote him. "I believe it would be against the national interest to impose them now."

THE WASHINGTON DAILY NEWS, MONDAY, JUNE 14, 1948

ECA Adopts Security Classification

By United Press

The Economic Co-Operation Administration, newest Federal agency, has put into effect its own "security classification" on information, it was disclosed today.

It has on tap a liberal supply of the rubber stamps marked "top secret," "secrets," "confidential" and "restricted," any one of which can be used on documents pertaining to the European Recovery Program.

EXTENSION DENIED

ECA officials said this is not an extension of Administration plans to extend information classification to more than 50 executive departments and agencies.

That plan has been characterized by the American Society of Newspaper Editors as a "gag rule" on the press by virtue of which any official could withhold public information, or even to cover up mistakes in his department.

Donald C. Stone, director of administration for ECA, confirmed that ECA was classifying its information. But he said that such procedure was forced upon the recovery program because it dealt with "sensitive" agencies which em-

ploy information classification. These "sensitive" agencies include the State and Defense departments.

"We want to see that the minimum of information classification is done by ECA," he said. "We work on the theory that the more information you classify, the harder it is to do business."

Mr. Stone said ECA had not issued the rubber stamps to its various departments but that they were made available on request.

"ECA, in dealing with other agencies, has to observe the classifications which the other agencies put on material coming from them," Mr. Stone said. "I can assure you that we are not classifying much of our own information."

Mr. Stone put a sort of limited security classification into effect in ECA April 21 when he announced in a bulletin to all employees that documents already classified "should be kept in a locked steel file when not actually in use."

Press protests against extension

of the information classification set up to all executive agencies came last year after the White House issued Executive Order 9835 under which the Security Advisory Board of the State-Army-Navy-Air Force Co-ordinating Committee was charged with framing minimum security classifications on information for all agencies.

STILL UNDER STUDY

Such classification had been used during the war by the State, War and Navy departments, but the ASNE said it saw no other purpose than a "gag rule" in the attempts to extend this system to other agencies in peacetime.

The SAB's minimum regulations have not yet reached President Tru-

DEPARTMENT OF STATE

FOR THE PRESS

*Based on Source 392/1*SEPTEMBER 29, 1948
No. 786

The Department of State announced today the policy of this Government relating to commercial fishing operations in the United States Trust Territory of the Pacific Islands. The policy was approved by the Departments of State, Army, Navy, Air Force and Interior as a guide to the administration of the Trust Territory and will have the effect of opening the area to commercial fishing. Rich fishery resources, particularly tuna, are available in the waters around this Territory in an area as large as the continental United States. The Territory, itself, contains scarcely as much land area as the State of Delaware. Several commercial fishing companies have shown interest in beginning fishing operations immediately. It is possible that an industry can be built on the fishery resources that will eventually pay a considerable part of the administrative cost of the Territory.

Fishing operations will be under the strict control of the High Commissioner of the Trust Territory in order that the welfare of the native inhabitants can be safeguarded and the harvesting of the resources can be undertaken along adequate conservation lines.

Fishing opportunities will be equally available to the fishing enterprises of all nations except that the High Commissioner will have discretion in excluding enterprises for reasons of security or for the purpose of carrying out the obligation to promote the advancement of the inhabitants.

The text of the policy directive is as follows:

COMMERCIAL FISHING IN THE TRUST TERRITORY OF THE
PACIFIC ISLANDS

A. With a view to cooperating in the effort to increase world food production and in order to improve the local economy and to obtain information needed for conservation of fishing resources of the area, the territorial waters surrounding the Trust Territory, except those parts closed for security reasons, should be open to the commercial fishing enterprises of all nations on a non-discriminatory basis, except that whenever a country denies rights with respect to fishing and ancillary operations needed and desired by the local inhabitants of the Trust Territory, the Government of the Trust Territory may, if necessary to obtain those rights, deny that country rights in the Trust Territory.

B. The administering agency, in collaboration with the Fish and Wildlife Service of the Department of the Interior should conduct research as soon as possible with a view to establishing conservation regulations. Fishing grounds within the territorial waters found to be necessary for the local economy should be reserved exclusively for the use and benefit of the local inhabitants.

C. Immediate steps should be taken to foster the development of aquatic resources, including locally owned and operated commercial fishing, bait culture, and ancillary commercial industries.

D. With

THE RECORD OF THE WEEK

day of each month thereafter in the ratio of 2-2-1 for the United States, the United Kingdom and other countries, respectively, until such time as the regular allocation procedure is in operation.

Implementation of Allocations

8. In implementing this Agreement, the US and UK Military Governors shall determine among other matters:

- (a) whether to implement allocations by control over contracts or control over exports or both;
- (b) whether, if control over exports is adopted, the Joint Export-Import Agency may approve contracts within agreed limitations in excess of the total outstanding allocations of any country;
- (c) whether, in appropriate cases, contracts shall provide for delivery of scrap within specified short periods in order to prevent undue tying up of allocations in individual long-term contracts;
- (d) whether and in what manner to instruct JEIA to take precautions to satisfy itself as to the competence of contracting parties to implement the terms of the contract.

Effective Date of Foregoing Authorizations

9. All scrap exported subsequent to the date of this Agreement shall be charged against the foregoing authorizations.

Booty Scrap

10. There shall be no further exports of booty scrap after the date of this Agreement except for the 75,000 tons authorized under paragraph II 3 (b) above.

Price

11. The price of scrap with appropriate differentials for loading points, quality of scrap, etc., shall be uniform for all foreign buyers, and shall be set from time to time by the US and UK Military Governors under such procedures as they may establish.

Special Measures

12. If the US and UK Military Governors consider that

adequate quantities of exportable scrap cannot be obtained without special measures, they are authorized to approve the recovery of scrap by such measures. Scrap recovery under such arrangements, if approved, may be outside regular allocations but subject to such special allocations as the US and UK Military Governors may determine after consultation with the ad hoc Committee.

Direct Recovery of Scrap

13. Nothing in this Agreement shall preclude operations by non-German organizations for the recovery of scrap from disarmament and other sources not readily accessible to German scrap merchants provided such operations are carried on in a manner acceptable to the US and UK Military Governors and that all recoveries of scrap (other than the 75,000 tons of booty scrap mentioned above) are paid for at prices established by the US and UK Military Governors and are within either the regular or the special allocations determined by the US and UK Military Governors.

US-UK Scrap Control Authority

14. The US and UK Military Governors shall set up a US-UK scrap control authority in which each shall appoint a coordinator to supervise and control the collection and export of ferrous scrap. This control authority shall be subject, through whatever organization the Military Governors may determine, to the jurisdiction of the Bipartite Board.

III. Reservation of Fusion Agreement

Nothing in this Agreement shall be deemed to modify the arrangements set forth in the Fusion Agreement of December 2, 1946 as amended by the Agreement of December 17, 1947. Questions which may arise with respect to scrap exports under the present Agreement will be resolved as contemplated in paragraph 5 of the Agreement of December 17, 1947, having regard also to the provisions of paragraph 3 (a) of the latter Agreement.

Policy on Commercial Fishing in Pacific Island Trust Territory**JOINT AGENCY APPROVAL**

Sanac 382/1

[Released to the press September 29]

The Department of State announced on September 29 the policy of this Government relating to commercial fishing operations in the United States Trust Territory of the Pacific Islands. The policy was approved by the Departments of State, Army, Navy, Air Force, and Interior as a guide to the administration of the Trust Territory and will have the effect of opening the area to commercial fishing. Rich fishery resources, particularly tuna, are available in the waters around this Territory in an area as large as the continental United States. The Territory, itself, contains scarcely as much land area as the State of Delaware. Several commercial fishing companies have shown interest in beginning fishing operations im-

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Fishing opportunities will be equally available to the fishing enterprises of all nations except that the High Commissioner will have discretion in excluding enterprises for reasons of security or for the purpose of carrying out the obligation to promote the advancement of the inhabitants.

Department of State Bulletin

THE RECORD OF THE WEEK**Agreement Between the United States and the United Kingdom
Proposing International Committee on Scrap**

[Released to the press October 1]

Announcement was made on October 1 by the Department of State of the signing in Washington of an agreement with the United Kingdom proposing the establishment of an international committee to recommend allocations of iron and steel scrap available for export from ERP countries including the Bizonal Area of Germany. The agreement also provides for the immediate allocation from the Bizonal Area of 500,000 tons of scrap each to the United States and to the United Kingdom and 225,000 tons for distribution to other deficit countries at uniform prices to be established by the U.S.-U.K. military governors. It is hoped that the total quantity to be shipped from the Bizonal Area in the next 12

months will be about 2,000,000 tons or more. All scrap shipped from Germany will be in excess of the legitimate requirements of the Bizone steel industry. Much of the scrap available in the Bizonal Area consists of rubble material from wrecked industrial plants, railway installations, abandoned ships, etc.

Since the end of the war little commercial scrap has been imported to the United States from Germany. As a result of the recent currency reform and the signing of this agreement, it is expected that Germany will now make a substantial contribution toward relieving the serious scrap shortage existing in this country as well as in Europe.

The text of the agreement which follows was embodied in an exchange of notes on September 30, 1948, between the two Governments.

AGREEMENT ON FERROUS SCRAP**I. Proposal to OEEC Countries on Allocation Machinery**

A proposal will be put before the members of the Organization of European Economic Cooperation that an *ad hoc* Committee be established in Paris consisting of representatives of OEEC members and the United States as a full member. It is proposed that this Committee, although outside the jurisdiction of the OEEC Council, should work in close cooperation with it and its committees. The functions of the Committee shall be to make recommendations to the Governments of the countries participating in the OEEC, including the Bizonal Area of Germany and the French Zone, on the distribution of scrap exports from those countries. Final decisions with respect to exports will be made, however, by the Governments of the exporting countries. In the Bizonal Area decisions will be made by the US and UK Military Governors subject to the provisions of Article III of this Agreement.

II. Instructions to Military Governors

Identical instructions shall be sent to the US and UK Military Governors in Germany as follows:

1. It is the desire of the Governments of the United States and United Kingdom that the total collection and export of scrap from the Bizonal Area, after providing for the legitimate requirements of the German steel industry, be maximized.

Initial Authorizations Outside of Future Allocations

2. The existing authorization (approved May 13, 1948) of 600,000 tons (namely 200,000 tons to the United States, 300,000 tons to the United Kingdom and 100,000 tons to other countries) is confirmed.

3. In addition there will be the following supplementary authorizations:

October 10, 1948

(a) 100,000 tons to the United States, to bring the United States share to parity with the above-mentioned United Kingdom share of 300,000 tons;

(b) 75,000 tons to the United Kingdom as a final shipment of booty scrap without payment;

(c) 75,000 tons to the United States, to correspond to (b) above, but not free of payment.

4. The above total authorizations of 375,000 tons to the United States, 375,000 tons to the United Kingdom and 100,000 tons to other countries shall not be charged to future allocations, and the two Military Governors shall implement these authorizations immediately.

Export Availabilities from Bizonal Area

5. The US and UK Military Governors shall inform the *ad hoc* Committee, promptly after its establishment and from time to time thereafter, of the anticipated volume of scrap exports from the Bizonal Area. It is hoped that this figure for the year ending October 1, 1949, will be 1,000,000 tons or more, over and above the 850,000 tons authorized above outside of future allocations.

Interim Authorizations Chargeable Against Future Allocations

6. As an advance against contemplated early allocations within the framework of the regular allocating procedure, there shall also be authorized a further 125,000 tons to the United States, 125,000 tons to the United Kingdom and 125,000 tons to other countries, such quantities to be charged against future allocations. The two Military Governors shall also implement these authorizations immediately.

7. In the event that no recommendation is made by the *ad hoc* Committee before October 31, 1948, further interim authorizations shall be made on that date and on the last

TEXT OF POLICY DIRECTIVE

[Released to the press September 29]

A. With a view to cooperating in the effort to increase world food production and in order to improve the local economy and to obtain information needed for conservation of fishing resources of the area, the territorial waters surrounding the Trust Territory, except those parts closed for security reasons, should be open to the commercial fishing enterprises of all nations on a non-discriminatory basis, except that whenever a country denies rights with respect to fishing and ancillary operations needed and desired by the local inhabitants of the Trust Territory, the Government of the Trust Territory may, if necessary to obtain those rights, deny that country rights in the Trust Territory.

B. The administering agency, in collaboration with the Fish and Wildlife Service of the Department of the Interior, should conduct research as soon as possible with a view to establishing conservation regulations. Fishing grounds within the territorial waters found to be necessary for the local economy should be reserved exclusively for the use and benefit of the local inhabitants.

C. Immediate steps should be taken to foster the development of aquatic resources, including locally owned and operated commercial fishing, bait culture, and ancillary commercial industries.

D. With respect to canning and other fish-processing industries, the administering agency should give priority to the development of locally owned and operated enterprises.

E. The administering agency may, under such conditions, as may be agreed upon by the interested departments, grant permission for the establishment and maintenance of shore facilities to outside canneries and other fish-processing industries provided that, in determining whether such permission shall be granted and in establishing the conditions under which such permission is to be granted, the interests of the local inhabitants shall be paramount.

F. Annual licenses should be required of all commercial fishing vessels operating within territorial limits or operating out of local ports. Licenses to nonlocal fishing vessels should be granted on the understanding that they are subject to revocation or modification wherever security interests or the interests of the inhabitants so require. Licensees should be required to furnish such statistical information regarding fishing operations as the administering agency, in collaboration with the Fish and Wildlife Service, shall deem appropriate.

G. Local inhabitants should be employed in the

complement of a fishing vessel or canning or other ancillary industry licensed for operation in a Trust Territory to the maximum extent consonant with efficient operations. Regulations should be issued prescribing minimum and nondiscriminatory wages and standards of working conditions and otherwise protecting locally hired personnel. The employment of nonlocal personnel in shore establishments should be subject to regulations by the government of the Trust Territory.

H. Except as provided in paragraph A above, and subject to the right of the High Commissioner of the Trust Territory of the Pacific, within established governmental policy to exclude any individual or group of individuals for reason of security, and the obligation to promote the advancement of the inhabitants, the principle of nondiscrimination on the basis of nationality shall be observed in the implementation of the foregoing principles and shall apply to all aspects of commercial fishing and ancillary operations and the regulation thereof in the Trust Territory.

Two U.S. Citizens Held Incommunicado in Hungary Released

[Released to the press September 27]

American citizens Paul Ruedemann and George Bannantine, president and technical adviser respectively of MAORR, an American-owned affiliate in Hungary of the Standard Oil Company (New Jersey), have been released from detention by the Hungarian authorities following vigorous United States representations both at Washington and at Budapest to the Hungarian Government and, accompanied by an officer of the American Legation at Budapest, arrived in Vienna at 11:30 a.m. on September 26.

Mr. Ruedemann and Mr. Bannantine were taken into custody by the Hungarian police on the night of September 18 and held incommunicado until their release on September 25. The United States Government considers the allegations made against these two men by the Hungarian authorities and by the officially controlled Hungarian press and radio involving "economic sabotage" were wholly unfounded. These arrests followed a long series of encroachments by the Hungarian authorities on the rights of MAORR, which have now culminated in the seizure of the company under a decree issued by order of the Cabinet Council on September 24 and published in the *Official Gazette* on September 25.

October 10, 1948

THE RECORD OF THE WEEK

**Economic Cooperation Agreement
With Portugal Signed***Statement by Acting Secretary Lovett*

[Released to the press September 29]

A bilateral agreement in connection with the European Recovery Program was signed with the Portuguese Government on September 28 at Lisbon by Ambassador MacVeagh and the Portuguese Foreign Minister.¹ Although the Portuguese Government is receiving no financial aid under the European Recovery Program, they have given their firm support to the program from the very beginning. The signing of the ERP agreement and the cordial remarks of the Portuguese Foreign Minister on that occasion have shown again the spirit of good will and cooperation of the Portuguese Government in participating in the huge task of European reconstruction.

**Department of State To Have Full Direction
of Voice of America Programs**

[Released to the press September 30]

Preparation and broadcasting of those Voice of America programs which had previously been handled by the National Broadcasting Company and Columbia Broadcasting System under contract with the Department of State, were undertaken by the Department beginning October 1.

In making the announcement, George V. Allen, Assistant Secretary of State for public affairs, said

¹ For text of the agreement, see Department of State press release 788 of Sept. 29, 1948. For text of a similar agreement with Italy, see BULLETIN of July 11, 1948, p. 38.

Identical notes between the two Governments were exchanged relating to most-favored-nation treatment for areas under military occupation. With the exception of the following paragraph this exchange is similar to the understanding with the U.K. which was printed in the BULLETIN of July 11, 1948, p. 43:

"1. For such time as the Government of the United States of America participates in the occupation or control of any areas in western Germany, the Free Territory of Trieste, the Government of Portugal will apply to the merchandise trade of such area the provisions relating to the most-favored nation treatment of the merchandise trade of the United States of America set forth in the Commercial Agreement signed June 28, 1910, or for such time as the Governments of the United States of America and Portugal may both be contracting parties to the General Agreement on Tariffs and Trade, dated October 30, 1947, the provisions of that Agreement, as now or hereafter amended, relating to the most-favored-nation treatment of such trade. It is understood that the undertaking in this paragraph relating to the application of the most-favored-nation provisions of the Commercial Agreement shall be subject to the exceptions recognized in the General Agreement on Tariffs and Trade permitting departures from the application of most-favored-nation treatment; provided that nothing in this sentence shall be construed to require compliance with the procedures specified in the General Agreement with regard to the application of such exceptions."

the transfer of functions was effected under agreement between the Department and the radio networks following their decision to withdraw from programming activities in the field of international broadcasting.

The two networks were preparing and broadcasting Voice of America programs in English, Spanish, Portuguese, French, Italian, German, Annamese, Malayan, and Siamese.

The Department's International Broadcasting Division, which has charge of Voice of America operations, will continue to lease short-wave transmitting facilities of private companies, including those of NBC and CBS.

The broadcast output to Latin America was reduced October 1 to 2 hours and 45 minutes daily from the previous 4 hours and 45 minutes' schedule. Daily Far Eastern programs of 15 minutes each in Annamese, Malayan, and Siamese, which had been prepared by CBS up to October 1, were discontinued. European schedules will remain virtually intact with broadcasts continuing in Bulgarian, Czech, English, French, German, Greek, Hungarian, Italian, Polish, Rumanian, Russian, Serbo-Croat, Slovak, Slovene, and Spanish.

Broadcasts will continue to the Far East in Chinese, Korean, Russian, and English, and to Latin America in English, Portuguese, and Spanish.

The Voice of America will increase certain existing broadcasts and will inaugurate programs in additional languages as soon as an adequate staff can be recruited. The output to Europe was given added impetus October 3 when the relay of Voice of America programs through the British Broadcasting Corporation facilities was increased from 9 to 10½ hours daily.

**Ambassador Butler To Represent President at
Cuban Inauguration**

[Released to the press October 1]

Robert Butler, United States Ambassador to Cuba, has been named Special Ambassador to represent the President at the inauguration of Dr. Carlos Prío Socarrás, President-elect of Cuba, on October 10, 1948. Members of his special mission will be Admiral Louis E. Denfeld, United States Navy, Lt. General Matthew B. Ridgway, United States Army, Major General Willis F. Hale, United States Air Force, and officers of the United States Embassy at Habana.

Air Transport Agreement With Bolivia

[Released to the press September 30]

The Department of State on September 30 announced that an air-transport agreement between the Governments of Bolivia and the United States was signed in La Paz on September 29, 1948.

Department of State Bulletin

FOREIGN AFFAIRS

out of the food and ammunition they had brought with them. Long lines of trucks stalled for lack of gasoline. An airlift from Nanking was crippled by bad weather, and many of the supplies it dropped fell into Communist hands. "You are now being encircled tightly as in an iron barrel," General Chen broadcast to the trapped Nationalists.

JAPAN:

Death of a Policy

Although the Japanese are past masters at saving face, they might have learned something last week from the United States State Department. In a long statement to the Far Eastern Com-

mission, the State Department announced it was abandoning the program for breaking up Japanese business known as FEC-230, that it had submitted last year.

The statement explained that deconcentration, as outlined in FEC-230, continued to be a fundamental objective of the occupation but that the directive provisions had either been implemented or

outmoded." However, Times Tokyo bureau chief objective of breaking "has been amended down to such an extent more than ten corporations erially affected." Actually State Department officials believe FEC-230 would have disrupted the Japanese economy. The Japanese economy was started a year ago. The story of this strange situation

Newsweek - Dec. 20, 1948

Significance of a Switch: End of an Extremist Plan for Japan

Formal abandonment of American plans to deconcentrate Japanese industry, as embodied in FEC-230 (see above), became inevitable when this document was brought to the attention of responsible officials in Washington last year and after the extraordinary measures it proposed had been revealed by NEWSWEEK (Dec. 1, 1947). The story of FEC-230 thereafter became how this drastic document was formulated and partly put into effect without the knowledge of either top policymakers or the public. Harry F. Kern, NEWSWEEK Foreign editor, who played a part in bringing FEC-230 into the open, gives the now-it-can-be-told account of the directive's origin.

The Far East Sub-Committee of the State-War-Navy Coordinating Committee (SWNCC), set up in February 1945, was charged with preparing a "statement of general initial policy relating to Japan." It aimed at a moderate solution of the practical problems of occupying a broken country and implanting democracy among an Oriental people. It largely followed the thinking of Under Secretary of State Joseph C. Grew, former ambassador in Tokyo, of his assistant Eugene H. Dooman, and of Joseph W. Ballantine, director of the Office of Far Eastern Affairs—men with extensive experience in Japan. Their work was completed when James F. Byrnes became Secretary of State in July 1945, and the post-surrender policy was adopted at a SWNCC meeting on Aug. 29.

This policy had been opposed by another group, including Owen Lattimore, former deputy director, Pacific Operations of the OWI, John Carter Vincent, chief of the State Department China Division, and Lauchlin Currie of the Office of Economic Warfare. They were supported by Assistant Secretary of State Dean Acheson. In general, this group advocated measures outlined in Lattimore's then newly published book "Solution in Asia"—abolition of the Japanese monarchy, banishment of the imperial family to China for life, dissolution of large Japanese enterprises, and a purge of business executives. (Lattimore had never lived in Japan.) Whatever the intent at the time, those most familiar with Japan feel events have since proved these measures

would have been so extreme as to reduce the country to chaos and make it as ripe for Communist revolution as China is at present.

Widening the Base: But as soon as Byrnes took over, Grew, Dooman, and Ballantine left or were forced out. Acheson became Under Secretary and Vincent Far Eastern Affairs director. And between the Aug. 29 SWNCC meeting and the forwarding of the post-surrender policy statement to General MacArthur on Sept. 6, key additional clauses were inserted. These clauses directed MacArthur to effect "the wide distribution of income and of the ownership of the means of production and trade," to purge "the economic field," and dissolve "large industrial and banking combinations."

These provisions were greatly widened in the later formal Initial Post-Surrender Directive but it was in FEC-230 that the grand design of atomizing Japanese business was revealed. In effect, it envisaged breaking down all Japanese businesses into single-plant companies, taking securities from their owners for a purely nominal price, and selling them to new entrepreneurs, farmers' cooperatives, and labor unions (many of them Communist dominated).

Unclassified Secret: On May 12, 1947, FEC-230 was submitted to the Far Eastern Commission as an American policy directive. It remained unknown to many responsible Army and State Department officials and to the public. In August 1947, James Lee Kauffman, a New York lawyer of long experience in Japan, heard of its existence during a visit to Tokyo. He asked the government Section of General MacArthur's headquarters for a copy of this classified document and, to his surprise, was readily supplied with one.

On his return to New York, Kauffman wrote a report embodying large sections of FEC-230. This was shown to Defense Secretary James Forrestal, Commerce Secretary W. Averell Harriman, and a representative of the State Department. Forrestal was impressed and seriously concerned, and the task of revising FEC-230 then began on a high governmental level.

Nevertheless, the Japanese Diet was forced by occupation authorities to pass

a strong deconcentration law, and many of the provisions of FEC-230 continued to be enforced by Edward Welsh, chief of the Antitrust and Cartels Division and a zealous deconcentrator by conviction. The Johnston mission, which included Paul Hoffman, now the head of the ECA, visited Japan in March 1948 and returned with an extremely unfavorable impression of Welsh's methods in particular and the likely effects of deconcentration in general.

The task of revising FEC-230 was finally completed by the dispatch of a five-man review board to Tokyo to supervise deconcentration. Last September this board issued a statement setting up for Japanese corporations the same general standards which apply to American companies under the antitrust laws.

Classes and Masses. In a technical sense FEC-230 showed how simple it was for a small group to put into effect a policy contrary to the concepts of the Administration and the public they were supposed to serve. In an ideological sense, whether or not its sponsors knew it, the directive at least paralleled a worldwide attack against the existing business structure by the extreme left.

In Germany and Japan left-wing propagandists attempted to identify business and the upper classes with the Nazis and the Japanese militarists. In Germany they spread the idea that the "Ruhr Barons" and the aristocracy were primarily responsible for the rise of Hitler. Actually, the most effective resistance to the Führer (including the plots to assassinate him) came from businessmen and the old aristocracy. Socialists more often than not found the transition to National Socialism easy and Nazism gained its firmest support among the working class.

In Japan an investigation conducted by war-time trials officers exonerated Japanese business, particularly big business—the so-called Zaibatsu—of helping the militarists. Sir George Sansom, greatest living authority on Japan, recently wrote "evidence . . . is poor" for the view that the Zaibatsu cooperated with militarists or even "meekly gave way to military pressure." On the contrary, they "resisted the government's plans for industrial expansion" and fought "totalitarian trends" and a "planned economy."

□ Newsweek

JAPAN:**Death of a Policy**

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mission, the State Department announced it was abandoning the program for breaking up Japanese business known as FEC-230, that it had submitted last year.

The statement explained that deconcentration, as outlined in FEC-230, continued to be a fundamental objective of the occupation but that the directive provisions had either been implemented or

outmoded." However, The New York Times Tokyo bureau cabled that the chief objective of breaking up corporations "has been amended and watered down to such an extent it is likely not more than ten corporations will be materially affected." Actually, Army and State Department officials had come to believe FEC-230 would have so disrupted the Japanese economy that its reversal was started a year ago. For the full story of this strange situation, see page 30.

Switch: End of an Extremist Plan for Japan

would have been so extreme as to reduce the country to chaos and make it as ripe for Communist revolution as China is at present.

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On his return to New York, Kauffman wrote a report embodying large sections of FEC-230. This was shown to Defense Secretary James Forrestal, Commerce Secretary W. Averell Harriman, and a representative of the State Department. Forrestal was impressed and seriously concerned, and the task of revising FEC-230 then began on a high governmental level.

Nevertheless, the Japanese Diet was forced by occupation authorities to pass

a strong deconcentration law, and many of the provisions of FEC-230 continued to be enforced by Edward Welsh, chief of the Antitrust and Cartels Division and a zealous deconcentrator by conviction. The Johnston mission, which included Paul Hoffman, now the head of the ECA, visited Japan in March 1948 and returned with an extremely unfavorable impression of Welsh's methods in particular and the likely effects of deconcentration in general.

The task of revising FEC-230 was finally completed by the dispatch of a five-man review board to Tokyo to supervise deconcentration. Last September this board issued a statement setting up for Japanese corporations the same general standards which apply to American companies under the antitrust laws.

Classes and Masses. In a technical sense FEC-230 showed how simple it was for a small group to put into effect a policy contrary to the concepts of the Administration and the public they were supposed to serve. In an ideological sense, whether or not its sponsors knew it, the directive at least paralleled a worldwide attack against the existing business structure by the extreme left.

In Germany and Japan left-wing propagandists attempted to identify business and the upper classes with the Nazis and the Japanese militarists. In Germany they spread the idea that the "Ruhr Barons" and the aristocracy were primarily responsible for the rise of Hitler. Actually, the most effective resistance to the Führer (including the plots to assassinate him) came from businessmen and the old aristocracy. Socialists more often than not found the transition to National Socialism easy and Nazism gained its firmest support among the working class.

In Japan an investigation conducted by war-time trials officers exonerated Japanese business, particularly big business—the so-called Zaibatsu—of helping the militarists. Sir George Sansom, greatest living authority on Japan, recently wrote "evidence . . . is poor" for the view that the Zaibatsu cooperated with militarists or even "meekly gave way to military pressure." On the contrary, they "resisted the government's plans for industrial expansion" and fought "totalitarian trends" and a "planned economy."

THE DEPARTMENT OF STATE BULLETIN

VOL. XIII, NO. 333

NOVEMBER 11, 1945

In this issue

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By Harold W. Moseley, Colonel Charles W. McCarthy, and Commander Alvin F. Richardson

DOCUMENTS RELATING TO ITALIAN ARMISTICE

CORRESPONDENCE CONCERNING ITALIAN PEACE TREATY

*For complete contents
see inside cover*



The State-War-Navy Coordinating Committee

By **HAROLD W. MOSELEY**, *Department of State*
Colonel CHARLES W. MCCARTHY, *War Department*
Commander ALVIN F. RICHARDSON, *Navy Department*

LACK OF COORDINATION between the State, War, and Navy Departments has been a rather common theme of critics of governmental administration. Only recently has there been any reference to the existence of a State-War-Navy Coordinating Committee in public statements by top Government officials. Nevertheless, it is a fact that there was created in December 1944 a very active Committee which has provided a much-needed working link between the military and those responsible for foreign policy. Until the end of the war the existence of this Committee, for security and other reasons, has been a classified "confidential" subject, instructions having been issued that there should be no discussion of it outside the three Departments.

Purpose and Authority of the Committee

The State-War-Navy Coordinating Committee (SWNCC) was established as the result of an exchange of letters between the Secretaries of the State, War, and Navy Departments, for the purpose of "improving existing methods of obtaining for the State Department advice on politico-military matters and of coordinating the views of the three departments on matters in which all have a common interest, particularly those involving foreign policy and relations with foreign nations." In actual practice, the Committee has gone further than its original purpose of furnishing guidance only for the benefit of the State Department. SWNCC is also used by the War and Navy Departments, as well as

the Joint Chiefs of Staff, as the medium through which the military are advised by the State Department of the political aspects of a particular problem.

The authority of the Committee has been recently defined and formalized in a memorandum signed by Mr. Byrnes, Mr. Patterson, and Mr. Forrestal, which designates SWNCC "as the agency to reconcile and coordinate the action to be taken by the State, War, and Navy Departments on matters of common interest and, under the guidance of the Secretaries of State, War, and Navy, establish policies on politico-military questions referred to it." Action taken by SWNCC is construed as action taken in the names of the Secretaries of State, War, and the Navy, and decisions of the Committee establish the approved policy of the three Departments. Decisions of the Committee are referred to the President for approval when appropriate.

Composition of SWNCC

The departmental representatives on this Committee are Assistant Secretary of State James C. Dunn, chairman; Assistant Secretary of War John J. McCloy; and Under Secretary of the Navy

Mr. Moseley is Special Assistant to the Director of the Office of European Affairs and a member of the Secretariat of SWNCC. Colonel McCarthy was formerly an Army member on the secretariat of SWNCC and is now an Executive Officer for the Assistant Secretary of War. Commander Richardson is a Navy member on the secretariat of SWNCC.

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Artemus L. Gates. Mr. H. Freeman Matthews, Director of the Office of European Affairs of the Department of State, is acting chairman in Mr. Dunn's absence, and Mr. Lovett, Assistant Secretary of War for Air, has been substituting for Mr. McCloy during the latter's tour abroad. The secretariat consists of three officers from each of the three Departments, with a supporting force of WAVES, WAC, and civilian personnel.

Subcommittees have been created to consider matters relating to a particular geographic area or special subjects. These subcommittees act as working parties and report to the parent Committee. At present there are standing subcommittees for European Affairs, for the Far East, for Latin America, for the Near and Middle East, for Technical Information Security Control, and for Re-armament. *Ad hoc* committees have also been created for such purposes as effecting collaboration between the State, War, and Navy Departments on the security functions of the United Nations Organization, considering articles for peace treaties, and authorizing the release of security data.

Subjects Considered by SWNCC

The subjects considered by SWNCC, as indicated by the names of its subcommittees, are limited neither by their nature nor by their geographic location. Most of the documents prepared by SWNCC are generally of a classified nature, although they are occasionally made public. In speaking of the work of SWNCC at the time of the Japanese surrender, Secretary Byrnes told the press on August 22 that the State Department, Army, and Navy have a joint committee which has been working on the details of the surrender and its program of occupation ever since the day of surrender; that the three departments have been in daily contact as a result of that Committee; and that he was deeply impressed by what was being done by our representatives under the direction of General MacArthur. The Secretary said that he had gone over the drafts at great length and that it was a tremendous task but that it was being handled in a methodical, businesslike way that really made him feel very good about the progress being made. One of these documents to which the Secretary referred was the "U. S. Initial Post-Surrender Policy for Japan,"¹ which was

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released by the White House on September 22 and was widely approved by the press.

In addition to the preparation of policy for the control of Japan, SWNCC has been active in the drafting of directives for the control of Germany and Austria. The Committee has also been of considerable value as a medium in coordinating the views of the three Departments for the purpose of determining policy for presentation of United States proposals at international conferences. During the existence of the European Advisory Commission in London, SWNCC was often used as a means for obtaining the United States viewpoint on subjects introduced into that Commission which were of a politico-military nature. Similarly, it is planned that the United States representative on the Far Eastern Advisory Commission will make use of the Committee's services.

Functioning of SWNCC

All three Departments have cooperated full-heartedly in placing at the disposal of the Committee and its secretariat the advice and assistance of specialists and advisers. Through the Office of the Chief of Staff and the Office of the Chief of Naval Operations, staff studies can be undertaken as the Committee may desire. Other Government departments and agencies are also consulted when their advice seems desirable.

Close liaison with the Joint Chiefs of Staff is effected through the secretariat of SWNCC and the working groups of subcommittees. Most papers originating in SWNCC are referred to the JCS for their consideration from the military point of view before final approval is given. Quite often, at the working level, members of a SWNCC subcommittee will collaborate in a report with one of the committees of the JCS. The Joint Chiefs of Staff in their turn refer papers to SWNCC to obtain the benefit of the Committee's views.

SWNCC papers are prepared in "military" form similar to that used by the British War Cabinet and the Joint Chiefs of Staff. Reports are broken down into five headings: the Problem, Facts Bearing on the Problem, Discussion, Conclusions, and Recommendations.

Papers which do not require discussion and in which all departments and agencies concerned are

¹ BULLETIN of Sept. 23, 1945, p. 423.

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in substantial agreement are approved informally by the members of the Committee. In other instances where it is felt that discussion is desirable, papers are placed on the agenda for formal meetings of the Committee which take place about once a week. The usual procedure is to refer a problem to a subcommittee or an *ad hoc* committee, and have that subcommittee submit its report for the consideration of the parent committee.

Supervision of Liaison Activities

When the Committee was organized it was agreed that it should exercise general guidance and supervision over liaison activities between the three Departments. However, it was decided that the Committee should not attempt to interfere with existing liaison contacts which were working efficiently, nor should the Committee attempt to have funneled-through it the ordinary day-to-day conduct of business between the Departments. Studies to improve liaison channels have, however, been undertaken.

Future of SWNCC

Although SWNCC was established during a war it does not follow that peace will bring an early end to its existence. On the contrary, it appears that peace has brought with it an increasing number of problems of a politico-military nature. Close and effective coordination between the military and those responsible for our foreign

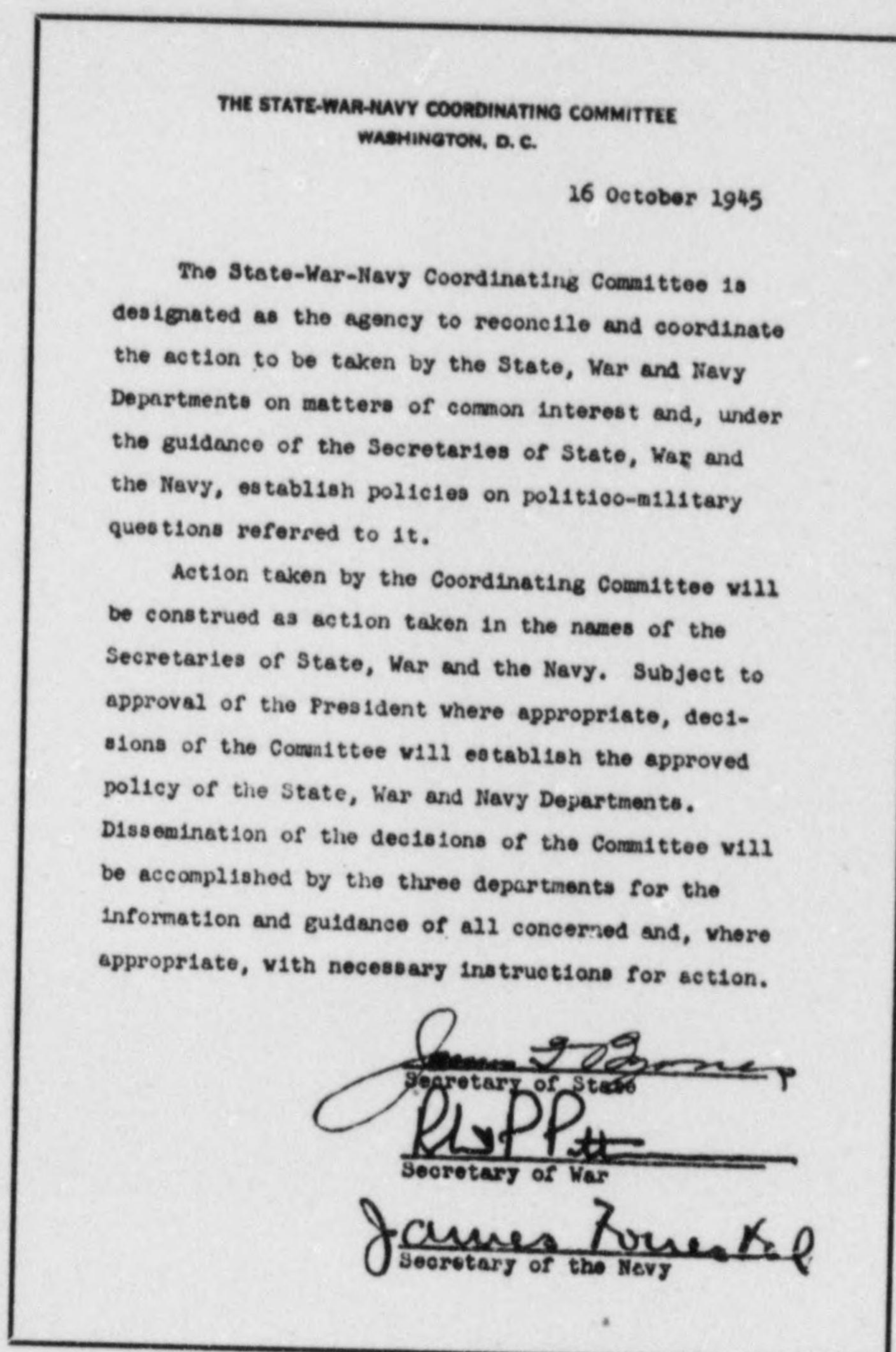
policy is a prerequisite to the successful solution of these problems. The State-War-Navy Coordinating Committee appears to offer a logical medium for such coordination.

If it accomplishes nothing else, SWNCC does bring the uniformed men and the civilians together at the same table and eliminates much of the old formalistic exchange of views by letters and memoranda. We have learned in this war that coordination is necessary not only at the top but also at the staff working level. Through the facilities of SWNCC and its subcommittees this coordination is obtained at both levels.

If it is true that our foreign policy is our first line of national defense, then it follows that there must be close and continuous coordination between the State Department and the military agencies of the Government. It is

significant that several of the plans which have been proposed in connection with the question of unification of the armed services provide for representation by the Secretary of State. The "Eberstadt Report",¹ for example, proposes a post-war security organization which would include a National Security Council which would take over the functions at present performed by the State-War-Navy Coordinating Committee. It would appear quite possible that SWNCC may evolve into such an agency.

¹ Report to the Honorable James Forrestal on *Unification of the War and Navy Departments and Post-War Organization for National Security* (Senate Committee on Naval Affairs, 79th Cong., 1st sess., Oct. 22, 1945), p. 7.



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THE STATE-WAR-NAVY COORDINATING COMMITTEE
WASHINGTON, D. C.

16 October 1945

The State-War-Navy Coordinating Committee is designated as the agency to reconcile and coordinate the action to be taken by the State, War and Navy Departments on matters of common interest and, under the guidance of the Secretaries of State, War and the Navy, establish policies on politico-military questions referred to it.

Action taken by the Coordinating Committee will be construed as action taken in the names of the Secretaries of State, War and the Navy. Subject to approval of the President where appropriate, decisions of the Committee will establish the approved policy of the State, War and Navy Departments. Dissemination of the decisions of the Committee will be accomplished by the three departments for the information and guidance of all concerned and, where appropriate, with necessary instructions for action.

James F. Byrnes
Secretary of State
R. P. Healy
Secretary of War
James Forrestal
Secretary of the Navy

DEPARTMENT OF STATE
WASHINGTON

COPY

November 29, 1944

My dear Mr. Secretary:

I have been discussing informally with representatives of the War and Navy Departments the matter of improving existing methods of obtaining for the State Department advice on politico-military matters and of coordinating the views of the three departments on matters in which all have a common interest, particularly those involving foreign policy and relations with foreign nations. By a letter to you dated 16 November 1944 I suggested to you the formation of a committee of representatives of the three departments to deal with problems relating to the Far East. At a meeting with the Assistant Secretary of War and the Assistant Secretary of the Navy for Air on 20 November it was generally agreed that it might be desirable to expand this proposal to provide for a committee which might deal with a much wider range of interdepartmental problems and serve as a convenient channel of interdepartmental communication.

Accordingly, I suggest the formation of a committee to be composed of representatives of the Secretary of State, the Secretary of War, and the Secretary of the Navy, charged with the duty of formulating recommendations to the Secretary of State on questions having both military and political aspects and of coordinating the views of the three Departments in matters of interdepartmental interest. In view of the fact that much of the work of the proposed committee will deal with foreign policy, it is assumed that the representative of the State Department should serve as Chairman of the Committee.

If the committee is formed, I propose to designate Mr. James C. Dunn, Director of the Office of European Affairs, as the State Department representative. I hope the Secretary of War and the Secretary of the Navy will each designate a ranking member of his own office as his representative. Each member of the committee,

The Honorable
Henry L. Stimson
Secretary of War.

of course, should be free to designate an alternate or alternates to act for him in his absence. Appropriate panels or sub-committees of the committee could be formed to deal with particular problems. For example, in dealing with matters relating to the Far East, Mr. Dunn would probably plan to associate with him a high officer of the Department of State having special knowledge of affairs in that area. Doubtless the representatives of the Secretary of War and the Secretary of the Navy will find occasions on which similar assistance will be desirable.

As I visualize the proposed committee, it should have a secretariat composed of at least one competent and experienced representative of each department and it should be authorized to call upon the three departments for such technical advice and assistance as may from time to time be required. The Secretariat would be charged with the proper disposition of communications requesting the views of the War Department and the Navy Department on politico-military questions and arranging with the committee members for reference of such inquiries, in appropriate cases, for the comments of the Joint Chiefs of Staff. After the formation of the committee, inquiries for military advice would be directed by the State Department to the Secretary of War and the Secretary of Navy jointly, rather than making such inquiries as a matter of direct communication with the Joint Chiefs of Staff.

If the committee is formed I hope that for a period at least, it will plan regular meetings, making arrangements, however, for informal clearances through the Secretariat of matters not requiring decision at formal meetings.

If you concur in the foregoing proposal, I shall be glad to learn from you whom you may wish to assign to the committee. As soon as representatives of the War and Navy Departments have been thus assigned, Mr. Dunn will be designated as the representative of the State Department. I hope that the committee can begin to function at an early date.

I am sending a letter, similar in form to this, to the Secretary of the Navy.

Sincerely yours,

/s/ E.R. Stettinius, Jr.

WAR & NAVY DEPARTMENTS

WASHINGTON, D.C.

COPY

1 December 1944

The Honorable,

The Secretary of State

My dear Mr. Secretary:

I have your letter of 29 November on the subject of improving existing methods of obtaining advice for the State Department on politico-military matters. We are in hearty agreement with the proposal which you make and believe that it should be carried into effect promptly. We have respectively designated the Assistant Secretary of War and the Assistant Secretary of the Navy for Air as the War Department and Navy Department representatives upon the proposed committee. We believe that the effectiveness of the committee will be largely dependent upon the effectiveness of its secretariat and we propose to designate officers whom we deem peculiarly qualified for the work of the proposed committee.

Both the War Department and the Navy Department will make arrangements for placing at the disposal of the committee and its secretariat the advice and assistance of specialists and advisers as occasion may arise for this. Through the Office of the Chief of Staff and the Office of the Chief of Naval Operations, staff studies can be undertaken as the committee may desire. Contact with the Joint Chiefs of Staff will be arranged through the Chief of Staff, U.S. Army, and the Chief of Naval Operations. The Secretariat of the proposed committee of course should maintain constant informal contact with the secretariat and other appropriate agencies of the Joint Chiefs of Staff.

Both the War Department and Navy Department will promptly undertake studies of the existing organization in these departments to make certain that all liaison activities between the State Department, on the one hand, and the War and Navy Departments, on the other, are brought to the attention of the committee for its exercise of general guidance and supervision of such activities.

We believe that the secretariat should be appointed as soon as possible so that its members may participate in the development of the procedures to be followed by the committee and in formulating its program. The operations of the committee should, of course, be kept as simple as possible and the representatives of the War and Navy Departments engaged in the work of the committee will be instructed to work to this end.

Sincerely yours,

/s/ JAMES FORRESTAL

Secretary of The Navy

/s/ HENRY L. STIMSON
Secretary of War

COPY FOR WDOAS

R E S T R I C T E D

January 5, 1945

Fleet Admiral William D. Leahy,
Chief of Staff to the Commander in Chief of the Army and Navy,
The White House,
Washington 25, D. C.

My dear Admiral Leahy:

1. The Secretaries of State, War and Navy have directed the formation of a committee to be known as the State-War-Navy Coordinating Committee for the purpose of coordinating the politico-military views of the three departments and advising the Department of State on matters of foreign policy which have military implications.

2. The duties of the Committee are set forth in some detail in letters exchanged between the Secretary of State and the Secretaries of War and Navy, copies of which I have attached for reference. Mr. John J. McCloy, Assistant Secretary of War, Mr. Artemus L. Gates, Assistant Secretary of the Navy for Air, and I have been designated by our respective Secretaries to compose the committee.

3. I appreciate that many of the problems to be presented to this committee will require consideration by the Joint Chiefs of Staff. In order to assure expeditious action in such matters, this committee suggests that, if agreeable to you, the following procedure be followed:

(a) If consideration by the Joint Chiefs of Staff may be indicated, the problem will be submitted by the committee acting for the Departments concerned to the Joint Chiefs of Staff, ~~the Chief of Staff, U. S. Army, and the Commander in Chief, U. S. Fleet and Chief of Naval Operations,~~ with an action copy to the Secretary of the Joint Chiefs of Staff. By thus permitting the Joint Chiefs of Staff machinery to go into action immediately, I believe that the business between this Committee and the Joint Chiefs of Staff will be handled in the most expeditious manner possible. With this end in view, every effort should be made to maintain active and continuous liaison between the Secretary of the Joint Chiefs of Staff and the Secretary of this Committee.

(b) The normal method by which the Joint Chiefs of Staff will communicate with the Department of State will be by a letter

JAN 5 1945

addressed to the Secretaries of War and Navy, jointly, and an action copy of the letter forwarded directly to this committee. This will assure coordination of the three departments and expeditious consideration of the problem.

4. The Committee will appreciate any suggestion from you to facilitate our work and an expression of opinion on the suggestions which I have outlined.

Very truly yours,

James C. Dunn
Assistant Secretary of State
Chairman

R E S T R I C T E D

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SWNCC 12

COPY NO. 37

26 January 1945

Pages 1 - 4 incl.

STATE-WAR-NAVY COORDINATING COMMITTEE
PROCEDURE -- JOINT CHIEFS OF STAFF AND STATE-WAR
NAVY COORDINATING COMMITTEE

Note by the Secretaries

The enclosure, a letter from the Joint Chiefs of Staff, is circulated for information.

WALLACE E. WHITSON

KELVIN L. NUTTING

HAROLD W. MOSELEY

Secretariat

RESTRICTED

SWNCC 12

E N C L O S U R ETHE JOINT CHIEFS OF STAFF
Washington 25, D.C.

23 January 1945

Mr. James Clement Dunn,
Chairman,
State-War-Navy Coordinating Committee,
Washington, D. C.

My dear Mr. Chairman:

The Joint Chiefs of Staff have received your letter of 6 January proposing a procedure by which it is hoped that problems of joint interest to your committee and the Joint Chiefs of Staff may be expeditiously handled.

The procedure proposed is in general satisfactory. However, with a view to further clarification and effective procedure, the following changes are recommended:

Change paragraphs 3 (a) and 3 (b) as indicated:

"(a) If consideration by the Joint Chiefs of Staff may be indicated, ~~the problem will be submitted by the~~ this committee, acting for the departments concerned, will submit the problem to the Joint Chiefs of Staff with an action copy by letter addressed to them and delivered directly to the Secretary of the Joint Chiefs of Staff.

By thus permitting the Joint Chiefs of Staff machinery to go into action immediately, I believe that the business between this committee and the Joint Chiefs of Staff will be handled in the most expeditious manner possible. With this end in view, every effort should be made to maintain active and continuous liaison between the Secretary of the Joint Chiefs of Staff and the Secretary of this committee.

"(b) The normal method by which the Joint

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SWNCC 12

Chiefs of Staff will communicate with the Department of State will be by a letter addressed jointly to the Secretaries of War and the Navy, jointly and an action-copy-of-the-letter-forwarded-directly-to forwarded through the Secretary of the State-War Navy Coordinating Committee ~~this committee~~. This will assure coordination of the three departments and expeditious consideration of the problem."

It is assumed that the above procedure modifies, in so far as it may conflict with, the provisions that "Contact with the Joint Chiefs of Staff will be arranged through the Chief of Staff, U.S. Army, and the Chief of Naval Operations." (Joint letter of Secretary of War and Secretary of the Navy to Secretary of State, 1 December 1944, second paragraph, third sentence).

In view of the fact that final action taken by your committee on matters concerning which it has requested and received the views of the Joint Chiefs of Staff may be helpful in connection with their consideration of other problems, it is requested that an information copy of all such actions be furnished to the Secretary, Joint Chiefs of Staff.

Sincerely yours,

For the Joint Chiefs of Staff:

/s/ G.C. MARSHALL

Chief of Staff, U.S. Army.

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SWNCC 12

APPENDIX ADEPARTMENT OF STATE
WASHINGTON

January 6, 1945

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(a) If consideration by the Joint Chiefs of Staff may be indicated, the problem will be submitted by the committee acting for the departments concerned to the Joint Chiefs of Staff, with an action copy to the Secretary of the Joint Chiefs of Staff. By thus permitting the Joint Chiefs of Staff machinery to go into action immediately, I believe that the business between this committee and the Joint Chiefs of Staff will be handled in the most expeditious manner.

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SWNCC 12

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(b) The normal method by which the Joint Chiefs of Staff will communicate with the Department of State will be by a letter addressed to the Secretaries of War and Navy, jointly, and an action copy of the letter forwarded directly to this committee. This will assure coordination of the three departments and expeditious consideration of the problem.

4. The committee will appreciate any suggestion from you to facilitate our work and an expression of opinion on the suggestions which I have outlined.

Very truly yours,

/s/ JAMES CLEMENT DUNN
Assistant Secretary of State
Chairman

Fleet Admiral William D. Leahy,
Chief of Staff to the Commander in Chief
of the Army and Navy
The White House,
Washington 25, D.C.

THE JOINT CHIEFS OF STAFF
Washington 25, D.C.

RESTRICTED

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Sincerely yours,

For the Joint Chiefs of Staff:

/s/ G. C. MARSHALL

Chief of Staff, U. S. Army.

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SWNCC
22 Dec 1944STATE-WAR-NAVY COORDINATING COMMITTEEORGANIZATION AND FUNCTIONS OF SECRETARIATMEMORANDUM TO THE SECRETARIAT -ORGANIZATION -

1. The State-War-Navy Coordinating Committee Secretariat is hereby established as the agency of the State-War-Navy Coordinating Committee charged with the performance of secretarial and such other duties as may be prescribed.

MEMBERSHIP -

2. The State-War-Navy Coordinating Committee Secretariat will consist of:

- a. The Secretary. (~~State Department Representative~~)
- b. Two Deputy Secretaries. (~~One each from War and Navy Departments~~)
- c. Additional secretaries as required to assist the Secretary.

3. Members of the State-War-Navy Coordinating Committee Secretariat will be selected in appropriate numbers from personnel of the State, War, and Navy Departments. Selections from the War and Navy Departments will be properly qualified officers of appropriate rank of the Army and the Navy. At least one member of the Secretariat will be an officer of the Army Air Forces.

FUNCTIONS -

4. The Secretary shall:
- a. Make necessary preparations for, and attend all meetings of, the State-War-Navy Coordinating Committee.

*Presented
at 12-22-44
meeting by Secretary
of Committee.*

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- b. Record the minutes of the proceedings of the State-War-Navy Coordinating Committee.
- c. Take such action as may be appropriate ^{in connection with} to ~~implement~~ decisions and policies of the State-War-Navy Coordinating Committee.
- d. Refer or clear with appropriate agencies any matter which can be handled without reference to the State-War-Navy Coordinating Committee or which requires study and recommendations prior to its submission for their consideration.
- e. Follow up actions taken in accordance with c and d above in order to assure that appropriate effectuating measures have been or are being taken, and maintain a record thereof.
- f. Make proper disposition of communications requesting advice or comment on politico-military questions.
- g. Maintain close liaison with the secretariat of the Joint Chiefs of Staff.
- h. Maintain such other liaison as may be necessary to expedite the handling of the State-War-Navy Coordinating Committee's business.
- i. Insure that all papers presented for the consideration of the State-War-Navy Coordinating Committee are as clear and concise as possible. If in his opinion any revision is necessary, the Secretary is authorized to change the form but not the substance of these papers. He will refer each revised paper to the originating agency in order that it may be assured that there has been no change in substance.
- j. Provide for the reproduction and distribution of all official papers of the State-War-Navy Coordinating Committee, maintain a record thereof, and provide for their security.

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k. Bring to the attention of the State-War-Navy Coordinating Committee any matter, which, in his opinion, would be appropriate for their consideration.

l. Perform such other functions for the State-War-Navy Coordinating Committee as they may from time to time prescribe.

PROCEDURE -

5. The Secretary will establish the procedure for the State-War-Navy Coordinating Committee Secretariat. In the performance of his duties the Secretary will be assisted, as he directs, by the Deputy Secretaries, other Secretaries, and such other military and civilian personnel as may be assigned to the Secretariat.

JAMES C. DUNN
ASSISTANT SECRETARY OF STATE
Chairman

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INTERDEPARTMENTAL COMMITTEE

Agenda

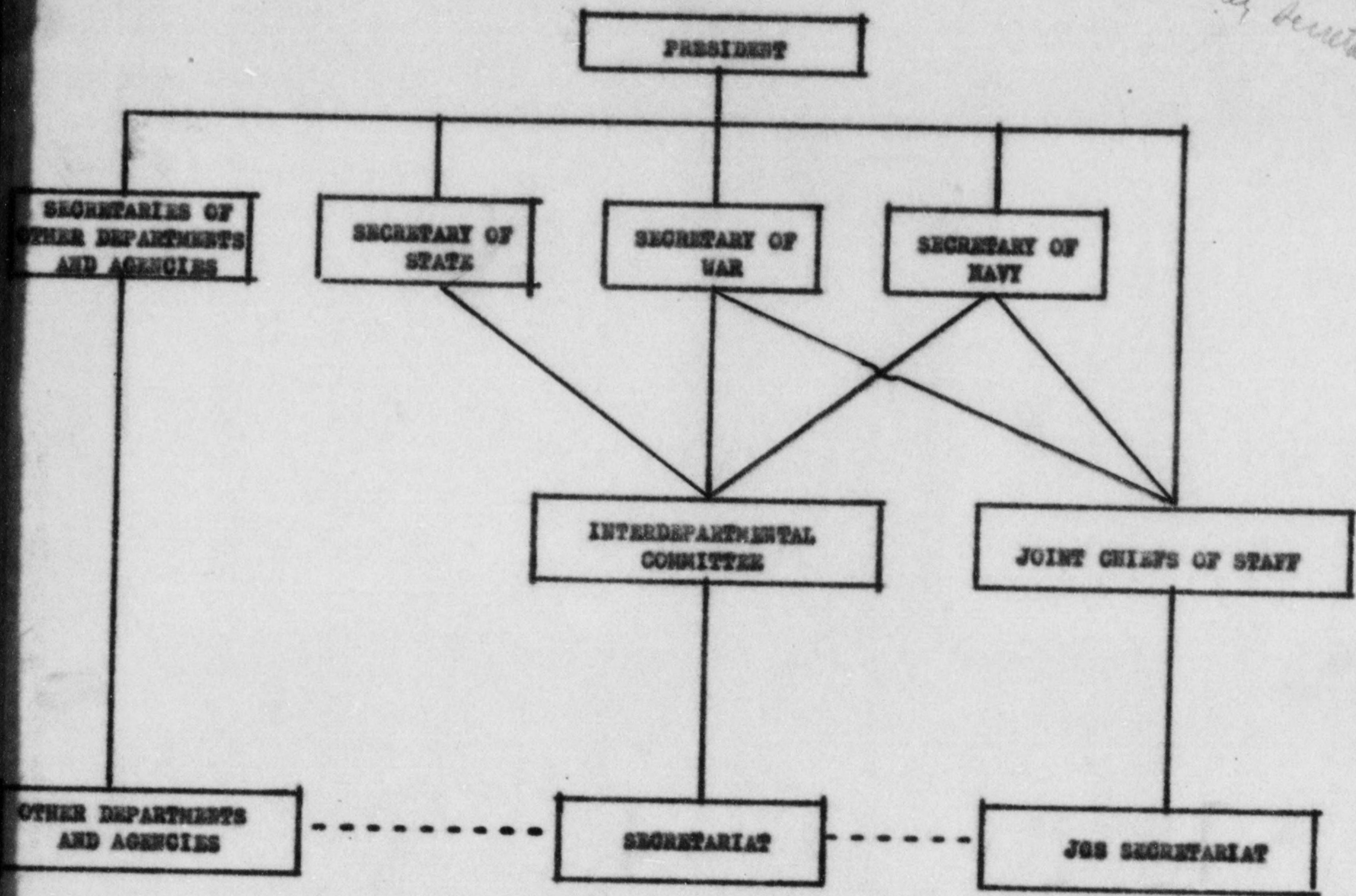
For a meeting to be held in the office of Mr. Dunn in the State Department Building at 1130, 14 December 1944.

1. Organization
2. Permanent quarters and place of meeting
3. Personnel
4. Procedure

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*Presented to Com
by Secretary 17-27*



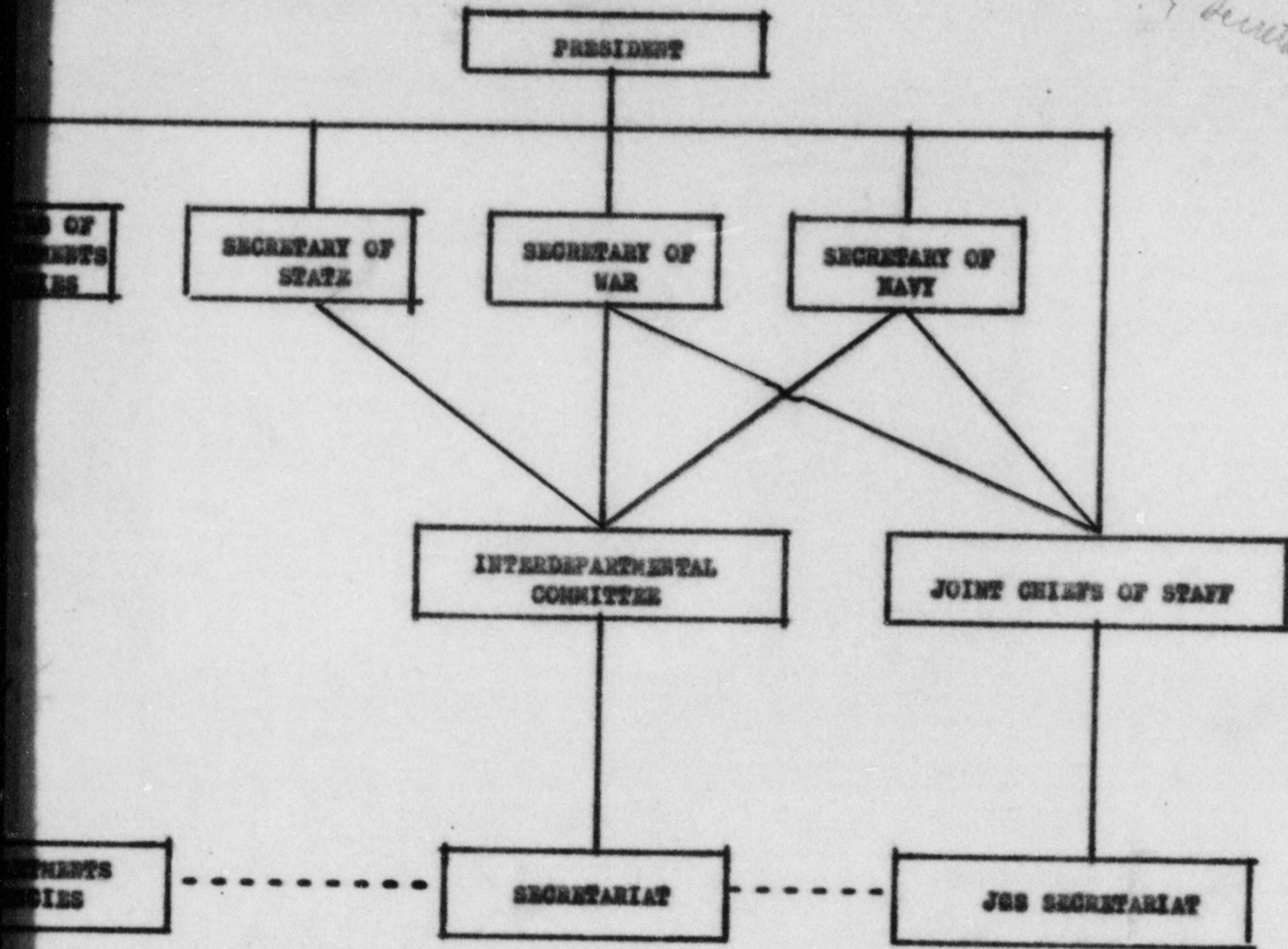
Relationship of Interdepartmental Committee to other Departments and Agencies

Solid line ——— Direct relationship
Dotted line - - - - - Liaison

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*Presented to Committee
by Secretary 12-22-49*



Relationship of Interdepartmental Committee to other Departments and Agencies

Solid line ——— Direct relationship
Dotted line- Liaison

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DEPARTMENT OF STATE

FOR THE PRESS

NOVEMBER 21, 1945
No. 876

The Secretary of State today authorized publication of a recent memorandum signed by the Secretaries of State, War and Navy which designates the State-War-Navy Coordinating Committee "as the agency to reconcile and coordinate the action to be taken by the State, War and Navy Departments on matters of common interest and, under the guidance of the Secretaries of State, War and the Navy, establish policies on politico-military questions referred to it."

The memorandum reads textually as follows:

"16 October 1945

"The State-War-Navy Coordinating Committee is designated as the agency to reconcile and coordinate the action to be taken by the State, War and Navy Departments on matters of common interest and, under the guidance of the Secretaries of State, War and the Navy, establish policies on politico-military questions referred to it.

"Action taken by the Coordinating Committee will be construed as action taken in the names of the Secretaries of State, War and the Navy. Subject to approval of the President where appropriate, decisions of the Committee will establish the approved policy of the State, War and Navy Departments. Dissemination of the decisions of the Committee will be accomplished by the three departments for the information and guidance of all concerned and, where appropriate, with necessary instructions for action.

"James F. Byrnes (Signed)
Secretary of State

"Robert P. Patterson (Signed)
Secretary of War

"James Forrestal (Signed)
Secretary of the Navy"

* * *

EXCERPT FROM RADIO BULLETIN NO. 201

August 22, 1945

The Secretary said, as to the Japanese situation, he might say that the State Department, Army and Navy have a joint committee which has been working on the details of the surrender and its program of occupation ever since the day of surrender. He said that Mr. Dunn represents the Department, Mr. Gates, the Navy, and Mr. McCloy, the Army. The three Departments have been in daily contact as a result of that committee and he was deeply impressed by what was being done by our representatives under the direction of General MacArthur. The Secretary said he had been over it this morning at great length and that it was a tremendous task but was being handled in a methodical, businesslike way that really made him feel very good about the progress being made. Correspondent asked how the Secretary accounted for the fact that FEA and the Treasury Department were excluded in the discussions on the control and armistice of Japan in as much as they sat in on President Roosevelt's informal policy committee on Germany. The Secretary said he had never heard it suggested before that the FEA should be consulted about the terms of surrender or anybody. If it had, he said, he certainly would not have agreed to it and would have taken the same position about the Treasury. Mr. Byrnes said that if a situation arises where there were some questions of currency in the occupation he had no doubt that the advice of the Treasury Department would be sought. Correspondent asked whether the Secretary could tell them how he happened to appoint Mr. Dunn as the State Department representative on this three Department committee in as much as Mr. Dunn has been in charge of European Affairs. The Secretary said that Mr. Dunn was also over Far Eastern Affairs. He said Mr. Dunn had not been appointed by him. The Secretary said that Mr. Dunn had been the representative and he had been confirmed by him. Mr. Byrnes said Mr. Dunn had done a magnificent job in the past.

RADIO BULLETIN No. 277

November 21, 1945

(Secretary's News Conference)

Secretary then called attention to the publication of an article prepared for the Department of State Bulletin (which will appear in the Bulletin of November 11) by Harold W. Moseley of the State Department, Colonel Charles W. McCarthy of the War Department and Commander Alvin F. Richardson of the Navy Department concerning the functions, scope and activities of the State-War-Navy Coordinating Committee, and of a letter dated October 16 which was signed by Secretaries of State, War and Navy, setting forth the powers and duties of the Committee. Secretary explained that because little had been said of the Committee during the war, correspondents might be interested in it, adding that there is no reason why in time of peace these activities should not be known, certainly to a greater degree than they have in the past.

BULLETIN

September 2, 1945

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DEPARTMENT OF STATE BULLETIN

Our Military-Government Policy in Germany

PARTICIPANTS

DEAN ACHESON
Under Secretary of State ¹
JOHN J. McCLOY
Assistant Secretary of War
COL. HENRY PARKMAN
Chief, Planning Branch, Civil Affairs Division,
War Department Special Staff
STERLING FISHER
Director, NBC University of the Air

[Released to the press by the War Department September 1]

ANNOUNCER: Here are *headlines from Washington*:

Under Secretary of State Acheson Says First Aim of Allied Military Government Is To Destroy German Militarism, Says Ban on Political Activity Has Been Lifted.

Assistant Secretary of War McCloy Says Food Will Not Be Shipped to Germany Except As Necessary To Protect Occupation Forces From Dangers of Disease and Unrest, Says Famous "1067" Directive on Germany Is Merged in Potsdam Declaration.

Colonel Parkman of AMG Says Germans As Yet Show Few Signs of Developing Democratic Participation in Government, Sees Some Hope for Democracy in Revival of Interest in Trade Unions.

This is the twenty-ninth in a series of programs entitled "Our Foreign Policy", featuring authoritative statements on international affairs by Government officials and members of Congress. The series is broadcast to the people of America by NBC's University of the Air, and to our service men and women in all parts of the world through the facilities of the Armed Forces Radio Service.

This time, we shall hear the second in a limited series of programs on the role of the armed services in our post-war foreign policy. Our military-government policy in Germany will be discussed by officials of the War and State Departments.

¹Mr. Acheson was sworn in as Under Secretary on Aug. 27, 1945.

The participants: The Under Secretary of State, Mr. Dean Acheson, the Assistant Secretary of War, Mr. John J. McCloy, and Col. Henry Parkman, Chief of the Planning Branch of the War Department's Civil Affairs Division. They will be interviewed by Sterling Fisher, Director of the NBC University of the Air. Mr. Fisher—

FISHER: A quarter century ago we made peace with a defeated Germany. That peace was an abysmal failure; it failed to prevent the greatest cataclysm of them all—World War II. American opinion was divided as to the reason for the failure; but on the eve of our entry into this war the opinion polls showed that a sizeable majority of Americans believed the treatment of Germany should be more severe this time than that provided by the Treaty of Versailles. Practically everyone agreed that at least we should follow a different course this time in our dealings with Germany.

Many people are asking today: Does our present policy in Germany avoid the mistakes made after the last war? Are we really going to the root of the problem of German militarism this time? To answer these questions we have invited to our microphone three officials of the War and State Departments, men who have been instrumental in formulating our military-government policy and carrying it into effect. The Assistant Secretary of War, Mr. John J. McCloy, is responsible for our policy in the field of military government, and the Under Secretary of State, Mr. Dean Acheson, also has a direct interest in it. To supply first-hand information on current developments inside Germany, Mr. McCloy has asked Col. Henry Parkman, a top AMG official who has just returned from Germany, to join the discussion.

I'd like to start by asking Mr. McCloy to tell us just who determined how the military government was to operate.

McCLOY: Well, Mr. Fisher, to begin with, U.S. participation in the military government of Germany is the immediate responsibility of the War Department. The Military Commander in our zone of occupation, who is also our representative

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on the Allied Control Council, gets his orders from the Joint Chiefs of Staff and reports back to them. These orders are generally in the form of directives developed from policies formulated only after consultation with the Navy and State Departments.

FISHER: And the Joint Chiefs of Staff include both Army and Navy?

McCLOY: That's right. It's a joint Army-Navy project.

FISHER: Mr. Acheson, where does the State Department come into the picture?

ACHESON: In laying out the program for Germany, the War Department consulted with us and with other Federal agencies that had an interest in the matter. But the administration of military government, as Mr. McCloy pointed out, is in the hands of the Army.

FISHER: But you do supply advisers, do you not?

ACHESON: The State Department supplies an adviser to the commander of the U.S. zone.

McCLOY: Ambassador Robert Murphy.

ACHESON: Yes. He was appointed by the Secretary of State, and he has a number of political and economic experts on his staff.

FISHER: Now, as I understand it, Mr. McCloy, Germany is divided into four occupation zones.

McCLOY: That's right—the Russian, British, French, and American zones.

FISHER: And the American zone is in southern Germany?

McCLOY: Yes, Bavaria, and parts of the four neighboring states of Württemberg, Baden, Hesse, and Nassau. It has a population of about 15,000,000 people.

FISHER: How was the American zone determined, Mr. Acheson?

ACHESON: The actual boundaries were worked out on a tripartite basis last autumn by the European Advisory Commission in London. After Yalta, when the French were included in the arrangement, room was made for them from the British and American occupation zones. Originally the lines followed administrative boundaries; but when the French came into the picture we and the British agreed to allocate portions of our original zones to them.

FISHER: And we are occupying part of Austria also, Mr. Acheson, are we not?

ACHESON: Yes, the north-central portion—the part adjacent to Bavaria.

FISHER: Mr. McCloy, is our zone in Germany an industrial region?

McCLOY: No, I'd say primarily agricultural, wouldn't you, Colonel Parkman?

PARKMAN: Mostly agricultural, although there are some large cities, such as Munich, Nuremberg and Frankfurt.

FISHER: That ought to make the food problem less pressing than in the other zones.

PARKMAN: Well, the American zone is somewhat better off than the highly industrial sections of northwestern Germany that fall in the British zone. They have been badly devastated by bombing and artillery fire, too. Eastern Germany—the Russian zone of occupation—is known as the bread basket of Germany. That region will be able to feed itself without too much trouble. The American zone falls somewhere in between.

McCLOY: Our zone imported some food even with the normal pre-war population, so it will have trouble getting through the winter with the population increased substantially by displaced persons and refugees from other parts of Germany.

FISHER: While we're on the subject of food, Mr. McCloy, can you tell us what our policy is on feeding the Germans in our zone? Most Americans, I think, are willing to send food to our Allies, to see them through this coming winter. But there are strong objections to feeding Germans while their victims are in need.

McCLOY: Our policy is to feed our Allies first of all, Mr. Fisher. The Germans are responsible for providing their own food. General Eisenhower has told the Germans they must feed themselves. If they can't, our policy will be that we will supply only enough to avoid danger to our troops from the spread of disease and unrest. We certainly don't intend to pour food into Germany while our Allies are going hungry. In Berlin we and our Allies are providing emergency supplies until sources of supply normally available for the purpose can be utilized.

ACHESON: What food we have sent into Germany has been largely for displaced persons—foreign workers brought into Germany to do slave labor.

FISHER: Can you go into the problem of displaced persons, Mr. Acheson, to give us some idea of its scope? I understand you were the American Council member on UNRRA, which was active in this field.

ACHESON: This whole question is a joint re-

sponsibility of UNRRA and the Army. Actually the Army has taken the leading role in handling the problem within Germany. I understand that through the Army's fine work and UNRRA's help this gigantic problem has been largely solved.

FISHER: Mr. McCloy, can you give us some idea of the number of displaced persons involved there?

McCLOY: When we came into Germany there were six and a half million displaced persons in the SHAEF zone alone. These people went out on the roads, and the greatest mass movement in history occurred. The Army had to control them for health and public-safety reasons. Camps were established, and the Army fed these refugees a basic ration of 2,000 calories a day. Colonel Parkman, what is the situation over there now?

PARKMAN: Well, UNRRA personnel have been taking over displaced persons in the rear areas for some time. They work closely with the AMG authorities, and by October they will have taken over most of the responsibility. The food problem has been handled very simply.

FISHER: How did they do it?

PARKMAN: The military authorities simply multiplied the number of DP's, displaced persons, by 2,000 calories and requisitioned that amount of food from the local burgomeisters, or mayors, who had to deliver it at the camps. As a result very little food had to be shipped in, until we got down into southern Bavaria and Austria, where the influx of refugees was too great for local resources to handle.

FISHER: How many displaced persons have been repatriated by now, Colonel Parkman?

PARKMAN: About four and a half million, Mr. Fisher. We started the western Europeans back right away. We shipped them to reception centers in France and other liberated countries, where their national governments then took charge of them. Almost 200,000 French were sent back by air. Those persons still not repatriated present a tough problem. They comprise the "hard core" of the DP's—stateless persons and those who, for various reasons, do not want to, or cannot, return to their native lands.

ACHESON: I think the Army turned in a remarkable performance, especially when you consider the chaotic conditions in the first months of occupation—broken-down transportation, and most of the trains and trucks needed for the deployment of our own troops. It was one of the most impressive stories I have heard about the war.

McCLOY: Well, I am glad to have the Army praised, Mr. Acheson; the Army in the field deserves the credit, though, not those of us who watched it from a distance.

FISHER: It certainly was a wonder that the job could be done at all, let alone done so well. But to get back to the question of military government, as I understand it, Mr. McCloy, there is one over-all policy for Germany, under the provisions of the Potsdam Declaration.

McCLOY: Yes, Mr. Fisher, as far as broad policies are concerned. The four zone commanders, including the U.S. zone commander—General Eisenhower—make up the Allied Control Council in Berlin. They deal with questions of over-all policy, and their decisions apply to all four zones.

ACHESON: But the U.S. zone commander has full command of occupation troops in his zone, and full responsibility for carrying out the joint policy in his zone.

McCLOY: That's right. But on questions on which no joint policy has been formulated he acts on policies set up by the United States.

FISHER: In other words, the American zone commander is completely responsible in his own area.

McCLOY: Yes. On economic and political questions agreed to by the four powers, he follows the joint policy. Thus the Potsdam Declaration states that there should be equitable distribution of food from one zone to another, and that Germany should be treated as an economic unit as far as finances, transportation, communications, and so on are concerned. As for the German governmental machinery, the general policy is that it shall be decentralized as far as possible.

FISHER: Does all this imply that the zones will be kept permanently, Mr. Acheson? That is, will Germany be divided into four parts?

ACHESON: The Potsdam Declaration deals solely with occupation policy during the period following the defeat of Germany. Broadly its purpose is to deprive Germany of the means of making war and to lay the basis for Germany's ultimate restoration as a democratic nation. The final settlement will be dealt with in a peace treaty. However, there is nothing in the Potsdam Declaration showing any intention of keeping Germany permanently divided into four parts.

FISHER: Mr. McCloy, how many military-government officers do we have in the American zone, to govern 15,000,000 Germans?

McCLOY: At last reports, we had about 10,000

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officers and enlisted men, not counting those in the U.S. Group of the Control Council.

FISHER: That's quite separate from the American occupation troops, of course. What's the overall figure for our occupation Army, Mr. McCloy?

McCLOY: I can't give you the exact figure; it is dropping as redeployment of troops proceeds. By next summer I estimate it will be around 400,000.

FISHER: How were your military-government officers trained, Colonel Parkman?

PARKMAN: Their training goes back to May 1942, when the first course opened at Charlottesville, Virginia. On the first of March 1943 the Civil Affairs Division of the War Department was set up and given the responsibility for planning for military government throughout the world. A few months later, when our troops landed in Sicily, the assault boats carried officers trained for this work.

ACHESON: Those officers knew the language and they had quite a complete knowledge of the country and of the cities and towns to which they were assigned. I think they had excellent preparation for the work they are doing.

PARKMAN: Yes, Mr. Acheson, they were well trained. And they went right along with the combat troops, relieving commanders of civil problems occurring in battle—in the wake of battle.

FISHER: And when did you start training military-government officers for duty in Germany, Mr. McCloy?

McCLOY: Soon after the Italian landings, Mr. Fisher. We used the reports we got back from Italy as a basis for improving our training. Our military-government officers for Germany and western Europe had a year of training before D Day in Normandy. We had special schools for them in both the United States and England. They went ashore and started their work as soon as beachheads had been secured. Some even landed with the airborne troops on D Day.

ACHESON: On the political and diplomatic side, too, we were engaged in preparations for dealing with a defeated Germany for over a year. We had, first, the question of the actual surrender terms, which were prepared jointly with our Allies. We worked them out in the European Advisory Commission in London.

FISHER: That's the Commission which has now been absorbed into the new Council of Foreign Ministers, Mr. Acheson?

ACHESON: Yes. Its work is now about ended; and we're now going on to the stage of working out the peace terms. That's the job of the new Council of Foreign Ministers. But to go back to the planning stage—there was also the very complicated question of the economic treatment of Germany and the elimination or control of its war or potential war industries. There were many views on this held within our country, and still others held by our Allies. We finally reached agreement on this at the Berlin Conference—agreement to emphasize only the development of agriculture and peaceful domestic industries. This was, of course, closely related to the difficult problem of reparations for which a special Reparations Commission has been functioning in Moscow.

FISHER: Then I'm sure there were some complicated operational questions, too, in planning for the military government in Germany.

ACHESON: Yes. Detailed plans had to be made for such things as invasion currency, displaced persons, the standard of provision of German civilians, the use of German production facilities for obtaining supplies for use in other areas, and many similar problems.

FISHER: What was the machinery for handling these questions?

ACHESON: Of course, many of these problems were so closely related to our military operations that they were considered concurrently with the formulation of military plans.

McCLOY: Yes. The American and British Governments set up in Washington the Combined Civil Affairs Committee of the Combined Chiefs of Staff, on which this Government was represented by officials of the State, War, and Navy Departments and of other agencies of our Government as occasion required. This Committee was a brand-new departure in this war.

PARKMAN: For that matter never before this war have we had such a thing as the Civil Affairs Division of the War Department, to which I am now assigned.

McCLOY: I think it might be well to mention, Mr. Acheson, that during the war we have set up a special committee known as the State, War, and Navy Coordinating Committee to clarify and establish our own national policy on many of these issues.

ACHESON: Yes. That's worth mentioning, and I think that as a result of all of these steps we

and our Allies were well prepared to take over the task of occupation. Naturally, all of our plans had to be closely coordinated with those of the Soviet Union. For example, we used uniform invasion currency on both fronts in Germany.

FISHER: Now, to get down to the actual machinery of the AMG. Colonel Parkman, just how does military government operate in a specific area? Who took over when we went into a town or small city?

PARKMAN: I can best explain it this way: The military-government organization is set up parallel to German political units—townships, district or county, and state. At each level of government a military-government detachment, varying in size according to the level at which it functions, operates through German officials who have been chosen for their lack of Nazi affiliations.

FISHER: Our officers don't give orders directly to the German people, then.

PARKMAN: No, they give orders to the German burgomeisters—or mayors—and other officials, who pass them along to the people. We've found that's by far the best means of getting things done. Usually the burgomeister comes in to see the military-government officers every morning and gets his instructions for the day.

FISHER: There have been some charges, as you know, Mr. McCloy, that this theory of using non-Nazis hasn't always been followed out in actual practice. It has been claimed that our military government has left a great many Nazi officials in office.

McCLOY: It took time to clean them out, Mr. Fisher. We got rid of the most important Nazis first. By now I think it's safe to say that all important officials in every echelon of government who have had active Nazi affiliations have been cleaned out. And that included nearly all in top positions, needless to say.

FISHER: Munich has been cited as a sore spot in this respect. Have the Nazis been cleaned out of the municipal offices and the police force there?

McCLOY: Colonel Parkman can give you some first-hand information on that.

PARKMAN: It took quite a while to clean out Munich. We had to screen 12,000 municipal employees there. The task was about 80 percent completed when I was there recently.

FISHER: You must have had a big turn-over, Colonel, in that stronghold of Nazism.

PARKMAN: In the top positions, yes. Only a

few key officials were free from the taint. Among the rank and file, a great many—probably a majority—were nominal Nazi Party members. They merely paid dues to hold their jobs.

FISHER: How many Nazi officials have been arrested in our occupation zone?

PARKMAN: Between 50,000 and 60,000 policy-making officials are in jail at the present time. In addition there are many former SS and Gestapo officers. They are being detained for possible trial as war criminals.

FISHER: Have you made use of the anti-Nazi political prisoners you found in concentration camps? I should think they would be good candidates for key government posts.

PARKMAN: They are, and we have used some of them, Mr. Fisher. In fact, we have used them whenever we could—whenever they had the necessary qualifications and were physically able. We had to consider that, too.

FISHER: I think that covers the machinery of military government pretty well. Now, if you don't mind, let's get on to the question of policy. As I understand it, the post-surrender directive to our military-government officials in Germany was the famous "1067". There has been a good deal of controversy about that order, although it has never been published in full in this country. Could you explain what directive no. 1067 is, Mr. McCloy?

McCLOY: "1067" was the original set of instructions from the Joint Chiefs of Staff to the commander of the U.S. occupation zone. It has gone through several revisions, and most of it has now been incorporated into the Potsdam Declaration.

FISHER: In that case there's not much use going into it in detail. But tell me this, Mr. McCloy: Why was it kept secret, at least in this country? It must have been pretty common knowledge in Germany.

McCLOY: Yes, in so far as it was reflected in our proclamations and orders to the German people. For one thing, we didn't want to release it over here when it was constantly being revised in the light of experience.

ACHESON: The main reason, though—and I think it should be put on record here—the real reason is, it was decided in Washington after consultation with General Eisenhower that it would not be wise to publish our policy for Germany while we were in process of working out an agreement with our Allies on most of the points it covered. We reached that agreement at Potsdam.

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FISHER: Didn't the Potsdam decisions change some parts of 1067, Mr. Acheson?

ACHESON: One major change was made. 1067 forbade political activity without specific authorization from military government. At Potsdam it was agreed that the time had come to allow non-Nazi political activity, including the holding of local elections. The Potsdam Declaration says that "All democratic political parties with rights of assembly and of public discussion shall be allowed and encouraged throughout Germany". That is our policy now.

PARKMAN: Actually, there has been remarkably little political activity of any kind. The Germans are so busy looking for food, fuel, and shelter that they don't have much time for politics. Then too, they have been so demoralized by Nazi tyranny that they seem to have forgotten how to take the initiative in politics. Of course, that makes our task easier, for the time; they are very cooperative in taking orders. But they must learn to take political responsibility some time.

FISHER: This brings up a key question: Will the provisions of the Potsdam Declaration readily operate to restore democratic beliefs and practices in Germany? That would appear to be the ultimate test of its success.

ACHESON: I think you ought to keep one thing clearly in mind, Mr. Fisher. The primary purpose of the Potsdam Declaration, and of 1067 for that matter, was—is—to destroy the Nazi war-machine beyond any possibility of resurrection, and to make sure that the German people are in a frame of mind never to want to fight again. At the same time, of course, we must go ahead to open the way for development of democratic institutions. You can't have security without a democratic government over there. The two go together.

FISHER: Of course, the only permanent basis for a peaceful Germany is a democratic Germany.

ACHESON: Yes, and that will take some time.

FISHER: Both 1067 and the Potsdam Declaration certainly lay down the law on removing Nazis and Nazi influences from German political and economic life. But some cases have been reported, Mr. Acheson, of pro-Nazi businessmen being left in charge of important industrial concerns.

ACHESON: Nazis are being cleared out of industry as well as government. One of the important provisions of the Potsdam Declaration is the elimination of concentrations of economic power, such as the great cartels which have always been

part of the German war-machine. It also provides that "All members of the Nazi party who have been more than nominal participants in its activities and all other persons hostile to allied purposes shall be removed . . . from positions of responsibility in important private undertakings." As a matter of fact, some of the big industrialists have been arrested and are being held for possible trial as war criminals. You may have noticed that Gustav Krupp von Bohlen und Halbach, head of the Krupp armament industry, was placed high on the list of Nazis charged with war crimes.

McCLOY: The Army has taken over the huge I. G. Farben chemical trust, lock, stock, and barrel. Some of its machinery and resources will be turned over to the various United Nations as part of Germany's reparations—payment in kind for at least part of the destruction wrought by the Germans. The remaining units will be divorced from the cartel and made available for peacetime manufacturing. Here is a cartel that once owned industries worth \$800,000,000 and employed 400,000 workers, slated for complete dissolution.

FISHER: One of the important clauses of the Potsdam Declaration says that freedom of speech, press, and religion are guaranteed, within limits set for military security reasons. What has been done about that, Colonel Parkman?

PARKMAN: One of the first things we did in every occupied area was to nullify all Nazi laws abridging these rights. We do that by proclamation.

FISHER: You don't have to scrap the whole legal code then.

PARKMAN: No, the main body of laws in Germany has no connection with Nazism. Most of them were already on the books before Hitler came to power. It would create a chaotic condition to scrap them. But all laws with a racial or Nazi dictatorial taint go out the window.

FISHER: That same part of the Potsdam Declaration guarantees the Germans the right to form free trade unions.

ACHESON: That is a very important clause. It's vital to the development of a free Germany.

McCLOY: There are a number of spots in the American zone where the workers are showing a real desire to reorganize into free trade-union groups. There's more activity along this line than in politics.

FISHER: Have any of the old pre-Nazi trade unions survived?

PARKMAN: Only a very few remnants. The Nazis did a good job of destroying them and eliminating potential leaders in their ranks. But now that the Nazi Labor Front has itself been destroyed free unions are becoming active again.

McCLOY: And we're encouraging them to reorganize.

FISHER: Now, what about the problem of education? Mr. Acheson, I know you are interested in that.

ACHESON: Reeducation of the Germans is the key to the long-range problem of establishing democracy there. We fully realized that, so at Potsdam we agreed to lay down this principle: "German education shall be so controlled as completely to eliminate Nazi and militarist doctrines and to make possible the successful development of democratic ideas." That provision applies, of course, to all four occupation zones.

FISHER: Mr. McCloy, how was that provision put into effect in the American zone of occupation?

McCLOY: Well, when we first moved in we closed down the schools until we could screen out the Nazi teachers. We soon found that meant the removal of almost all teachers, especially in the elementary grades. That created a terrific problem—how to find or train enough non-Nazi teachers to fill the gap.

FISHER: Colonel Parkman, what's the latest word on the AMG's progress in de-Nazifying education in Germany?

PARKMAN: We're getting things pretty well in hand, in the lower grades, at least, Mr. Fisher. By the opening of the fall term nearly all of the elementary schools will be operating again. The public schools were a tough job to clean out because they were completely loaded with Nazis. The school teachers apparently swallowed the Nazi bait.

FISHER: How about the universities and gymnasia, Colonel? Are any of them open?

PARKMAN: The universities have all been closed down and they will stay closed for some time. The only exception I know of are the medical schools, some of which are being reopened because of the need for medical men. Heidelberg was the first to be reopened. But that step was taken only after a careful screening of the faculty.

FISHER: You're starting at the bottom, then, and working up?

PARKMAN: That's right. We figured it was most important to start the small children in school getting anti-Nazi or at least non-Nazi training; we'll take care of the older ones later.

ACHESON: Meanwhile we're studying all forms of German education and German cultural organizations in the American zone to eliminate Nazi influences. It is our intention when this housecleaning job is finished to transfer the authority for German education progressively to responsible Germans.

FISHER: Mr. McCloy, I see by the papers that we're also using the press and radio to educate the German public.

McCLOY: Through the facilities of O. W. I. and the Army, we have been doing everything we can to impress upon every German the completeness of Germany's defeat and the futility of trying the same thing all over again at any future time. We're trying to give them some sense of the moral issues involved in German aggression, so they will renounce the doctrines of Nazism and militarism. We're presenting the facts about America through the German press and radio, and trying to make it possible for the submerged democratic forces within Germany to make their voices heard.

FISHER: To what extent have you used Germans in this process of reeducation, Mr. McCloy?

McCLOY: Well, we are beginning to use them. We know in the last analysis the Germans are going to have to educate themselves. We cannot impose education on the Germans. We can encourage free thinking and education, and it is only by such encouragement rather than by imposition that any lasting improvements can be made.

PARKMAN: A committee of seven Germans has already been licensed to publish a newspaper in Frankfurt, and some are being used in radio work—in non-executive, non-policy-making positions.

FISHER: And how is the German public reacting?

PARKMAN: Well, I think they are still somewhat dazed by the impact of defeat. I haven't talked to a good enough cross-section of them to get a clear picture.

McCLOY: From our reports, we get the impression that the Germans still have no sense of individual responsibility for the war. They blame Hitler or those about him for defeat. They don't blame themselves. Few human beings ever do.

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FISHER: That would seem to imply a long occupation of Germany, Mr. McCloy, if we're to stay until a democratic Germany is functioning.

McCLOY: There's not much doubt about that. Yet I think Germany is now at a point where she can make great progress ahead in free thinking. Even the most obtuse of them are aware that something fundamentally was wrong. That is a good first step.

FISHER: How long do you expect the job to take?

McCLOY: To answer that it is necessary to understand the problem we face. It is important for the American people to know what we find in Germany at the close of hostilities. Here is an area which for centuries has been an important economic, commercial, and cultural element in Europe. It has now been reduced largely to a problem of mere existence. Apart from the actual physical destruction of plants, the bloodstream of commerce has been stopped, transportation systems have been destroyed, communication is sparse. The centers of practically all of the towns of any size in this area have been bombed out, which means that in the main the schools, museums, libraries—in short the centers of society and culture—have been destroyed or severely damaged. Life has been reduced to a rather primitive condition.

Activities have been localized, and, as Mr. Acheson has indicated, life for the individual German has become largely a matter of self-preservation. It is in this atmosphere that we have to rebuild a society that will be based upon representative government and respect for the rights of individuals. It is not an easy task nor one capable of quick accomplishment. Yet on the accomplishment of it depends the reconstitution of a peaceful Europe, and we know from experience that disruptive conditions in central Europe have their direct effect not only upon the European Continent but upon American life.

From our experience we know that it is the responsibility of victory to follow through in such a way that free institutions, which are the best guaranty of peace, shall again flourish in this area.

FISHER: Now, by way of conclusion, I'd like to return to a question I raised at the very beginning of the discussion—the question of whether we are avoiding the mistakes we made after the last war. It seems to me that a good way to get at this would

be to compare the Treaty of Versailles and the Potsdam Declaration. Mr. McCloy, what about that?

McCLOY: Well, Mr. Fisher, it seems to me that Potsdam is a great improvement over Versailles in at least three respects. In the first place, Versailles failed to disarm Germany. By authorizing an army of 100,000 Germans it created an officers' training school for World War II. It even allowed Germany to retain some armaments. Potsdam reverses this policy. There will be no German Army, Navy or Air Force, no armament of any kind, and no military training in the future.

FISHER: What about the demobilization of German war industry?

McCLOY: I was coming to that. It's my second point. Versailles allowed German war industry to go on pretty much as before. Potsdam treats it as Germany's most dangerous war potential and provides for cleaning it out. There will be no munitions plants, no ships, no planes, and research will be kept under Allied supervision.

FISHER: And the third difference?

McCLOY: Versailles included a system of reparations in cash, a system that couldn't work. In fact, it even worked in reverse—Germany turned it to her own advantage, by borrowing money to modernize her industry so she could pay her reparations. Potsdam provides only for reparations in kind, but not in cash. It remains to be seen how successfully our reparations program will function, but at least we will not have the problem of exchange. The effort this time is to kill two birds with one stone, strip Germany of her war potential and use it to pay back our European allies for some of the damages they have suffered at German hands.

ACHESON: There are some other important differences, too, between Versailles and Potsdam.

FISHER: What are they, Mr. Acheson?

ACHESON: One concerns the punishment of war criminals. The Versailles Treaty left that to the Germans themselves, and the whole thing was a farce. Under the Potsdam Declaration war criminals will be tried by the Allies. Then, too, Versailles did not specify the kind of government Germany should have, whereas the Potsdam Declaration says very clearly that it is the intention of the Allies that the German people be given the opportunity to prepare for the eventual reconstruction of their life on a democratic basis.

FISHER: It seems clear enough from all this that we are avoiding the pitfalls of the last peace with Germany. Our policy for Germany is tough and realistic but makes provision for the development of a democratic Germany. Thank you, Mr. Acheson, Mr. McCloy, and Colonel Parkman, for taking the time to go into this important subject with us.

ANNOUNCER: That was Sterling Fisher, Director of NBC's University of the Air. He has been discussing "Our Military-Government Policy in Germany" with Under Secretary of State Dean Acheson, the Assistant Secretary of War, John J. McCloy, and Col. Henry Parkman of the War Department Civil Affairs Division. The discus-

sion was adapted for radio by Selden Menefee.

This was the twenty-ninth of a series of broadcasts on "Our Foreign Policy", presented as a public service by the NBC University of the Air. Printed copies of each broadcast are available at 10 cents each in coin. If you would like to receive copies of 13 of these broadcasts send \$1 to cover the cost of printing and mailing. Special rates are available for large orders. Address your orders to the NBC University of the Air, Radio City, New York 20, New York. NBC also invites your questions and comments.

Kennedy Ludlam speaking. This program came to you from Washington. This is the National Broadcasting Company.

Report on UNRRA Shipments to Liberated Areas

[Released to the press by UNRRA September 2]

Total shipments of UNRRA's supplies through the end of August totaled 1,743,318 gross long tons, valued at \$417,914,000, it was announced on September 2 by Roy F. Hendrickson, Acting Director General of the United Nations Relief and Rehabilitation Administration.

Practically all of these shipments were to European liberated areas being assisted by the United Nations, in particular Greece, Yugoslavia, Albania, Czechoslovakia, Poland, and a limited program to Italy. Small shipments by plane were made to China, a program which will now be stepped up rapidly as soon as ports are opened and it is possible for ocean shipments to be made there.

Of the 834,218 tons of supplies classified by program (the supplies shipped in August and those tentatively estimated at 555,000 tons bought from the Anglo-American military prior to July 1945 are not included in the commodity break-downs attached) one commodity, food, is by far the largest—584,779 tons.

Textile shipments through July amounted to 45,840 tons; agricultural rehabilitation, 131,724 tons; medical and sanitation supplies, 4,992 tons; and industrial rehabilitation supplies, 66,883.

Most of the industrial rehabilitation supplies came from the Eastern Hemisphere, mainly the United Kingdom. Of shipments of 16,980 tons in this category from the Western Hemisphere, prin-

cipally the United States and Canada, trucks accounted for 7,444 tons.

Included in the textile shipments are 4,343 tons of clothing contributed by the American people in the clothing drives of last fall and this spring carried on by United States citizens and sent to countries receiving UNRRA financial assistance. In addition, not included in the totals, are 5,100 tons of clothing collected in these drives and turned over to governments which are not now receiving UNRRA's financial assistance—Belgium, France, Luxembourg, Netherlands, Philippine Commonwealth, and the Soviet Union.

"UNRRA's assistance, which started during the time when military demands for supplies and shipping were still intense, has grown at a rapid rate month by month", Mr. Hendrickson said. "There are still many difficulties facing us in transportation, although ocean shipping has improved greatly since V-J Day. For instance, in the case of Poland and Czechoslovakia, we are still limited to a single entry, the port of Constanza in Rumania. That port can handle only limited cargo and at the moment is plugged with more ships awaiting unloading than can be readily handled. We have been assured, however, that this condition will be corrected shortly.

"We hope that the ports of Gdansk (formerly Danzig) and Gdynia in Poland will be opened shortly because it will mean a shorter haul and

Japanese Surrender Documents

Imperial Rescript

PROCLAMATION

Accepting the terms set forth in Declaration issued by the heads of the Governments of the United States, Great Britain and China on July 26th, 1945 at Potsdam and subsequently adhered to by the Union of Soviet Socialist Republics, We have commanded the Japanese Imperial Government and the Japanese Imperial General Headquarters to sign on Our behalf the Instrument of Surrender presented by the Supreme Commander for the Allied Powers and to issue General Orders to the Military and Naval Forces in accordance with the direction of the Supreme Commander for the Allied Powers. We command all Our people forthwith to cease hostilities, to lay down their arms and faithfully to carry out all the provisions of Instrument of Surrender and the General Orders issued by the Japanese Imperial Government and the Japanese Imperial General Headquarters hereunder.

This second day of the ninth month of the twentieth year of Syōwa.

Seal of
the
Emperor

HIROHITO

NARUHIKO-Ō <i>Prime Minister</i>	KOTARO SENGOKU <i>Minister of Agriculture and Forestry</i>
MAMORU SHIGEMITSU <i>Minister for Foreign Af- fairs</i>	CHIKUHEI NAKAJIMA <i>Minister of Commerce and Industry</i>
IWAO YAMAZAKI <i>Minister for Home Affairs</i>	NAOTO KOBAYAMA <i>Minister of Transporta- tion</i>
JUICHI TSUSHIMA <i>Minister of Finance</i>	FUMIMARO KONOE <i>Minister without Port- folio</i>
SADAMU SHIMOMURA <i>Minister of War</i>	TAKETORA OGATA <i>Minister without Port- folio</i>
MITSUMASA YONAI <i>Minister of Navy</i>	BINSHIRO OBATA <i>Minister without Port- folio</i>
CHUZO IWATA <i>Minister of Justice</i>	
TAMON MAEDA <i>Minister of Education</i>	
KENZO MATSUMURA <i>Minister of Welfare</i>	

EDITOR'S NOTE.—Signatures to document, p. 364, signed on the U. S. S. *Missouri*, are of Foreign Minister Mamoru Shigemitsu and Gen. Yoshijiro Umezū of the Imperial General Staff, and for the United Nations the signatures are of Gen. Douglas MacArthur for the Allied Powers, Admiral Chester W. Nimitz for the United States, Gen.

Hsu Yung-Ch'ang for China, Admiral Sir Bruce A. Fraser for the United Kingdom, Lt. Gen. Kuzma Derevyanko for the Soviet Union, Gen. Sir Thomas Blamey for Australia, Col. L. Moore Cosgrave for Canada, Gen. Jacques Le Clerc for France, Admiral C. E. L. Helfrich for the Netherlands, and Air Vice Marshal Leonard M. Isitt for New Zealand.

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NARUHIKO-Ō

Prime Minister

MAMORU SHIGEMITSU

Minister for Foreign Affairs

IWAO YAMAZAKI

Minister for Home Affairs

JUICHI TSUSHIMA

Minister of Finance

SADAMU SHIMOMURA

Minister of War

MITSUMASA YONAI

Minister of Navy

CHUZO IWATA

Minister of Justice

TAMON MAEDA

Minister of Education

KENZO MATSUMURA

Minister of Welfare

KOTARO SENGOKU

Minister of Agriculture and Forestry

CHIKUHEI NAKAJIMA

Minister of Commerce and Industry

NAOTO KOBIYAMA

Minister of Transportation

FUMIMARO KONOE

Minister without Portfolio

TAKETORA OGATA

Minister without Portfolio

BINSHIRO OBATA

Minister without Portfolio

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SEPTEMBER 9, 1945

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Credentials of the Japanese Delegates

Translation.

HIROHITO,

By the Grace of Heaven, Emperor of Japan, seated on the Throne occupied by the same Dynasty changeless through ages eternal,

To all to whom these Presents shall come, Greeting!

We do hereby authorise Yoshijiro Umezu, Zyo-sanmi, First Class of the Imperial Order of the Rising Sun, Second Class of the Imperial Military Order of the Golden Kite, to attach his signature by command and in behalf of Ourselves and Our Imperial General Headquarters unto the Instrument of Surrender which is required by the Supreme Commander for the Allied Powers to be signed.

In witness whereof, We have hereunto set Our signature and caused the Great Seal of the Empire to be affixed.

Given at Our Palace in Tōkyō, this first day of the ninth month of the twentieth year of Syōwa, being the two thousand six hundred and fifth year from the Accession of the Emperor Zinmu.

Seal of
the
Empire

HIROHITO.

YOSHIJIRO UMEZU

*Chief of the General Staff
of the Imperial Japanese
Army*

SOEMU TOYODA

*Chief of the General Staff
of the Imperial Japanese
Navy*

Translation.

HIROHITO,

By the Grace of Heaven, Emperor of Japan, seated on the Throne occupied by the same Dynasty changeless through ages eternal,

To all to whom these Presents shall come, Greeting!

We do hereby authorise Mamoru Shigemitsu, Zyo-sanmi, First Class of the Imperial Order of the Rising Sun to attach his signature by command and in behalf of Ourselves and Our Government unto the Instrument of Surrender which is required by the Supreme Commander for the Allied Powers to be signed.

In witness whereof, We have hereunto set Our signature and caused the Great Seal of the Empire to be affixed.

Given at Our Palace in Tōkyō, this first day of the ninth month of the twentieth year of Syōwa, being the two thousand six hundred and fifth year from the Accession of the Emperor Zinmu.


Seal of
the
Empire

HIROHITO.

NARUHIKO-Ō

Prime Minister

INSTRUMENT OF SURRENDER

 We, acting by command of and in behalf of the Emperor of Japan, the Japanese Government and the Japanese Imperial General Headquarters, hereby accept the provisions set forth in the declaration issued by the heads of the Governments of the United States, China and Great Britain on 26 July 1945, at Potsdam, and subsequently adhered to by the Union of Soviet Socialist Republics, which four powers are hereafter referred to as the Allied Powers.

We hereby proclaim the unconditional surrender to the Allied Powers of the Japanese Imperial General Headquarters and of all Japanese armed forces and all armed forces under Japanese control wherever situated.

We hereby command all Japanese forces wherever situated and the Japanese people to cease hostilities forthwith, to preserve and save from damage all ships, aircraft, and military and civil property and to comply with all requirements which may be imposed by the Supreme Commander for the Allied Powers or by agencies of the Japanese Government at his direction.

We hereby command the Japanese Imperial General Headquarters to issue at once orders to the Commanders of all Japanese forces and all forces under Japanese control wherever situated to surrender unconditionally themselves and all forces under their control.

We hereby command all civil, military and naval officials to obey and enforce all proclamations, orders and directives deemed by the Supreme Commander for the Allied Powers to be proper to effectuate this surrender and issued by him or under his authority and we direct all such officials to remain at their posts and to continue to perform their non-combatant duties unless specifically relieved by him or under his authority.

We hereby undertake for the Emperor, the Japanese Government and their successors to carry out the provisions of the Potsdam Declaration in good faith, and to issue whatever orders and take whatever action may be required by the Supreme Commander for the Allied Powers or by any other designated representative of the Allied Powers for the purpose of giving effect to that Declaration.

We hereby command the Japanese Imperial Government and the Japanese Imperial General Headquarters at once to liberate all allied prisoners of war and civilian internees now under Japanese control and to provide for their protection, care, maintenance and immediate transportation to places as directed.

The authority of the Emperor and the Japanese Government to rule the state shall be subject to the Supreme Commander for the Allied Powers who will take such steps as he deems proper to effectuate these terms of surrender.

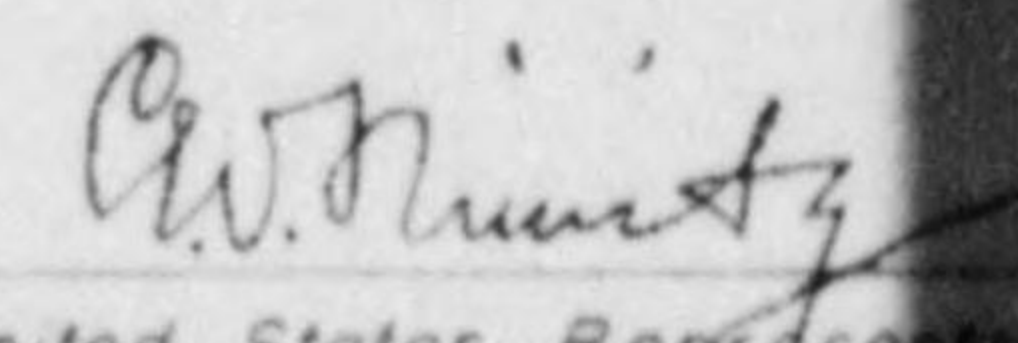
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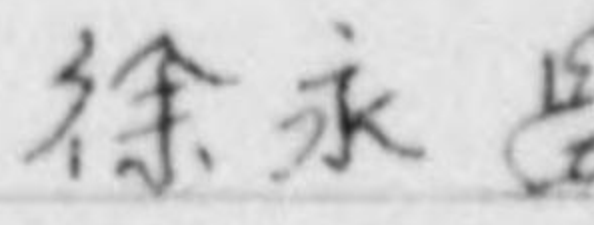
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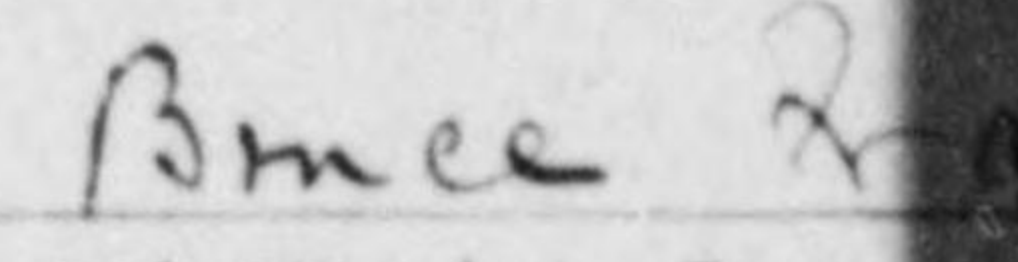
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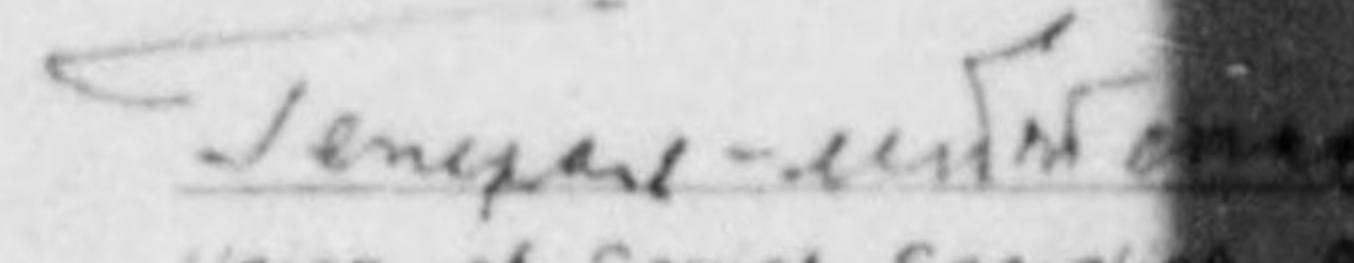
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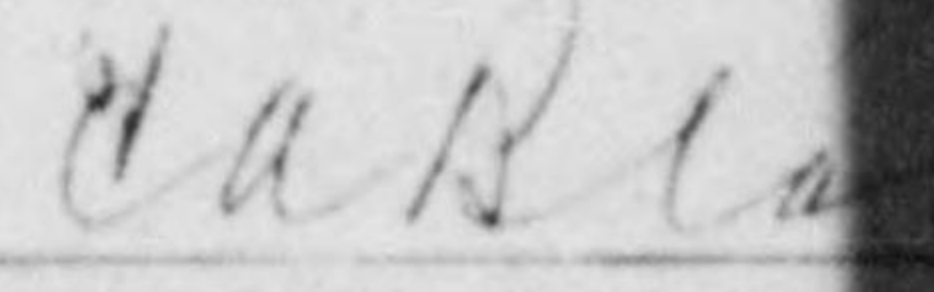
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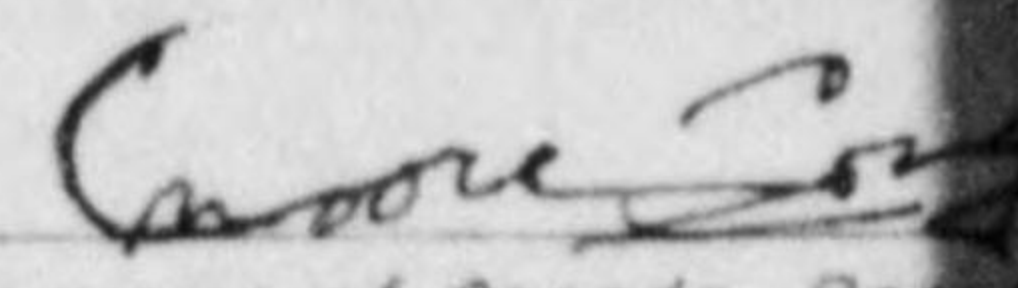

United States Representative

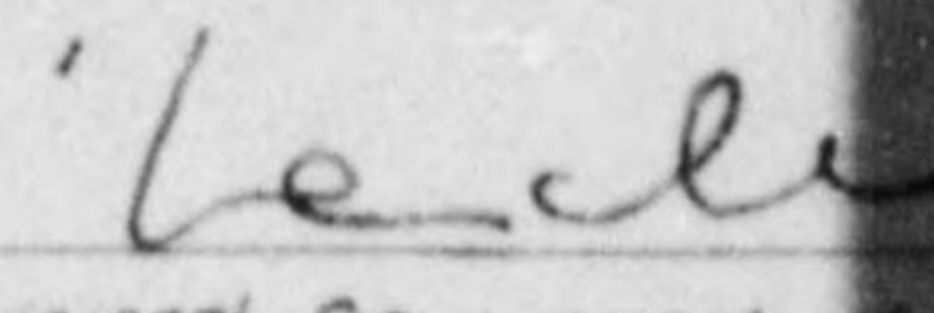

Republic of China Representative

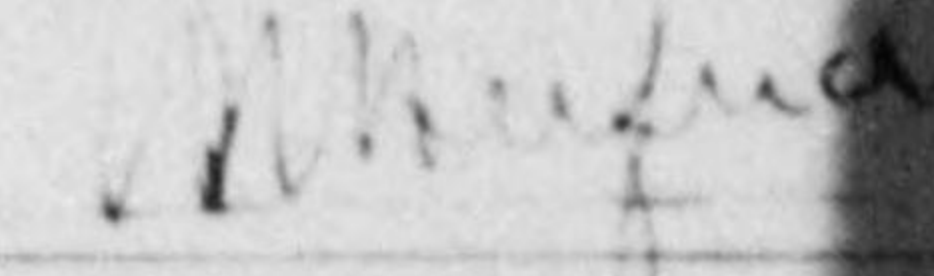

United Kingdom Representative

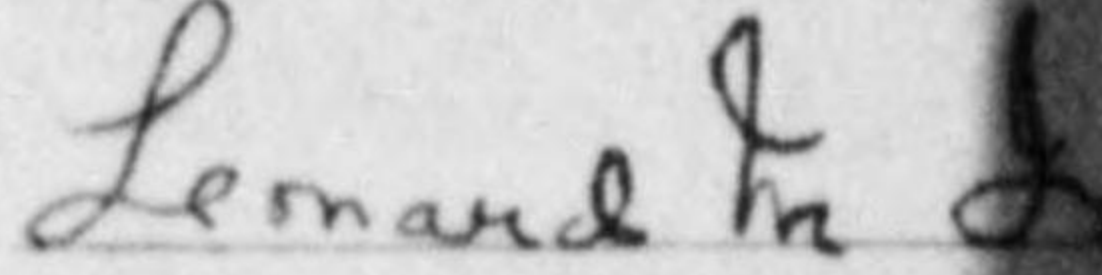

Union of Soviet Socialist
Representative


Commonwealth of Australia


Dominion of Canada Representative


Provisional Government of the
Republic Representative


Kingdom of the Netherlands


Dominion of New Zealand

Signed at TOKYO BAY, JAPAN at 0908 I
on the SECOND day of SEPTEMBER, 1945

重光葵

By Command and in behalf of the Emperor of Japan
and the Japanese Government.

梅津美治郎

By Command and in behalf of the Japanese
Imperial General Headquarters.

Accepted at TOKYO BAY, JAPAN at 0908 I
on the SECOND day of SEPTEMBER, 1945,
for the United States, Republic of China, United Kingdom and the
Union of Soviet Socialist Republics, and in the interests of the other
United Nations at war with Japan.

Douglas MacArthur

Supreme Commander for the Allied Powers.

W. H. H. H. H.

United States Representative

徐永昌

Republic of China Representative

Bruce Fraser

United Kingdom Representative

Temer-astomom P. P. P.

Union of Soviet Socialist Republics
Representative

Ed Blainey

Commonwealth of Australia Representative

Carole Legrain

Dominion of Canada Representative

Leclerc

Provisional Government of the French
Republic Representative

W. H. H. H.

Kingdom of the Netherlands Representative

Leonard H. Smith

Dominion of New Zealand Representative

BULLETIN

September 23, 1945

U. S. Initial Post-Surrender Policy for Japan

[Released to the press by the White House September 22]

The following statement of general initial policy relating to Japan after surrender was prepared jointly by the Department of State, the War Department, and the Navy Department and approved by the President on September 6. The document in substance was sent to General MacArthur by radio on August 29 and, after approval by the President, by messenger on September 6.

U. S. INITIAL POST-SURRENDER POLICY FOR JAPAN

Purpose of this Document

This document is a statement of general initial policy relating to Japan after surrender. It has been approved by the President and distributed to the Supreme Commander for the Allied Powers and to appropriate U. S. departments and agencies for their guidance. It does not deal with all matters relating to the occupation of Japan requiring policy determinations. Such matters as are not included or are not fully covered herein have been or will be dealt with separately.

PART I—Ultimate Objectives

The ultimate objectives of the United States in regard to Japan, to which policies in the initial period must conform, are:

(a) To insure that Japan will not again become a menace to the United States or to the peace and security of the world.

(b) To bring about the eventual establishment of a peaceful and responsible government which will respect the rights of other states and will support the objectives of the United States as reflected in the ideals and principles of the Charter of the United Nations. The United States desires that this government should conform as closely as may

be to principles of democratic self-government but it is not the responsibility of the Allied Powers to impose upon Japan any form of government not supported by the freely expressed will of the people.

These objectives will be achieved by the following principal means:

(a) Japan's sovereignty will be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor outlying islands as may be determined, in accordance with the Cairo Declaration and other agreements to which the United States is or may be a party.

(b) Japan will be completely disarmed and demilitarized. The authority of the militarists and the influence of militarism will be totally eliminated from her political, economic, and social life. Institutions expressive of the spirit of militarism and aggression will be vigorously suppressed.

(c) The Japanese people shall be encouraged to develop a desire for individual liberties and respect for fundamental human rights, particularly the freedoms of religion, assembly, speech, and the press. They shall also be encouraged to form democratic and representative organizations.

(d) The Japanese people shall be afforded opportunity to develop for themselves an economy which will permit the peacetime requirements of the population to be met.

PART II—Allied Authority

1. Military Occupation

There will be a military occupation of the Japanese home islands to carry into effect the surrender terms and further the achievement of the ultimate objectives stated above. The occupation shall have the character of an operation in behalf of the principal allied powers acting in the in-

terests of the United Nations at war with Japan. For that reason, participation of the forces of other nations that have taken a leading part in the war against Japan will be welcomed and expected. The occupation forces will be under the command of a Supreme Commander designated by the United States.

Although every effort will be made, by consultation and by constitution of appropriate advisory bodies, to establish policies for the conduct of the occupation and the control of Japan which will satisfy the principal Allied powers, in the event of any differences of opinion among them, the policies of the United States will govern.

2. *Relationship to Japanese Government*

The authority of the Emperor and the Japanese Government will be subject to the Supreme Commander, who will possess all powers necessary to effectuate the surrender terms and to carry out the policies established for the conduct of the occupation and the control of Japan.

In view of the present character of Japanese society and the desire of the United States to attain its objectives with a minimum commitment of its forces and resources, the Supreme Commander will exercise his authority through Japanese governmental machinery and agencies, including the Emperor, to the extent that this satisfactorily furthers United States objectives. The Japanese Government will be permitted, under his instructions, to exercise the normal powers of government in matters of domestic administration. This policy, however, will be subject to the right and duty of the Supreme Commander to require changes in governmental machinery or personnel or to act directly if the Emperor or other Japanese authority does not satisfactorily meet the requirements of the Supreme Commander in effectuating the surrender terms. This policy, moreover, does not commit the Supreme Commander to support the Emperor or any other Japanese governmental authority in opposition to evolutionary changes looking toward the attainment of United States objectives. The policy is to use the existing form of Government in Japan, not to support it. Changes in the form of Government initiated by the Japanese people or government in the direction of modifying its feudal and authoritarian tendencies are to be permitted and favored. In the event that the effectuation of such changes involves the

use of force by the Japanese people or government against persons opposed thereto, the Supreme Commander should intervene only where necessary to ensure the security of his forces and the attainment of all other objectives of the occupation.

3. *Publicity as to Policies*

The Japanese people, and the world at large, shall be kept fully informed of the objectives and policies of the occupation, and of progress made in their fulfilment.

PART III—Political

1. *Disarmament and Demilitarization*

Disarmament and demilitarization are the primary tasks of the military occupation and shall be carried out promptly and with determination. Every effort shall be made to bring home to the Japanese people the part played by the military and naval leaders, and those who collaborated with them, in bringing about the existing and future distress of the people.

Japan is not to have an army, navy, air force, secret police organization, or any civil aviation. Japan's ground, air and naval forces shall be disarmed and disbanded and the Japanese Imperial General Headquarters, the General Staff and all secret police organizations shall be dissolved. Military and naval matériel, military and naval vessels and military and naval installations, and military, naval and civilian aircraft shall be surrendered and shall be disposed of as required by the Supreme Commander.

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.

Militarism and ultra-nationalism, in doctrine and practice, including para-military training, shall be eliminated from the educational system. Former career military and naval officers, both

SEPTEMBER 23, 1945

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commissioned and non-commissioned, and all other exponents of militarism and ultra-nationalism shall be excluded from supervisory and teaching positions.

2. *War Criminals*

Persons charged by the Supreme Commander or appropriate United Nations Agencies with being war criminals, including those charged with having visited cruelties upon United Nations prisoners or other nationals, shall be arrested, tried and, if convicted, punished. Those wanted by another of the United Nations for offenses against its nationals, shall, if not wanted for trial or as witnesses or otherwise by the Supreme Commander, be turned over to the custody of such other nation.

3. *Encouragement of Desire for Individual Liberties and Democratic Processes*

Freedom of religious worship shall be proclaimed promptly on occupation. At the same time it should be made plain to the Japanese that ultra-nationalistic and militaristic organizations and movements will not be permitted to hide behind the cloak of religion.

The Japanese people shall be afforded opportunity and encouraged to become familiar with the history, institutions, culture, and the accomplishments of the United States and the other democracies. Association of personnel of the occupation forces with the Japanese population should be controlled, only to the extent necessary, to further the policies and objectives of the occupation.

Democratic political parties, with rights of assembly and public discussion, shall be encouraged, subject to the necessity for maintaining the security of the occupying forces.

Laws, decrees and regulations which establish discriminations on grounds of race, nationality, creed or political opinion shall be abrogated; those which conflict with the objectives and policies outlined in this document shall be repealed, suspended or amended as required; and agencies charged specifically with their enforcement shall be abolished or appropriately modified. Persons unjustly confined by Japanese authority on political grounds shall be released. The judicial, legal and police systems shall be reformed as soon as practicable to conform to the policies set forth in Articles 1 and 3 of this Part III and thereafter shall be progressively influenced, to protect individual liberties and civil rights.

PART IV—Economic

1. *Economic Demilitarization*

The existing economic basis of Japanese military strength must be destroyed and not be permitted to revive.

Therefore, a program will be enforced containing the following elements, among others; the immediate cessation and future prohibition of production of all goods designed for the equipment, maintenance, or use of any military force or establishment; the imposition of a ban upon any specialized facilities for the production or repair of implements of war, including naval vessels and all forms of aircraft; the institution of a system of inspection and control over selected elements in Japanese economic activity to prevent concealed or disguised military preparation; the elimination in Japan of those selected industries or branches of production whose chief value to Japan is in preparing for war; the prohibition of specialized research and instruction directed to the development of war-making power; and the limitation of the size and character of Japan's heavy industries to its future peaceful requirements, and restriction of Japanese merchant shipping to the extent required to accomplish the objectives of demilitarization.

The eventual disposition of those existing production facilities within Japan which are to be eliminated in accord with this program, as between conversion to other uses, transfer abroad, and scrapping will be determined after inventory. Pending decision, facilities readily convertible for civilian production should not be destroyed, except in emergency situations.

2. *Promotion of Democratic Forces*

Encouragement shall be given and favor shown to the development of organizations in labor, industry, and agriculture, organized on a democratic basis. Policies shall be favored which permit a wide distribution of income and of the ownership of the means of production and trade.

Those forms of economic activity, organization and leadership shall be favored that are deemed likely to strengthen the peaceful disposition of the Japanese people, and to make it difficult to command or direct economic activity in support of military ends.

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

(a) To prohibit the retention in or selection for places of importance in the economic field of individuals who do not direct future Japanese economic effort solely towards peaceful ends; and

(b) To favor a program for the dissolution of the large industrial and banking combinations which have exercised control of a great part of Japan's trade and industry.

3. *Resumption of Peaceful Economic Activity*

The policies of Japan have brought down upon the people great economic destruction and confronted them with the prospect of economic difficulty and suffering. The plight of Japan is the direct outcome of its own behavior, and the Allies will not undertake the burden of repairing the damage. It can be repaired only if the Japanese people renounce all military aims and apply themselves diligently and with single purpose to the ways of peaceful living. It will be necessary for them to undertake physical reconstruction, deeply to reform the nature and direction of their economic activities and institutions, and to find useful employment for their people along lines adapted to and devoted to peace. The Allies have no intention of imposing conditions which would prevent the accomplishment of these tasks in due time.

Japan will be expected to provide goods and services to meet the needs of the occupying forces to the extent that this can be effected without causing starvation, widespread disease and acute physical distress.

The Japanese authorities will be expected, and if necessary directed, to maintain, develop and enforce programs that serve the following purposes:

- (a) To avoid acute economic distress.
- (b) To assure just and impartial distribution of available supplies.
- (c) To meet the requirements for reparations deliveries agreed upon by the Allied Governments.
- (d) To facilitate the restoration of Japanese economy so that the reasonable peaceful requirements of the population can be satisfied.

In this connection, the Japanese authorities on their own responsibility shall be permitted to establish and administer controls over economic activities, including essential national public services, finance, banking, and production and distribution of essential commodities, subject to the approval and review of the Supreme Commander

in order to assure their conformity with the objectives of the occupation.

4. *Reparations and Restitution*

REPARATIONS

Reparations for Japanese aggression shall be made:

(a) Through the transfer—as may be determined by the appropriate Allied authorities—of Japanese property located outside of the territories to be retained by Japan.

(b) Through the transfer of such goods or existing capital equipment and facilities as are not necessary for a peaceful Japanese economy or the supplying of the occupying forces. Exports other than those directed to be shipped on reparation account or as restitution may be made only to those recipients who agree to provide necessary imports in exchange or agree to pay for such exports in foreign exchange. No form of reparation shall be exacted which will interfere with or prejudice the program for Japan's demilitarization.

RESTITUTION

Full and prompt restitution will be required of all identifiable looted property.

5. *Fiscal, Monetary, and Banking Policies*

The Japanese authorities will remain responsible for the management and direction of the domestic fiscal, monetary, and credit policies subject to the approval and review of the Supreme Commander.

6. *International Trade and Financial Relations*

Japan shall be permitted eventually to resume normal trade relations with the rest of the world. During occupation and under suitable controls, Japan will be permitted to purchase from foreign countries raw materials and other goods that it may need for peaceful purposes, and to export goods to pay for approved imports.

Control is to be maintained over all imports and exports of goods, and foreign exchange and financial transactions. Both the policies followed in the exercise of these controls and their actual administration shall be subject to the approval and supervision of the Supreme Commander in order to make sure that they are not contrary to the policies of the occupying authorities, and in particular that all foreign purchasing power that Japan may acquire is utilized only for essential needs.

SEPTEMBER 23, 1945

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7. *Japanese Property Located Abroad*

Existing Japanese external assets and existing Japanese assets located in territories detached from Japan under the terms of surrender, including assets owned in whole or part by the Imperial Household and Government, shall be revealed to the occupying authorities and held for disposition according to the decision of the Allied authorities.

8. *Equality of Opportunity for Foreign Enterprise within Japan*

The Japanese authorities shall not give, or permit any Japanese business organization to give, exclusive or preferential opportunity or terms to the enterprise of any foreign country, or cede to such enterprise control of any important branch of economic activity.

9. *Imperial Household Property*

Imperial Household property shall not be exempted from any action necessary to carry out the objectives of the occupation.

Concerning Occupation Force in Japan

At the President's press and radio news conference on September 18, a correspondent asked whether the President had had any advance information of General MacArthur's statement that the occupation force in Japan would be reduced to 200,000 men within six months. He replied in the negative, adding that he was glad to see that the General would not need so many troops as he had originally estimated. The President pointed out that 30 days ago General MacArthur said that he would need 500,000, that then he had said 400,000, and that now his estimate was 200,000.

A correspondent asked the following question at Acting Secretary Acheson's press and radio news conference on September 19:

Q. Sir, there were reports that you were disturbed over some of the recent statements made by General MacArthur. Do you have any comment to make on the occupation?

A. Well, I have not any comment to make on the state of my own being. That is not a very important matter.

I have no comment to make on the military aspects of what General MacArthur stated. That is a purely military matter with which the State Department is not properly concerned. I think I can say that I am surprised that anybody can foresee at this time the number of forces which will be necessary in Japan. That may come from my inadequate knowledge of the military field, however, and it is not very important.

The important thing is that the policy in regard to Japan is the same policy which has always been held by this Government and is still held so far as I know, and I think I know. In carrying out that policy, the occupation forces are the instruments of policy and not the determinants of policy, and the policy is and has been that the surrender of Japan will be carried out; that Japan will be put in a position where it can not renew aggressive warfare; that the present economic and social system in Japan which makes for a will to war will be changed so that that will to war will not continue; and that whatever it takes to carry this out will be used to carry it out.

Designation of World War II

APPROVAL OF RECOMMENDATION OF WAR AND NAVY DEPARTMENTS

10 September 1945.

THE PRESIDENT
The White House

DEAR MR. PRESIDENT:

President Wilson, under date of July 31, 1919, addressed a letter to Secretary of War Baker which read, in part, as follows:

"It is hard to find a satisfactory 'official' name for the war, but the best, I think, that has been suggested is 'The World War', and I hope that your judgment will concur."

Subsequently, under date of October 7, 1919, War Department General Orders No. 115 directed:

"The war against the Central Powers of Europe, in which the United States has taken part, will

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hereafter be designated in all official communications and publications as 'The World War'."

As a matter of simplicity and to insure uniform terminology, it is recommended that "World War II" be the officially designated name for the present war covering all theaters and the entire period of hostilities.

The term "World War II" has been used in at least seven public laws to designate this period of hostilities. Analysis of publications and radio programs indicates that this term has been accepted by common usage.

DEPARTMENT OF STATE BULLETIN

If this recommendation is approved it is further recommended that the title "World War II" be published in the *Federal Register* as the official name of the present war.¹

Respectfully yours,

HENRY L. STIMSON,
Secretary of War.

JAMES FORRESTAL,
Secretary of the Navy.

Approved: September 11, 1945.

HARRY S. TRUMAN.

The Relief and Rehabilitation Program

Statement by THE PRESIDENT

[Released to the press by the White House September 17]

The United States Government is now in a position to fulfil the main requests of Europe—with the exception of sugar, fats, and oils—from this date until January 1 as these requests have been stated to it by the governments of the liberated countries and by UNRRA.

Provision of the supplies thus requested does not, however, mean that the civilian populations of Europe will reach even a minimum level of subsistence, and much suffering may be expected during the coming winter in certain areas of the Continent.

The limiting factor in meeting the minimum needs of the liberated peoples is no longer one of shipping. For the moment, in the case of most commodities, it is no longer a problem of supply. Today it is primarily a twofold financial problem: first, to work out credits or other financial arrangements with the European governments; second, to make additional funds available to UNRRA for emergency relief.

This Government is bending every effort to find solutions to this problem, in cooperation with the respective claimants, with a view to increasing the flow of urgently needed supplies. Pending such settlements this Government is taking necessary measures in relation to production, distribution, and shipping of supplies to insure a broad, equitable, and continuous flow of current stocks and new production of relief and rehabilitation sup-

plies for liberated areas, which it is anticipated will be required, in addition to those quantities which they have already requisitioned. One purpose of such measures is to prevent the dissipation of available supplies in domestic channels where they are not essential.

When I returned from Potsdam I said, "If we let Europe go cold and hungry, we may lose some of the foundations of order on which the hope for world-wide peace must rest. We must help to the limits of our strength. And we will."² That pledge, made not only to our Allies but to the American people, must be kept. It should be made perfectly clear that, contrary to the belief of many, relaxation of rationing on the home front is not a factor in the allocation of relief supplies to Europe. The Department of Agriculture reports that, despite the release of cheese from rationing controls and the possible relaxation of domestic meat rationing, we have sufficient quantities of meat and dairy products to fulfil the requirements placed upon us by UNRRA and the paying governments for the last quarter of the year. Furthermore, should UNRRA secure the additional financial resources it so urgently needs and the paying governments conclude more satisfactory financial arrangements, again raising the problem of supply, both the Department of Agriculture and the War Production Board have the authority to issue set-aside orders on specific quantities of commodities purchased, regardless of whether they are rationed, to insure deliveries abroad. This does not mean that it may not become necessary to resume ration

¹ 10 *Federal Register* 11881.

² BULLETIN of Aug. 12, 1945, p. 212.

DEPARTMENT OF STATE

FOR THE PRESS

OCTOBER 5, 1945
NO. 732**CONFIDENTIAL
FUTURE RELEASE
NOTE DATE**

CONFIDENTIAL RELEASE FOR PUBLICATION AT 7:00 P.M., E.S.T.,
SATURDAY, OCTOBER 6, 1945. NOT TO BE PREVIOUSLY
PUBLISHED, QUOTED FROM OR USED IN ANY WAY.

Following is the text of an NBC network broadcast from the State, War and Navy Departments, the 34th in a series entitled OUR FOREIGN POLICY.

Subject: "Our Occupation Policy for Japan"

- Participants:
1. Major General John H. Hilldring, Director of Civil Affairs for the War Department.
 2. Mr. John Carter Vincent, Director of the Office of Far Eastern Affairs, Department of State, and Chairman of the Far Eastern Subcommittee of the State, War and Navy Coordinating Committee.
 3. Captain R. L. Dennison, U. S. Navy, Representative of the Navy Department on the Far Eastern Subcommittee of the State, War and Navy Coordinating Committee.
 4. Mr. Sterling Fisher, Director of the NBC University of the Air.

ANNOUNCER: HERE ARE HEADLINES FROM WASHINGTON:

GENERAL HILLDRING SAYS THE ZAIBATSU, OR JAPANESE BIG BUSINESS, WILL BE BROKEN UP; STATES WE WILL NOT PERMIT JAPAN TO REBUILD HER BIG COMBINES; PROMISES PROTECTION OF JAPANESE DEMOCRATIC GROUPS AGAINST ATTACKS BY MILITARY FANATICS.

JOHN CARTER VINCENT OF STATE DEPARTMENT FORECASTS END OF NATIONAL SHINTO; SAYS THAT THE INSTITUTION OF THE EMPEROR WILL HAVE TO BE RADICALLY MODIFIED, AND THAT DEMOCRATIC PARTIES IN JAPAN WILL BE ASSURED RIGHTS OF FREE ASSEMBLY AND FREE DISCUSSION.

CAPTAIN DENNISON OF NAVY DEPARTMENT SAYS JAPAN WILL NOT BE ALLOWED CIVIL AVIATION; PREDICTS THAT JAPANESE WILL EVENTUALLY ACCEPT DEMOCRACY, AND EMPHASIZES NAVAL RESPONSIBILITY FOR FUTURE CONTROL OF JAPAN.

ANNOUNCER: This

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ANNOUNCER: This is the 34th in a series of programs entitled OUR FOREIGN POLICY, featuring authoritative statements on international affairs by Government officials and members of Congress. The series is broadcast to the people of America by NBC's University of the Air, and to our service men and women overseas, wherever they are stationed, through the facilities of the Armed Forces Radio Service. Printed copies of these important discussions are also available. Listen to the closing announcement for instructions on how to obtain them.

This time we present a joint State, War and Navy Department broadcast on "Our Occupation Policy for Japan." Participating are Mr. John Carter Vincent, Director of the Office of Far Eastern Affairs in the State Department; Major General John H. Hilldring, Director of Civil Affairs in the War Department; and Captain R. L. Dennison, U.S.N., Navy Department representative on the Far Eastern Subcommittee of the State, War and Navy Coordinating Committee. They will be interviewed by Sterling Fisher, Director of the NBC University of the Air. Mr. Fisher

FISHER: No subject has been debated more widely by the press, radio and general public in recent weeks than our occupation policy in Japan. That debate has served a very useful purpose. It has made millions of Americans conscious of the dangers and complications of our task in dealing with 70 million Japanese.

Publication by the White House of our basic policy for Japan removed much of the confusion surrounding this debate. But it also raised many questions -- questions of how our policy will be applied. To answer some of these, we have asked representatives of the Departments directly concerned -- the State, War and Navy Departments -- to interpret further our Japan policy. Here in the studio are three men who help to formulate or to execute this policy from day to day. General Hilldring is an executive in his capacity as Director of the

(MORE)

War Department.

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War Department. Tonight the general is substituting for the Honorable John J. McCloy, Assistant Secretary of War, who was originally scheduled to speak but who is not now in Washington. Mr. Vincent is chairman of the Far Eastern Subcommittee which formulates our Japan policy for the approval of the State, War and Navy Coordinating Committee, and Captain Dennison is a Navy member of this same Subcommittee. All three of our guests are "up to their ears," so to speak, in the spadework of formulating our occupation policy for Japan.

General Hildring, a great many people seemed to think, until recently at least, that General MacArthur was more or less a free agent in laying down our policy for the Japanese. Perhaps you would start by telling us just how that policy is determined.

HILLDRING: Well, although I help execute policy instead of making it, I will try to explain how it is made. The State, War and Navy Coordinating Committee - "SWINC," we call it -- formulates policy for the President's approval, on questions of basic importance. On the military aspects, the views of the Joint Chiefs of Staff are obtained and carefully considered. Directives which carry the approved policies are then drawn up, to be transmitted by the Joint Chiefs of Staff to General MacArthur. As Supreme Commander of our occupation forces in Japan, he is charged with the responsibility for carrying them out. And we think he is doing it very well.

FISHER: Mr. Vincent, the Far Eastern Subcommittee of which you are chairman does most of the work of drafting the policy directives, as I understand it.

VINCENT: That's right, Mr. Fisher. We devote our entire energies to Far Eastern policy, and meet twice a week to make decisions on important matters. We then submit our recommendations to the top Coordinating Committee, with which General Hildring is associated and which Captain Dennison and I sit with in an advisory capacity.

HILLDRING: The

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HILLDRING: The key members of the Coordinating Committee, representing the Secretaries of the three Departments, are Assistant Secretary of State James Dunn, the Assistant Secretary of War, John J. McCloy, and the Under Secretary of the Navy, Artemus Gates.

FISHER: Mr. Vincent, a lot of people would like to know whether there is a -- shall we say -- strained relationship between General MacArthur and the State Department.

VINCENT: No, there is absolutely no basis for such reports, Mr. Fisher. There is, as a matter of fact, no direct relationship between General MacArthur and the State Department. I can assure you that General MacArthur is receiving our support and assistance in carrying out a very difficult assignment.

FISHER: There have been some reports that he has not welcomed civilian advisers.

VINCENT: That also is untrue. A number of civilian Far Eastern specialists have already been sent out to General MacArthur's headquarters, and he has welcomed them most cordially. We're trying right now to recruit people with specialized knowledge of Japan's economy, finances, and so on. We expect to send more and more such people out.

FISHER: As a Navy representative on the Far Eastern Subcommittee, Captain Dennison, I suppose you've had a good opportunity to evaluate the situation. Some people don't realize that the Navy Department has a direct interest in, and voice in, our policy for Japan.

DENNISON: We have a vital interest in it. The large part that the Navy was called upon to play in the defeat of Japan is a measure of that interest. Japan is an island country separated from us by a broad expanse of ocean. Its continued control will always present a naval problem.

FISHER: What part is the Navy playing now in that control?

DENNISON: Our

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DENNISON: Our ships are patrolling the coasts of Japan today, and in this duty they support the occupation force. Navy officers and men will aid General MacArthur ashore, in censorship (radio, telephone and cable) and in Civil Affairs administration. The Navy is in charge of military government in the former Japanese Mandates in the Pacific and also in the Ryuku Islands.

FISHER: Including Okinawa?

DENNISON: Yes.

FISHER: That's not generally known, is it?

DENNISON: No, I believe not. I'd like to add that besides these immediate duties, our Navy will have to exercise potential control over Japan, where necessary, long after our troops are withdrawn.

FISHER: Now, I'd like to ask you, Mr. Vincent, as Chairman of the Subcommittee which drafts our occupation policy, to give us in a word a statement of our over-all objectives.

VINCENT: Our immediate objective is to demobilize the Japanese armed forces and demilitarize Japan. Our long-range objective is to democratize Japan -- to encourage democratic self-government. We must make sure that Japan will not again become a menace to the peace and security of the world.

FISHER: And how long do you think that will take, Mr. Vincent?

VINCENT: The length of occupation will depend upon the degree to which the Japanese cooperate with us. I can tell you this: the occupation will continue until demobilization and demilitarization are completed. And it will continue until there is assurance that Japan is well along the path of liberal reform. Its form of government will not necessarily be patterned exactly after American democracy, but it must be responsible self-government, stripped of all militaristic tendencies.

FISHER: General Hilldring, how long do you think we'll have to occupy Japan?

HILLDRING: To

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HILLDRING: To answer that question, Mr. Fisher, would require a degree of clairvoyance I don't possess. I just don't know how long it will take to accomplish our aims. We must stay in Japan, with whatever forces may be required, until we have accomplished the objectives Mr. Vincent has mentioned.

FISHER: To what extent will our Allies, such as China and Great Britain and the Soviet Union, participate in formulating occupation policy and in carrying out the actual occupation?

HILLDRING: That is not a question which the soldiers should decide. It involves matters of high policy on which the Army must look to the State Department. I believe Mr. Vincent should answer that question.

FISHER: Well, Mr. Vincent, how about it?

VINCENT: Immediately following the Japanese surrender, the United States proposed the formation of a Far Eastern Commission as a means of regularizing and making orderly the methods of consulting with other countries interested in the occupation of Japan. And Secretary of State Byrnes announced from London that a Commission would be established for the formulation of policies for the control of Japan. In addition to the four principal powers in the Far East, a number of other powers are to be invited to have membership on the Commission.

FISHER: Coming back to our first objective - General Hilldring, what about the demobilization of the Japanese Army? How far has it gone?

HILLDRING: Disarmament of the Japanese forces in the four main islands is virtually complete, Mr. Fisher. Demobilization in the sense of returning disarmed troops to their homes is well under way, but bombed-out transport systems and food and housing problems are serious delaying factors.

FISHER: And the Japanese troops in other parts of Asia?

HILLDRING: It

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HILLDRING: It may take a long time for them all to get home. Demands on shipping are urgent and the return of our own troops is the highest priority. Relief must also be carried to the countries we have liberated; the return of Japanese soldiers to their homes must take its proper place.

FISHER: Captain Dennison, how long do you think it will take to clean up the Japanese forces scattered through Asia?

DENNISON: It may take several years, Mr. Fisher. After all, there are close to three million Japanese scattered around eastern Asia and the Pacific, and for the most part it will be up to the Japanese themselves to ship them home.

FISHER: And what is to be done with the Japanese Navy?

DENNISON: Such remnants as are left might well be destroyed.

FISHER: Now, there are some other, less obvious parts of the military system -- the police system, for example. The Japanese secret police have been persecuting liberal, anti-militarist people for many years. Mr. Vincent, what will be done about that?

VINCENT: That vicious system will be abolished. Not only the top chiefs, but the whole organization must go. That's the only way to break its hold on the Japanese people. A civilian police force such as we have in America will have to be substituted for it.

DENNISON: We've

-7-

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DENNISON: We've got to make sure that what they have is a police force, and not an army in the guise of police.

HILLDRING: As a matter of fact, Mr. Fisher, General MacArthur has already abolished the Kempai and political police.

FISHER: It seems to me that a key question in this whole matter, Mr. Vincent, is the relationship of our occupation forces to the present Japanese government from the Emperor on down.

VINCENT: One of General MacArthur's tasks is to bring about changes in the constitution of Japan. Those provisions in the constitution which would hamper the establishment in Japan of a government which is responsible only to the people of Japan must be removed.

FISHER: Isn't the position of the Emperor a barrier to responsible government?

VINCENT: The institution of the Emperor -- if the Japanese do not choose to get rid of it -- will have to be radically modified.

DENNISON: The Emperor's authority is subject to General MacArthur and will not be permitted to stand as a barrier to responsible government. Directives sent to General MacArthur establish that point.

FISHER: Can you give us the sense of the directive that covers that point, Captain Dennison?

DENNISON: I can quote part of it to you. The message to General MacArthur said, "1. The authority of the Emperor and the Japanese Government to rule the state is subordinate to you as Supreme Commander for the Allied Powers. You will exercise your authority as you deem proper to carry out your mission. Our relations with Japan do not rest on a contractual basis, but on an unconditional surrender. Since your authority is supreme, you will not entertain any question on the part of the Japanese as to its scope.

"2. Control of Japan shall be exercised through the Japanese Government to the extent that such an arrangement produces satisfactory results. This does not prejudice your right to act directly if required. You may enforce the orders issued by you by the employment of such measures as you deem necessary, including the use of force." That's the directive under which General MacArthur is operating.

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FISHER - That's

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FISHER: That's clear enough....Now, General Hilldring, you have to do with our occupation policy in both Germany and Japan. What is the main difference between them?

HILLDRING: Our purposes in Germany and Japan are not very different. Reduced to their simplest terms, they are to prevent either nation from again breaking the peace of the world. The difference is largely in the mechanism of control to achieve that purpose. In Japan there still exists a national government, which we are utilizing. In Germany there is no central government and our controls must, in general, be imposed locally.

FISHER: Are there advantages from your point of view in the existence of the national government in Japan?

HILLDRING: The advantages which are gained through the utilization of the national government of Japan are enormous. If there were no Japanese government available to our use, we would have to operate directly the whole complicated machine required for the administration of a country of seventy million people. These people differ from us in language, customs and attitudes. By cleaning up and using the Japanese government machinery as a tool, we are saving our time and our manpower and our resources. In other words, we are requiring the Japanese to do their own housecleaning, but we are providing the specifications.

FISHER: But some people argue, General, that by utilizing the Japanese government we are committing ourselves to support it. If that's the case, would n't ^{this} interfere with our policy of removing from public office and from industry persons who were responsible for Japan's aggression?

HILLDRING - Not

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-10-

HILLDRING: Not at all. We're not committing ourselves to support any Japanese groups or individuals, either in government or in industry. If our policy requires removal of any person from government or industry, he will be removed. The desires of the Japanese government in this respect are immaterial. Removals are being made daily by General MacArthur.

DENNISON: Our policy is to use the existing form of government in Japan, not to support it. It's largely a matter of timing. General MacArthur has had to feel out the situation.

FISHER: Would you say, Captain Dennison, that when our forces first went to Japan they were sitting on a keg of dynamite?

DENNISON: In a sense, yes. But our general policies were set before General MacArthur landed a single man. As he has brought in troops, he has correspondingly tightened his controls in order to carry out those policies.

FISHER: He certainly has, Captain. But what about the Japanese politicians, Mr. Vincent? Some of them look pretty guilty to me.

VINCENT: The old gang is on its way out. The Higashi-Kuni Cabinet resigned this week, of course. It's too early to predict exactly what the next one will be like, but we have every reason to believe it will be an improvement over the last one. If any Japanese official is found by General MacArthur to be unfit to hold office, of course, he will go out.

FISHER: Will any of the members of the Higashi-Kuni Cabinet be tried as war criminals?

VINCENT: We can't talk about individuals here, for obvious reasons. But we can say this: All people who are charged by appropriate agencies with being war criminals will be arrested and tried. Even Cabinet status would be no protection.

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HILLDRING - We

-11-

HILLDRING: We are constantly adding to the list of war criminals, and they are being arrested every day. The same standards which Justice Jackson is applying in Germany are being used in Japan.

DENNISON: Our policy is to catch the war criminals and make sure that they are punished -- not to talk about who is a war criminal and who is not.

FISHER: All right, Captain Dennison, leaving names out of the discussion, let me ask you this: Will we consider members of the Zaibatsu - the big industrialists - who have cooperated with the militarists, and profited by the war, among the guilty?

DENNISON: We'll follow the same basic policy as in Germany. You will recall that some industrialists there have been listed as war criminals.

FISHER: General Hilldring, what are we going to do about the big industrialists who have contributed so much to Japan's war-making power?

HILLDRING: Under our policy, all fascists and jingos -- militarists -- will be removed, not only from public office but from positions of trust in industry and education as well. As a matter of national policy, we are going to destroy Japan's war-making power. That means the big combines must be broken up. There's no other way to accomplish it.

FISHER: What do you say about the Zaibatsu, Mr. Vincent?

VINCENT: Two things. We have every intention of proceeding against those members of the Zaibatsu who are considered as war criminals. And, as General Hilldring has said, we intend to break the hold those large family combines have over the economy of Japan -- combines such as Mitsui, Mitsubishi, Sumitomo and Yasuda, to name the most prominent.

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FISHER - And

-12-

FISHER: And the financial combines as well?

VINGENT: Yes. General MacArthur, as you've probably heard, has already taken steps to break the power of the big financial combines and strip them of their loot.

FISHER: Well, there's no feeling of "Don't let's be beastly to the Zaibatsu" here Captain Dennison, do you want to make it unanimous?

DENNISON: There's no disagreement on this point in our committee, Mr. Fisher. There has been a lot of premature criticism. But the discovery and arrest of all war criminals cannot be accomplished in the first few days of occupation. Our policy is fixed and definite. Anyone in Japan who brought about this war, the Zaibatsu or anyone else, is going to be arrested and tried as a war criminal.

FISHER: General Hilldring, one critic has charged that our policy in Germany has been to send Americans over to help rebuild the big trusts, like I. G. Farbenindustrie. He expressed the fear that a similar policy would be followed in Japan. What about that?

HILLDRING: I can say flatly, Mr. Fisher, that we are not rebuilding the big trusts in Germany, we have not rebuilt them, and we are not going to rebuild them in the future. The same policy will prevail in Japan. Moreover, not only will we not revive these big trusts but we do not propose to permit the Germans or Japanese to do so.

FISHER: And that applies to all industries that could be used for war purposes?

HILLDRING - The

-12-

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HILLDRING: The Japanese will be prohibited from producing, developing, or maintaining all forms of arms, ammunitions or implements of war, as well as naval vessels and aircraft. A major portion of this problem will involve the reduction or elimination of certain Japanese industries which are keys to a modern war economy. These industries include production of iron and steel, as well as chemicals, machine tools, electrical equipment and automotive equipment.

VINCENT: This, of course, implies a major reorientation of the Japanese economy, which for years has been geared to the requirements of total war. Under our close supervision, the Japanese will have to redirect their human and natural resources to the ends of peaceful living.

FISHER: Mr. Vincent, won't this create a lot of unemployment? Is anything being done to combat unemployment - among the millions of demobilized soldiers, for example?

VINCENT: Our policy is to place responsibility on the Japanese for solving their economic problems. They should put emphasis on farming and fishing, and the production of consumer goods. They also have plenty of reconstruction work to do in every city. And we have no intention of interfering with any attempts by the Japanese to help themselves along these lines. In fact, we'll give them all the encouragement we can.

FISHER: What do you think they'll do with the workers who are thrown out of heavy war industry?

VINCENT - They'll

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VINCENT: They'll have to find jobs in the light industries that Japan is allowed to retain. The general objective of this revamping of Japan's industrial economy will be to turn that economy in on itself so that the Japanese will produce more and more for their domestic market.

FISHER: They'll have to have some foreign trade, of course, to keep going.

VINCENT: Of course, but not the unhealthy sort they had before the war. A large portion of Japan's pre-war foreign trade assets were used for military preparations, and not to support her internal economy; after all, scrap iron and oil shipments didn't help the Japanese people. You could reduce Japan's foreign trade well below the pre-war level and still have a standard of living comparable to what they had before the war.

FISHER: There have been some dire predictions about the food situation over there, and even some reports of rice riots. General Hilldring, what will our policy be on food?

HILLDRING: General MacArthur has notified the War Department that he does not expect to provide any supplies for the enemy population in Japan this winter. This statement is in harmony with the policy we have followed in other occupied enemy areas. That is to say, we will import supplies for enemy populations only where essential to avoid disease epidemics and serious unrest that might jeopardize our ability to carry out the purposes of the occupation. The Japanese will have to grow their own food or provide it from imports.

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