ITEM 13 (Continued)

HIRATA Ichiro, 51; ind (N); agriculturalist; graduate in political and economics of Meiji University; chief of Nishi-shirakawa chapter of Prefectural Development League; 82 YUIGAHARA, TSURUU, NISHIGO Mura, NISHI-SHIRAKAWA Gun.

OZAWA Mistuo, 45; Dem (N); accountant; graduate of Nippon University, in law and economics; managing director of Japan Electric Wire Salvaging Company; born in TAKADA Machi, ONUMA Gun.

YAMANOUCHI Jiro, 43; ind (N); agriculturalist; partially completed Hosei University Special Department law course; JFU Central Committeeman; JFU Fukushima Prefectural Federation chief secretary; KINKAWA-Dori, FUJIMURO, WAKAMATSU Shi.

NAKANO Torakichi, 71; New Lib (I); Buddhist priest; Waseda University Special Department law graduate; former civil administration officer of NANYO CHO (South Pacific Areas Board); elected six times before to Diet; 3618 SUZUME-HAYASHI, AKAZAWA Mura, ONUMA Gun.

Third District, three seats

SEKIUCHI Shoichi, 53; DLP (I); oil dealer; graduate of Waseda University; elected once previously to the Diet; #10 2-CHOME, TAIRA Shi.

KARIYADO Shumpu, 52; ind (N); agriculturalist; graduate in political science of Tokyo University; 240 KARIYADO, KARINO Mura, FUTABA Gun.

MATSUI Masakichi, 44; Soc (N); company employee;graduate of economics department of Senshu University; 5 NISHI-MACHI, KAMITONO, KAMITONO Mura, IWAKI Gun.

HIRATA Yoshie, 49; Com (N); agriculturalist; graduate of Tokyo University Literature Department German literature course; head of a development association; KOTANI, KANAFUSA Mura, SOMA Gun.

SAITO Akira, 48; YOSEIKAI (I); miso and soy sauce manufacturer; graduate of Iwaki Middle School; elected once before to the Diet; KARAMIMACHI, SUMIYOSHI, ONAHAMA Machi, IWAKI Gun.

TAKAGI Matsukichi, 52; DLP (N); lawyer; graduate of Chuo University law department; former private secretary to Transportation Minister; HIRONO Machi, FUTABA Gun.

MUNAKATA Kozo, 66; DLP (N); hardware dealer; primary school graduate; former prefectural assemblyman; 71 OMACHI, NAKAMURA Machi, SOMA Gun.

Election

DAILY REPORT OF NUMBER OF CANDIDATES

HOUSE OF REPRESENTATIVES

| POLITICAL PARTIES | TOTAL |
|---|---|
| DEMOCRATIC LIBERAL | 426 |
| DEMOCRAT | 212 |
| SOCIAL DEMOCRAT | 186 |
| PEOPLE'S COOPERATIVE | 63 |
| SOCIAL RENOVATION | 30 |
| NEW LIBERAL | 12 |
| JAPAN FARMER | 16 |
| FARMER LABOR | 45 |
| COMMUNIST | 116 |
| INDEPENDENTS | 210 |
| MINOR PARTIES | 60 |
| TOTAL | 1,366 |

SOURCE: NATIONAL ELECTION MANAGEMENT COMMISSION

(Official figures as of 20 January 1949)

C O P Y

Elections
(D)

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

15 Jan. 1949

MEMORANDUM FOR THE RECORD

SUBJECT: Interpretation of Election Laws

1. Major Daniel Imboden, Chief of the Press Unit, CI&E, informed the undersigned yesterday that he had been asked by representatives of leading newspapers whether the Japanese press has the right, under the provisions of existing elections laws, to support or oppose individual candidates or political parties. In reply Imboden assured the press that the Constitution guarantees this right. (See Tab A for Memorandum prepared by Major Imboden.)

2. Representatives of the National Election Management Commission visited Government Section to express disagreement with Major Imboden's statement. It was held that Japanese newspapers could not support or oppose individual candidates or parties without violating Articles 19 and 21 of the Law Concerning Provisional Exceptions to Election Campaigns, promulgated on 1 July 1948.

3. The undersigned urged the Commission to interpret all provisions of the law in the light of the Constitution and to take account of the intention of the Diet in enacting the election law, which obviously was to afford a reasonable minimum but not necessarily equal opportunity to all candidates. Representatives of the Commission requested opportunity to discuss this question with Major Imboden and to confer with representatives of the Attorney General's Office.

4. At 1715 hours yesterday representatives of the National Election Management Commission, accompanied by a representative of the Attorney General's Office, returned with a long interpretation of the Commission's position, which had been drafted with the assistance of the Attorney General's Office. According to this interpretation activities of candidates and political parties could be fully reported in the press, but if a newspaper should go beyond the point of merely reporting events and urged support or opposition to any candidate or political party it would be guilty of violating the Election Law.

5. Since General Whitney had approved Major Imboden's Memorandum, excerpts were read to the conferees. The Section's support of Major Imboden's position was also expressed. Once again a broad interpretation of the law, with conscious adherence to the principles of the Constitution, was urged. At the conclusion of this conference it was agreed that a number of specific questions of concern to the Commission should be referred to Major Imboden the following day.

6. At the request of General Whitney, the projected conference scheduled to be held at CI&E, was transferred to Government Section in order to permit General Whitney to comment on the issues under consideration. Present in addition to General Whitney were Major Imboden and Jack O'Brien, representing CI&E; three representatives of the National Rural Police; three representatives of the Attorney General's Office; Mr. Unno, head of the National Election Management Commission, and his chief assistant, Mr. Suzuki, and other advisers.

7. Following is the text of General Whitney's statement to the conference:

"I feel that the question immediately before you is a fundamental one. It is our purpose to give all assistance in resolving the question in the interest of the people of Japan.

"There is involved a question concerning freedom of the press, freedom of the individual, and respect for the agencies of the Japanese Government. It is not our purpose to inject ourselves into the operational procedures of agencies of the Japanese Government, but rather to join with you in asserting our desire that no principles of the Constitution be violated by any improper interpretation of existing laws.

"Fundamental to that Constitution is the provision that freedom of expression is guaranteed and that the Government of Japan shall be responsive to the free will of the Japanese people. We do intend to join with you in insuring that these fundamentals of the Constitution are not violated by any law or by any interpretation of the law. Had we felt that the Constitution was violated by any changes in the Election Law under consideration by the Diet, we would have been forced to intervene and to hold up those proposed changes. It is fundamental to the responsibility of this Headquarters to insure that basic freedoms and rights guaranteed by the Constitution are preserved inviolate to the people so long as we are here. We did not intervene in that legislative process because we assumed that the legislation would be broadly construed in the light of the paramountcy of the public interest. For there can be no free and enlightened expression of the people's will unless the people can be fully informed concerning facts about which they are called to register their will.

"Since I have been in Japan I have observed a great tendency on the part of judicial, quasi-judicial, and administrative bodies to place a too literal interpretation on laws and administrative regulations, and I have on numerous occasions urged that official thinking and official interpretations be broadened so as to encompass the public interest. Because after all, the public interest should be master of all official thinking and official action.

"Now that is precisely the issue presently involved: a narrow, literal, arbitrary interpretation of the body of law which governs the elections or a broad statesmanlike interpretation which serves the public interest. My advice to you and to every section of the government here represented, in the

interest of insuring free election and an untrammelled expression of public will, construe all laws which you are called on to administer in the light of constitutional mandates.

"And in so doing, whenever there is doubt in your minds concerning the proper interpretation of laws or regulations you can make no mistake if you resolve that doubt in the interest of free expression. This is a fundamental requirement of all law in Japan. You must understand that it is not necessary that the provisions of the Constitution be repeated in every act of the Diet. Those provisions are superimposed over all laws enacted in Japan. You can never fail in meeting your trust and responsibilities if you read into every law every provision of the Constitution. Apply every law and administer every law as if every provision of the Constitution were written therein. That, of course, gentlemen, is your safest course since your first loyalty and devotion is to the constitution.

"As between obedience to the Constitution and obedience to a law which traverses the Constitution there can be no question in any of your minds as to where your duty lies. So my advice to you is broadly to interpret and apply the election laws, with first concern for preserving to the people and the instrumentalities of the people the freedoms contained in the Bill of Rights of the Constitution. By so doing, and only by so doing, do you recognize the paramountcy of the public interest and serve the people of Japan.

"As you may or may not know, the policies of this Headquarters and more particularly of Government Section, have been to leave the legislative branch and the executive branch and the judicial branch of the Government of Japan free to conduct their own affairs. It is precisely why we didn't intervene when the election laws were considered by the Diet. I'd hate to think that because of this freedom the people of Japan should be subjected to oppressive measures enacted by an agency of the people. I still feel that those measures which the Diet adopted and which you are administering are not of Allied concern unless they are administered in such fashion that they traverse the interests of the people of Japan.

"There is no slightest doubt in my mind that you gentlemen of the Commission, of the police, and of the Attorney General's Office are striving conscientiously to perform your duties. You are confronted with an extremely difficult task and I know you are facing it honestly, fearlessly and faithfully. So don't let anything I say be construed as critical of you or of your efforts because it is not intended in that way. It is your purpose, just as it is our wish, to see in Japan a free and untrammelled election and election campaign, to see that the people of Japan fearlessly and independently record their opinions on election day, and to see that the Bill of Rights of the Constitution is given vital enforcement.

"I agree most fully with views expressed by Major Imboden to the press yesterday or the day before. He will unquestionably discuss this matter with you after I leave. I believe it is absolutely essential to interpret

these election laws in the light of constitutional guarantees. I believe it is essential that the press be accorded complete freedom to register its political views, whether they refer to parties, party platforms, or individuals, whether they are critical or favorable. There is no other way that freedom of expression and freedom of press can be preserved to the people of Japan.

"I believe that those provisions of the election law which interfere with or may be interpreted to restrict the freedom of the individual, whether they be applied to members of the electorate, political parties, candidates, or the press, should be interpreted in such fashion as to insure preservation of individual liberties guaranteed by the Constitution. I recognize that there are some seeming conflicts between the laws and the Constitution. I want to see a broad, statesmanlike interpretation of those provisions, with unfailing devotion to the precepts of the Constitution. This is a challenge to your wisdom, the breadth of your minds and your devotion to the public interest. If any person dares to challenge your action in applying the Constitution to those issues which may arise, thereby preserving inviolate the human rights and freedoms contained in the Constitution, you can place the blame directly on me, the Chief of Government Section.

"If there is any doubt in your minds, resolve it in favor of the citizen and you will never go wrong. Feel free at any time to discuss any of these problems with us. Assume full responsibility if you will, but have no doubt we will back you up one hundred per cent if you follow these precepts.

"That's all I have to say. I hope my position is fully understood. I want to repeat that I intend no criticism of any agency or individual present, that I have complete understanding of the magnitude of the task before you and deep appreciation for the energy with which you are attempting to fulfill that task."

8. At the conclusion of General Whitney's statement Mr. Unno expressed appreciation in behalf of the Japanese officials present. He indicated, however, that Headquarters' advice and guidance might occasionally be requested. Otherwise, there seemed to be full acceptance of the principles enunciated by General Whitney. A few of the questions then raised indicated that they would require assistance in interpreting certain technical provisions of the law in accordance with the principles enunciated by General Whitney.

9. It was agreed that the National Election Management Commission and other agencies of the Japanese Government would make every effort to resolve all future questions and doubts in the light of General Whitney's statement and that all residual knotty questions would be referred to the Headquarters for assistance in developing guidance principles.

/s/Osborne Hauge
/t/O. I. HAUGE
Chief, Public Affairs Div.

DAILY REPORT OF NUMBER OF CANDIDATES

HOUSE OF REPRESENTATIVES

11 January 1949

| POLITICAL PARTIES | TOTAL |
|---|---|
| DEMOCRATIC LIBERAL | 435 |
| DEMOCRAT | 221 |
| SOCIAL DEMOCRAT | 186 |
| PEOPLES COOPERATIVE | 63 |
| SOCIAL RENOVATION | 32 |
| NEW LIBERAL | 14 |
| JAPAN FARMER | 16 |
| FARMER LABOR | 42 |
| COMMUNIST | 116 |
| INDEPENDENT | 194 |
| MINOR PARTIES | 60 |
| TOTAL | 1,379 |

SOURCE: NATIONAL ELECTION MANAGEMENT COMMISSION

Ev[illegible]ING



n-9o

GOVERNOR AMONG DEMOCRAT
ELECTION NOMINEES

JIJI PRESS

TOKYO, Dec. 24 - Governor Saburo Chiba of Miyagi Prefecture, ex-Home Vice-Minister Mikio Suzuki and ex-Agriculture and Forestry Vice-Minister Shigetaro Sasayama are among the 150 official election candidates of the Democratic Party whose names were announced by the party today.

The 77 "new face" Democratic candidates also include Tokuji Tokoname, former Governor of Tokushima Prefecture, and Kenkichi Ishiyama, president of the Diamond-sha, an economic magazine publishing company.

Conspicuously absent from the list of 83 veteran candidates are Giichi Takeda, Tokio Umebayashi and Keitaro Kitaura, who were recently examined by procurators for suspicion of involvement in scandals.

(more)



CHIBA, Saburo

Evening



Ex-President Hitoshi Ashida now in jail, however, is among the official candidates.

Ken Inukai, Wataru Narahashi, Isaji Tanaka and Shigeru Hori, all depurged members, are among the official candidates.

Meanwhile, it was learned that the Democratic Liberal Party has decided to announce the names of its official candidates at noon tomorrow, instead at the party convention today as originally scheduled, because disagreement arose today on the choice of some members as official candidates.

- - - -

s/n

Talk to OKADA

29 November 1948

MEMORANDUM FOR MAJOR NAPIER

SUBJECT: Ordinance Concerning Acception for Candidacy of Persons Without the Certificate of Eligibility.

1. The subject draft ordinance was disucssed with Dr. Williams, Major Harris and Captain Diamantes, the following comments were received:

a. Article I of the draft ordinance would permit any person who has not been issued a certificate of eligibility to run in the coming elections. It would, therefore, even permit persons who had already been designated as purgees, either during the course of the provisional designation program, or subsequent to screening, also to run. In order to avoid such a possibility it is recommended that the phrase "providing that he has not been designated as a purgee" be inserted following "any person" (line 4). Captain Diamantes further recommends that any persons who desires to run in the coming elections submit a certificate to the prefectural governor, who has jurisdiction over that candidate to electoral district, which states that that person has not been designated as a purgee.

b. Article II provides that a person may receive a temporary certificate of eligibility providing that he submits a questionnaire within ten (10) days from the date of promulgation of the election. It is believed that an individual could, if he wished, unduly delay his screening by not submitting a questionnaire until the last day provided for. It is, therefore, recommended that instead of the phrase "within the period prescribed in the preceding article", the phrase "at the same time that an individual files an application for his candidacy" be substituted.

2. It is believed that the basic recommendation of the Japanese Government in this instance is acceptable. Not to allow an individual from running in the forthcoming elections because of the fact that he has not received a certificate of eligibility would give an undue advantage to those people who have in their possession these certificates, and would serve as a deterrent to any new faces appearing on the political scene. Inasmuch as the purge was designed to eliminate certain groups from the field of public service, at the same time allowing "new blood" to enter into this field, it is believed that the basic recommendation of the Japanese Government is consonant with the basic policies of the purge.

3. Dr. Williams endorsed the Japanese Government's proposal in principle completely. Major Harris and Captain Diamantes concurred except for the minor changes as recommended above.

Hans H. Baerwald
HANS H BAERWALD
1st Lieut Inf
Statistics and Review Branch

OK

Received OKADA
29 NOV 48

Prime Minister's Office Ordinance No.

In conformity with the Imperial Ordinance No. 542 of 1945 concerning the Orders to be issued in consequences of the acceptance of the Potsdam Declaration, ordinance concerning exception for candidacy of person without certificate of eligibility shall be stipulated as follows:

Article I. Exclusively in the general election of the members of the House of Representatives to be held for the first time after the enforcement of this ordinance, within ten days as form the day of the promulgation of the date of election, any person who has not been determined as not falling under the Memorandum by the Prime Minister may submit a temporary certificate issued by the prefectural governor instead of a copy of a certificate prescribed in Article VIII, paragraph 1 of the Imperial Ordinance No. 1 of 1947.

Article II. Any person who desires to be issued the certificate prescribed in the preceding article, irrespective of the provisions of Article VIII of the Ordinance concerning the Enforcement of the Imperial Ordinance No. 1 of 1947 (Cabinet and Ministry of Home Affairs Ordinance No. 1 of 1947), shall submit three copies of questionnaire to the prefectural governor under whose charge the electoral district of the applicant is located, within the period prescribed in the preceding Article .
Upon acceptance of the questionnaires prescribed in the preceding paragraph, the prefectural governor shall immediately issue to the person in question a temporary certificate in the form attached hereto, and

forward to the Prime Minister two copies of questionnaire and to the electoral administration committee concerned another copy.

The electoral administration committee that has accepted the questionnaire in accordance with the provisions of the preceding paragraph shall immediately serve it to the public inspection.

Article III. The Prime Minister, upon acceptance of the questionnaire in accordance with the provisions of the preceding article, paragraph 2, shall examine it by seven days before the date of election and determine whether as falling under the Memorandum or certify as not falling thereunder.

The Prime Minister, in case he certifies in accordance with the provisions of the preceding paragraph that the person in question does not fall under the provisions of the Memorandum, shall immediately issue him the certificate of eligibility and notify to the same effect the prefectural governor concerned.

Upon acceptance of the notification under the preceding paragraph, the prefectural governor, shall immediately notify to the same effect to the presiding officer of election concerned.

The person who has filed in accordance with the provisions of Article I a notification of candidacy or a notification of recommendation for a candidate with a temporary certificate issued by the perfectural governor, in case the candidate in question is determined that he does not fall under the Memorandum, shall immediately file a copy of certificate of elegibility with the presiding officer of election concerned.

As to the person who has filed candidacy with a temporary certificate issued by the prefectural governow in accordance with Article I, if within five days preceding the date of election in case he does not submit a copy of certificate of eligibility prescribed in the preceding paragraph and in case the notification under paragraph 3 does not reach the pregiding officer of election, he shall be deemed to

have with drawn his candidacy.

As to the person who was deemed in accordance with the provisions of the preceding paragraph to have with drawn his candacy, the provisions of the principal clause of Article 68, paragraph 3 of the Election Law of the Members of the House of Representatives (Law No 47 of 1925) shall not be applied.

## Supplementary Rule

This Ordinance shall come into force as from the day of its promulgation.

## Temporary certificate

Address

Name

born on

It is certified that the above has submitted questionnaires to the Prefectural Governor in accordance with the provisions of Article II, paragraph 1 of the Prime Minister's Office Ordinance No. 1948.

(Sig.)_____
Prefectural Governor

Remarks:

After ten days as from the day of the promulgation of the date of election any person shall not notify candidacy or notify recommendation for a candidacy with this certificate.

Imprint Not Ordinance File

Received KADA 29 NOV 48

Chapt VII. Candidates & Persons Elected

Article 67. A person who desires to be a candidate shall so notify the chairman of election between the date when the date of election is proclaimed and the tenth day before the date of election.

When a person whose name is registered in the electoral list desires to name a candidate other than himself, he may make the recommendation with the consent of the candidate during the period set forth in the preceding clause.

In case the number of candidates named during the period stated in the two preceding clauses exceeds the number of members to be elected, when candidates die, or withdraw candidacy after the period stated, notice or recommendation of candidates may be made according to the two preceding clauses by the third day previous to the date of election.

A person who has become a candidate in the election district shall not notify his candidacy or approve the notification recommending him as a candidate in another election district.

The notice specified by Paragraph 1, 2 and 3 concerning public officials of the State and local public entities who, in accordance with the provisions of law, are prohibited to concurrently hold the office of Membar of the House of Representatives, shall not be filed unless after the person concerned has resigned the office of public officials.

When a public official of the State or a local public entity who, in accordance with the provisions of law, is prohibited to hold concurrently the office of Member of the House of Representatives, has notified his intention to resign his office in order to be a candidate, he shall be deemed to have resigned his office on the tenth day after the notification, in spite of the provisions of the law and ordinance relative to the retirement of the public official concerned, in case he was not able to resign within ten days of the notification.

A candidate may not withdraw his candidacy without notification to the chairman of election.

In case the person who filed the notice specified in Paragraphs 1, 2 and 3, has assumed the post of public official of the State or local public entities, which is prohibited to be held concurrently with the membership of the House of Representatives he shall be regarded as having cancelled his candidacy for Diet membership.

On receipt of notice under the Paragraph 1, 2, 3, and 7 of this article or on the death of a candidate or his coming under the provision of the preceding paragraph, the chairman of election must immediately publish the facts.

Article 68. The person who desires to enter for candidacy or who desires to recommend a candidate shall deposit 30,000 yen in cash or national bonds of the same face value for each candidate.

The deposit made in accordance with the preceding clause shall belong to the government in case the total votes for the candidate are less than one fifth of the number of the valid votes obtained by respective candidates divided by the number of members to be elected in that election district.

The provisions of the preceding clause shall be applied to candidates who withdraw within ten days of the date of election, unless such withdrawal is due to loss of eligibility, and coming under the provision of paragraph 8 of the preceing Article.

Article 69. The candidate who has obtained the greatest number of valid votes shall be declared elected. However, the number of votes obtained shall not be less than one-fouth of total number of the votes, obtained by respective candidates, divided by the number of members to be elected from the district.

In determining the person elected, in case the number of ballots obtained by the candidates is the same; and the choice is determined by lot, the chairman of election shall hold a drawing at the election meeting.

In case the person elected may be determined without holding a new election in consequence of a suit instituted under Article 81 or 83, the person elected shall be determined at an election meeting.

When a person elected either declines the election or dies or when his election has been invalidated according to the provisions of Article 70, the person elected shall be determined immediately at an election meeting from among those persons who have obtained the quota mentioned in the proviso of the first section of this article but have not been elected.

When any of the causes mentioned in Article 75, Para. 1, Items 5 and 6, occurred during the period stipulated in Article 73, Paragraph 1, and there are persons who have obtained such number of votes as mentioned in the proviso of Para. 1, or when such a case has occurred after the expiration of the period and, there are persons who have obtained votes and to whom the provisions of Para. 2 are applicable, an election meeting

shall be held to determine the person elected from among the above mentioned persons.

In applying the foregoing three section, a person votes for who comes under the proviso of the first clause and was not elected shall not be declared elected in case he has been disqualified for election after the date of the election.

Ordinance concerning exception for candidacy of person without certificate of eligibility (draft)

Prime Minister's Office Ordinance No.

Article I. Exclusively in the election of the members of the House of Representatives to be held for the first time after the enforcement of this ordinance, within ten days as from the day of the promulgation of the date of election, any person who has not been issued the certificate ~~issued by~~ of eligibility of the Prime Minister on the date of notification of candidacy or notification of recommendation for a candidate may submit a temporary certificate issued by the prefectural governor instead of a copy of a certificate prescribed in Article VIII, paragraph 1 of the Imperial Ordinance No. 1 of 1947.

Article II. Any person who desires to be issued the certificate prescribed in the preceding article, irrespective of the provisions of Article VIII of the Ordinance concerning the Enforcement of the Imperial Ordinance No. 1 of 1947 (Cabinet and Ministry of Home Affairs Ordinance No. 1 of 1947), shall submit three copies of questionnaire to the Prime Minister, through the prefectural governor under whose charge the electoral district of the applicant is located, within the period prescribed in the preceding Article in order to apply for certification that he does not fall under the Memorandum. Upon acceptance of the questionnaires prescribed in the preceding paragraph, the prefectural governor shall issue to the person in question a temporary certificate in the form attached hereto, and

forward to the Prime Minister two copies of questionnaire and to the electoral administration committee concerned another copy.

The electoral administration committee that has accepted the questionnaire in accordance with the provisions of the preceding paragraph shall immediately serve it to the public inspection.

Supplementary Rule

This Ordinance shall come into force as from the day of its promulgation.

Temporary certificate of Application of
Qualifications Examination

Address

Name

born on

It is certified that the above has applied to the Prime Minister for qualifications examination in accordance with the provisions of Article II, paragraph 1 of the Prime Minister's Office Ordinance No. 1948.

(Sig.)_____
Prefectural Governor

IMPERIAL ORDINANCE No. 1 of 1947

Promulgated on 4 January 1947

Article VIII. When a notification of candidacy or a notification of recommendation for a candidate is required for running for election for elective position in the public service, any person who desires to file the notification or the notification of recommendation shall present, attach thereto, to the presiding officer of election or an official corresponding to the above a duplicate of certificate of eligibility to certify that the candidate is not a person who falls under the Memorandum.

The certificate of eligibility prescribed in the preceding paragraph shall be issued, in accordance with the rule laid down by the Prime Minister, by the Prime Minister or by the prefectural governor according to the result of examination conducted by the Public Office Qualifications Examination Committee on the questionnaire submitted by the person in question. (1)

CABINET and HOME AFFAIRS MINISTRY ORDINANCE
No. 1 of 1947

Promulgated on 4 January 1947

Article VIII. A person who desires to file a notification of candidacy or a notification of recommendation for a candidate for any elective position in the public service shall apply, in the case of a candidate for positions to be designated by the Prime Minister as defined in Appendix III, to the Prime Minister, and, in the case of a candidate for positions to be designated by the prefectural governor as defined in the said Appendix, to the prefectural governor concerned, by the date to be set by them, for certification that the person to be the candidate does not fall under the Memorandum.

Any person who desires to apply for the certification prescribed in the preceding paragraph shall file the application, in the case of applying to the Prime Minister, with the Prime Minister through the prefectural governor having jurisdiction over the living place of the applicant, and, in the case of applying to the prefectural governor, with the competent prefectural governor of To, Do, Fu or Ken where the notification or the notification of recommendation will be filed, accompanied respectively, in the former case, with four copies, and, in the latter case, with two copies of the questionnaire, in the Form No. 1 attached hereto.

Upon acceptance of the questionnaire prescribed in the preceding paragraph, the Prime Minister or the prefectural governor shall forward them immediately to the competent Public Office Qualifications Examination Committee for its examination.

The Prime Minister or the Prefectural Governor, when he accepts the questionnaire prescribed in paragraph 2 above, may ask for additionally necessary copies of the questionnaire from candidates whom he deems necessary. (3)

RECEIVED OKADA
27 Nov 48

Subject: On the qualifications examination of public office in the forth coming election.

1. In order to settle the current complicated political situation, it is necessary to have a general election at the earliest possible date after the dissolution of the House of Representatives. Therefore it is desired to promulgate the date of election directly after the dissolution of the House of Representatives, and thence to screen the candidates.

In other words, it is desired to complete for this once the examination after the promulgation by at least a week before the election.

2. The candidates are esteemed to reach about 2,000, of which 20 or 30 per cent seems to need newly screened.

It is conceived, however, that since all the latent purgees have been designated, few will be suspected of falling under the memorandum.

It is not so difficult, therefore, to finish the examination in a short while.

3. The followings are deemed advisable as ways of qualifications examination:

1) Within ten days after the promulgation of the date of election, a person without certificate may file candidacy under the condition to tender a questionnaire to the respective prefectural governor ~~within the said term~~.

at the same time that he files candidacy will submit questionnaire to the prefectural governor

2. Candidates will submit questionnaire to public bureau chief

-4-

2) The prefectural governor sends the questionnaires en bloc to the Prime Minister, who examines them within three days to send back immediately the certificate.

3) Therefore the qualifications examination is completed by at least a week before the date of election, and there can be no fear at all that after the election is over the successful candidate may be designated as purgee.

4) Since the promulgation of the date of election shall be made by 25 days before the date of election by the Election Law, if counted from the date of the Diet dissolution, the above mentioned are sketched as follows:

| Date | |
|---|---|
| 1st | Dissolution of the House of Representatives. |
| 2nd | Promulgation of the date of election |
| 11th | ( In this period, it is admitted to run as a candidate without certificate. Questionnaires are to be submitted ) |
| 12th | ( Questionnaires are sent to the Cabinet ) |
| 13th | |
| 14th | ( Questionnaires are examined ) |
| 15th | |
| 16th | |
| 17th | ( Certificates are delivered ) |
| 18th | |
| 27th | Date of election. |

Maj Napier must call to Messrs House & Wms before General election

FILE UNDER: Election

I N D E X  S H E E T

DATE:

FROM: TO:

Yomiuri

SUBJECT: Screening Rules for Election Announced.

DOCUMENT FILED UNDER: CLASSIFIED FILE:

Publicity for the Purge

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

15 October 1948

MEMORANDUM FOR CHIEF, GOVERNMENT SECTION

SUBJECT: ELECTION RESULTS

1. At about 11:20 last night, Yoshida was directed by the Diet to form a cabinet. Two ballots were necessary in the House of Representatives, and the voting was as follows:

| First Ballot | | Second Ballot | | Breakdown of Yoshida's Vote | |
|---|---|---|---|---|---|
| Yoshida | 184 | Yoshida | 185 | Democratic-Liberals (Yoshida) | 148 |
| Katayama | 87 | Katayama | 1 | Social-Renovationists (Satake, H.) | 18 |
| Miki | 28 | Blank Ballots | 213 | Farmers (Nakano) | 7 |
| Kuroda | 9 | | | Independent Club | 5 |
| Tokuda | 4 | | | New-Liberals | 6 |
| Saito | 1 | | | Non-Affiliated Ind. | 1 |
| Blank Ballots | 86 | | | | |
| Void Ballot | 1 | | | | |

2. In the House of Councillors, only one ballot was taken, and the vote was as follows:

| | |
|---|---|
| Yoshida | 144 |
| Katayama | 29 |
| Matsudaira | 9 |
| Miki | 6 |
| Kuroda | 15 |
| Tokuda | 4 |
| Sionji | 1 |
| Blank Ballots | 5 |

3. Yamazaki's resignation was accepted prior to balloting for Premier by a vote of 273 to 125.

4. This information was furnished by Dr. Williams.

J. P. N.

Re: Questionnaire of Candidate for
Member of Educational Commission

As stated in the previons notice, the screening of the member of the Educational Commission is to be conducted post factum, i. e. after the consent of the candidate being given to his election. For fear of eventual misunderstanding we hereby notify again that the provision of Essentials of Screening Business III "5 Questionnaire of candidate for public election" in Annex (II) to Cabinet Notification Jin-shi No. 14 dated Jan. 27, 1947 shall not be applicable, as a matter of course, to the candidate for member of the said Commission.

昭和二十二年一月二十七日内閣人資第一四号 通牒抜萃

## 資格審査事務要領

一、略

二、〃

三、調査表の取扱

1、略

2、〃

3、〃

4、〃

5、公選による候補者の調査表

公選による公職の候補者については、4に述べた外に調査表を一通（合計市委員会五通、都道府県委員会及び中央委員会四通）徴しなけ

ればならない。同調査表に審査の結果を記入したならばその候補者が立候補する当該選挙の選挙管理委員会に送付しなければならない。

調査表は右事務所において公衆の閲覧に供しなければならない。

候補者の調査表は誰でも閲覧できることおよびその場所を各市町村の公示板に掲示しなければならない。

若し立候補する選挙区が調査表を提出した住居地の都道府縣と異るときは、特に更に一通（合計五通）を徴し、その内一通を住居地の地方長官の参照用とすること。

6、以下略