

GHQ/SCAP Records(RG 331)
Description of contents



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PUBLIC ADMINISTRATION
DIVISION

2 Aug 1946

TO:

CHIEF _____
DEPUTY CHIEF _____
CHIEF CLERK _____

LEGISLATIVE & LIAISON BR) _____
_____) _____

POLITICAL PARTIES BR) _____
_____) _____

GOVERNMENTAL POWERS BR) Mr. [Signature]
_____) Consent all

LOCAL GOVERNMENT BR) _____
_____) _____

OPINIONS BR) _____
_____) _____

REVIEWS AND REPORTS BR) _____
_____) _____

FOR:
INFORMATION _____
ACTION _____
APPROVAL _____
INITIAL _____
RECOMMENDATION _____
COMMENT OR DISCUSSION _____
POLICY BOOK _____
P A FILES _____

REMARKS:

For opinion
gw

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheets)

File No:

Subject: Young Persons' Prohibition Law

NOTE NO.

FROM: A. C. Oppler
Govt. Sec.

TO: Capt. J. Williams

DATE: 2 August 1946

1. At first sight, the proposed Bill serves the sound purpose of protecting young people from twenty to twenty-five years from the harmful physical and social effects of alcoholic abuse.
2. Yet the Bill is another expression of the deeprooted Japanese ideal of the paternalistic state. It will mean increased regimentation of the people and extend police activities to another field. Adolescents up to twenty years of age are already protected by the existing law, and that is desirable and reasonable. However, a person who has reached the age of twenty and is considered mature enough to exercise his or her political rights by voting, ought to be treated as an adult with full responsibility for his or her acts. Only if the young Japanese learn to control their individual passions even without the threat of police and prison, will they be able to revive and strengthen democratic tendencies and to establish respect for the fundamental human rights, as the Potsdam Declaration expresses it.
3. I wish to draw your attention particularly to Art. III and V of the Bill. According to these provisions the Police Office may warn violators of the law. After a violator has been warned three times and continues to drink, he will be punished. Not much imagination is needed to predict how these provisions will be handled in practice. They will give the police an excellent and welcome opportunity to spy on young people and

to intimidate them. Young people will live again in constant fear of the police, since they cannot possibly refrain from the use of alcohol completely. Unreasonable police officers might go so far as to prevent them from drinking a glass of beer or saki during a harmless birthday celebration. However, if anything must be avoided, it is the fear of the police, because it has been and still is this very fear which has made the Japanese people subservient to the authority of "the state."

4. Finally, the experience of the United States with regard to prohibition has taught us that to make drinking a criminal offense for adults does not work.

5. The question whether SCAP should object to the enactment of the proposed law is, of course, a question of policy which depends upon the extent of the "hands off" principle. I believe that the issue is important enough to submit it to the decision of the Chief, Government Section.

A. C. Oppler