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PRESS CONFERENCE 1

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PC1

PURPOSE OF PURGE PROGRAM CLARIFIED

TOKYO 28 The scope and operation of the purge program and the effect it has on the coming elections were clarified by a representative of the Government Section of SCAP at this morning's GHQ press conference.

The official emphasized that the success or failure in carrying out political, social and economic reforms will determine the degree to which the present and future generations of Japan will benefit from the rights and privileges guaranteed to them by their new Constitution. The elections in April constituted, he said, a challenge to the people to test their capacity to choose a government capable of leading them to a full realization of the benefits inherent in a democratic state. While public knowledge of basic issues and methods to deal with them represents one of the conditions influencing the effective exercise of the voting power, another is the continued exercise or acquisition of influence and power in government, and in social, political and economic institutions by persons who were responsible for the suppression, excessive regimentation or exploitation of the people and who developed and executed a series of wars.

ELIMINATION OF UNDESIRABLE PERSONS It is to eliminate these undesirable persons from public life that the Japanese Government issued purge ordinances on January 4, 1946, and extended by other ordinances on January 4 of this year. The SCAP representative emphasized that with the responsibility for the successful accomplishment of the purge program lying not only with the Government but also with the individual citizens, it is essential that the press and other media of public information transmit necessary information to the people regarding the purge and its scope.

ADMINISTRATION OF PURGE The purge program is based on SCAPIN 550 of 4 January 1946 as implemented by Imperial, Cabinet and Home Affairs Ministry ordinances. The Government is responsible for the administration of the program, and public office qualifications screening committees have been set

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up on prefectural, city and municipal levels responsible to a central screening committee.

All persons occupying positions designed as principal public office and all candidates for appointment or election to a principal or ordinary public office who have not been previously screened under Imperial and Cabinet ordinances of 1947 are subject to screening. A principal public office in the national government means one filled by a chokunin-kan or higher or its equivalent. All other positions are ordinary public office. In prefectural, city, town or village government and in organizations listed or referred to in Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947, principal public office means only those positions specifically designated by title under the appropriate provisions of the ordinances. All others are known as ordinary public office.

UNDESIRABLE PERSONS War criminals, career military and naval personnel, members of special police, officials of war ministries, influential members of ultra-nationalistic, terroristic or secret patriotic associations, or active in the IRAA, IRAPS and the Political Association of Great Japan, officers of financial and development organizations involved in Japanese expansion and militarists and ultra-nationalists are subject to disqualification under the purge program.

With questionnaires to be filled out by all persons subject to screening, the screening committees will announce where these documents are available, and the public will be free to examine them. Candidates for public office will thus come under the scrutiny of the voters. A maximum penalty of three years' imprisonment and 15,000 yen fine are provided for in the event of falsification or omission of information.

PURGE NOT PUNITIVE MEASURE The SCAP representative declared that the purge is not used or considered as a punitive measure but as a technique to eliminate or prevent the continuity of influence or exercise of power by undesirable persons.

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~~FULL STATEMENT~~

The enforcement of the new Constitution on the third of May inaugurates perhaps the most significant period in Japan's history, a period which will provide one of the most important chapters of contemporary history, a period marked by the concerted effort of its people through the machinery of a democratic government to reform, peacefully and through non-violent means, its political, social and economic structure on a scale and on a time-schedule unprecedented to date.

Success or failure in carrying out these reforms will determine the degree to which the present and future generations of Japan will benefit from the rights and privileges guaranteed to them by their new Constitution. This vast reform program, however, requires the full cooperation of every citizen of Japan.

RESPONSIBILITY FOR PURGE PROGRAM Specifically, the responsibility for this program is shared by the Government, private economic enterprise and the cultural institutions. All of these groups are charged with full responsibility - and are mutually inter-dependent.

The elections scheduled during the month of April constitute a challenge to the Japanese people which will test their capacity to choose a government capable of leading them to a full realization of the benefits inherent in a democratic state.

Two conditions, however, limit the full and effective exercise of power by the people. These conditions are:

1. The degree of knowledge possessed by the people concerning basic issues and the methods to be used in dealing with them.

2. The continued exercise or acquisition of influence and power in Government and in social, political and economic institutions by persons who were responsible for the suppression, excessive regimentation or exploitation of the people, and who developed and executed a series of wars, the full consequence of which you are well aware.

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This latter condition can seriously retard the achievement of reforms which the citizens desire and toward which the Government is working.

You are also acquainted with the fact that the Government last year on the 4th of January undertook a systematic program for the detection and elimination of these undesirable persons from public life, and that on 4 January of this year the Government promulgated Imperial and cabinet ordinances extending this program to local government and to influential political and economic posts.

The Government, however, cannot be charged with sole responsibility for the successful accomplishment of the purge program. All private citizens share this responsibility. The Government can successfully administer this program only with the full and intelligent cooperation of the people.

NEED FOR INFORMATION The people can cooperate effectively only if they possess the necessary information.

The transmission of necessary information to the citizens of Japan is the moral, if not the technical, responsibility of the press and other public information media. To date the press has not fully discharged this responsibility.

You are urged, therefore, to make the utmost effort to inform every responsible citizen in Japan of his responsibility in this matter and of the manner in which he can effectively assist his Government.

CLARIFICATION OF PURGE ORDINANCES All of you know the provisions of the so-called Purge ordinances of 1946 and 1947. It is not necessary to review them. However, certain recent press and editorial comments and requests for information which have been received by the Government and SCAP indicate a certain lack of understanding concerning certain provisions of the ordinances, the general method by which the Purge program is being administered by the Government, and the manner in which the public may participate.

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Some of the most significant questions and matters requiring clarification are:

LEGAL BASIS OF PURGE

1. WHAT IS THE LEGAL BASIS OF THE PURGE?

A: The Program for the removal and exclusion of undesirable personnel from public office is based upon SCAP Instruction 550 of 4 January 1946, as implemented by Imperial and cabinet and Home Affairs Ministry Ordinances.

ADMINISTRATION OF PURGE

2. HOW IS THE PURGE PROGRAM ADMINISTERED AND WHO IS RESPONSIBLE?

A: The Government is responsible for the administration of the Purge program in accordance with the provisions of Imperial ordinances Nos. 1 and 2 of 1947, and cabinet and Home Affairs Ministry Ordinance No. 1 of 1947, and such amendments and interpretations as may be subsequently issued.

The mechanics of administration are based upon a public office qualifications screening system consisting of a central screening committee responsible to the Prime Minister and 46 prefectural committees including the Metropolis of Tokyo and the five principal cities of Osaka, Kobe, Yokohama, Kyoto and Nagoya. The committees of the 41 prefectures, including the metropolis of Tokyo, are responsible to their respective governors, and the committees of the five principal cities are responsible to their respective mayors. Furthermore there are 118 municipal committees in cities with a population of 50,000 or more who are responsible under their respective mayors to the governors of the prefectures in which they are located.

The Prime Minister makes the final decisions on cases screened by the central committee. The governors and the mayors of the 5 principal cities make all final decisions on cases screened by the committees under their jurisdiction. The mayors of the 118 cities having municipal committees recommend action on cases screened by their respective committees to the governor of the prefecture or metropolis of Tokyo or the mayor of any of the five principal cities in which they are located.

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DEFINITION OF PUBLIC SERVICE

3. WHAT IS THE DEFINITION AND SCOPE OF PUBLIC SERVICE?

A. The term public service includes:

- a. National, prefectural, city, town and village governments.
- b. The Imperial Diet, commissions or committees at the prefectural level or above, provided by law and ordinance, and in the case of land committees includes those of cities, towns or villages.
- c. Organization, etc. listed under the following categories in Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947:
 - 1) Special companies, corporations (Eidans) special banks and other companies in which the government or listed organizations of this type, are the largest stockholders.
 - 2) Companies or other corporations designated under the temporary supply and demand adjustment law.
 - 3) Organizations established under special legislation, organizations subsidized by the government or corresponding organizations serving the public.
 - 4) Principal newspaper companies, news agencies, publishing companies, motion picture and theater companies, broadcasting corporations and other media of mass communication.
- d. Political parties represented in the Diet and their branches and other organizations required to file a declaration under the provisions of Imperial Ordinance No. 101 of 1946.

DEFINITION OF PUBLIC OFFICE

4. WHAT DO THE TERMS PRINCIPAL PUBLIC OFFICE AND ORDINARY PUBLIC OFFICE MEAN?

- a. Principal public office in the national government means any position customarily filled by a person with a civil service rank of Chokunin or above, or its equivalent, or any person not a member of the civil service having an equivalent or superior rank.
- b. Ordinary public office in the national government means all other positions, including the lowest civil service rank or its equivalent.

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c. Principal public office in the prefectural city, town or village government and in the organizations listed or referred to in Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947 means only those positions specifically designated by title under the appropriate provisions of the ordinances.

d. Ordinary public office in the case of prefectural, town, city, or village governments means all positions other than those designated as principal public office.

e. Ordinary public office in organizations listed under the various categories enumerated in Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947 means only those persons specifically designated as such by title. It does not include undesignated positions of lesser importance.

SUBJECTS FOR SCREENING

5. WHO IS SUBJECT TO SCREENING?

A. All persons occupying positions designated as principal public office and all candidates for appointment or election to a principal or ordinary public office in the public service who have not previously been screened under the provisions of the Imperial and Cabinet Ordinances of 1947 previously referred to.

UNDESIRABLE PERSONS

6. WHO IS SUBJECT TO DESIGNATION AS AN UNDESIRABLE PERSON AND SUBJECT TO REMOVAL OR EXCLUSION FROM THE PUBLIC SERVICE?

A. The following types of persons, as specifically defined in Appendix I of Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947 are subject to disqualification:

- a. War Criminals.
- b. Career military and naval personnel, members of special police and officials of war ministries.
- c. Influential members of ultra-nationalistic, terrorist or secret patriotic societies.
- d. Persons influential in the activities of IRRA, IRAPS and the Political Association of Great Japan.

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e. Officers of financial and development organizations involved in Japanese expansion.

f. Additional militarists and ultra-nationalists. This category is specifically elaborated in an interpretation of Category "G" of SCAPIN 550 by the Japanese Government, which is appended to and forms an integral part of the Cabinet and Home Affairs Ministry Ordinance No. 1 of 1947.

NON-SUCCESSION PROVISIONS

7. WHAT ARE THE NON-SUCCESSION PROVISIONS OF THE PURGE ORDINANCES?

A. The so-called non-succession provisions refer to a provision in two different Imperial Ordinances, namely, Imperial Ordinance No. 1 of 1947, to the effect that any person who is a relative within the third degree of relationship by blood, marriage or adoption of any person designated as a purgee shall be ineligible for a period of ten years from the date of designation to succeed or be appointed to any position or positions in the public service from which the purgee has been removed or specifically barred, or to exercise any of the powers of the latter. A person affected by this provision is not, however, designated as a purgee or prohibited from being appointed to any other position in the public service, or from being a candidate for election to any public office, unless he is disqualified by some other provision of the ordinances. The second non-succession provision refers to the provision of Imperial Ordinance No. 3 of 1947 to the effect that persons who have held the position of mayor or deputy mayor, headman of a ward in Tokyo metropolis, headman or deputy headman of town or village, consecutively from the day of or prior to 1 September 1945 shall be barred even though they do not fall under the pertinent provisions of Imperial and Cabinet and Home Affairs Ministry Purge Ordinances. Persons affected under this provision are likewise not barred from appointment or election to any other position in the public service unless they fall under other disqualifying provisions of pertinent purge ordinances.

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PENALTY PROVISIONS

8. DO THE ORDINANCES PROVIDE PENALTY PROVISIONS

A. Yes. Imperial Ordinance No. 1 of 1947 contains a clause providing for a maximum penalty of three years' imprisonment or a 15,000 yen fine for persons convicted of falsifying entries or of omitting information from their questionnaires on relevant and material matters or who otherwise fail to comply with official instructions concerning the screening procedure to which they are subject. The penalty provision is also applicable to persons violating various injunctions, of which the following are of particular significance:

1. Prohibition against any purgee maintaining the continuity of his influence or power through any person in the public service or in specified organizations;

2. Prohibition against any person in the public service seeking or accepting advice or guidance from a purgee;

3. Prohibition against any purgee occupying a position in a newspaper, magazine or other publishing company, broadcasting corporation, companies producing motion pictures or theatrical presentations, or companies controlling any other media of mass communication;

4. Prohibition against any purgee entering the premises of the governmental entity or other organization from which he has been removed or specifically barred.

APPEALS BY PURGEES

9. CAN PERSONS DESIGNATED AS PURGEES AND REMOVED OR BARRED FROM PUBLIC SERVICE APPEAL FOR RECONSIDERATION, AND IF SO, TO WHOM DO THEY APPEAL?

A. Yes. Any person who has been affected by the provisions of the so-called Purge Ordinances may appeal to the Prime Minister directly or through the prefectural governor if the prefectural governor was responsible for his designation.

PRE-ELECTION SCREENING

10. WILL ALL CANDIDATES FOR ELECTIVE PUBLIC OFFICE BE SCREENED BEFORE THE ELECTION?

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All candidates for membership in the House of Souncillors and the House of Representatives, Governors of Prefectures, including Tokyo-to, mayors of cities and headmen of towns and villages will be screened before they are allowed to campaign for election. An exception, however, is made in the case of candidates for a prefectural, city, town or village assembly, in view of the tremendous number of applicants and of the limited time available before the elections. All candidates for these positions, however, must file a questionnaire in accordance with the regular procedure and such questionnaires will be made immediately available for public inspection and their names listed on special bulletins which are posted for public inspection.

PUBLIC INFORMATION ON SCREENING.

11. HOW CAN THE PUBLIC OBTAIN INFORMATION CONCERNING THE SCREENING PROGRAM?

A. The Government, through the Prime Minister, the Governors and Mayors of the five principal cities, will release to the press, and post every two weeks, bulletins for public inspection listing the names of all persons whose cases have been reviewed by Screening Committees and on whom final action has been taken. These bulletins will indicate whether the persons have been passed, removed or barred from the public service, as well as the availability and location of questionnaires of the persons listed thereon for public inspection. The questionnaires of the persons whose names appear on the bulletin will be available for public inspection together with copies of the purge ordinances at the offices of the screening committees concerned. The questionnaires of candidates for elective positions will also be available at the office of the Appropriate Election Administration Committee. The public should make full use of their prerogative to examine the questionnaires of candidates for appointive and elective office. It is of particular importance that the public report to their respective Governors or to the Prime Minister any instances of falsification or omission of relevant

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or material information in the questionnaires which they examine, as well as violations of the injunctions previously referred to and of mal-administration by any official connected with the administration of the Purge.

NO. TO BE SCREENED

12. HOW MANY CANDIDATES FOR ELECTIVE PUBLIC OFFICE WILL BE SCREENED BEFORE THE ELECTION?

A. The Government estimates that there will be a total of 70,000 candidates for governor, mayor and headman, and member of the House of Councillors and House of Representatives, out of which 10,563 officials will be elected. It also estimates 26,200 holders of principal public office in local government and organizations listed in the Purge Ordinances who will be screened before the elections are completed. This makes an estimated total of 96,200 persons whose screening will be completed by the 10th of May. The Government also estimates that there will be 1,111,500 candidates for prefectural, city, town and village assemblymen, of which 222,300 assemblymen will be elected and postscreened.

PURGE NOT PUNITIVE MEASURE.

13. IS THE PURGE A FORM OF PUNISHMENT FOR PEOPLE CONSIDERED UNDESIRABLE?

A. No, the Purge Ordinances are not either in conception or in administration considered or used as a punitive measure. The Purge Ordinances and Screening System are a technique designed to eliminate or prevent the continuity of influence or exercise of power by persons who are designated as undesirable personnel under their specific provisions and the Government will consider and correct any injustice in an individual case whenever reasonable proof of error or injustice is submitted.

The answers to the above questions represent the minimum amount of information required by any public spirited citizen who desires to share in the administration of his Government and to exercise his prerogative in the selection of its public officials. It is, therefore, your duty and responsibility to see that this information is transmitted to the public.

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TOKYO TRIALS

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FIRST JAPANESE WITNESS FUJITA TESTIFIES

TOKYO 28 Interrogating for the Defense, Dr. Ichiro Kiyose introduced as the first Japanese witness, Mr. Tsuguo Fujita, 1910 graduate of the Imperial University law course and later counsellor of the War Ministry, who, as an authority on the Japanese Constitution and military regulations of Europe and America, outlined the fundamental principles underlying the Japanese Constitution.

Interrupting his direct examination, Dr. Kiyose challenged the statement made previously by Brigadier Henry Nolan concerning the division of power within the Japanese Government. The President, however, cautioned the Counsel not to make his own interpretations regarding the Constitution, but read to the witness such parts of the Brigadier's statement as he thought conflicting.

Referring to the supreme command and military administration, Fujita pointed out that the army and naval general staffs handled mobilization and operations plans, battle array, and field service regulations. As for military matters, explained the witness, the chiefs of the ministries were responsible. Mixed matters were disposed of through consultation between the military ministers and their respective chiefs of staff. But in supreme command matters, the ministers had no say, said Fujita.

COUNSEL LEVIN LEAVES FOR CHINA

Meanwhile it has been disclosed that Mr. Michael Levi, Counsel for Suzuki and Kaya, has today departed for China to gather data and affidavits necessary for the defense of his clients.

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