

22. Memorandum to Supreme Commander, dated 19 February 1946, referring to Shirasu visit, requesting extension.

OSD REVIEWED 08-Feb-2011: NO OBJECTION TO DECLASSIFICATION

TOP SECRET

GENERAL HEADQUARTERS
 SUPREME COMMANDER FOR THE ALLIED POWERS
 Government Section
 Public Administration Division

18 February 1946

MEMORANDUM FOR THE RECORD:

SUBJECT: "Supplementary Explanation of Proposed Constitution Revision"
 Presented by Mr. Shirasu

1. Attached is a letter from Dr. Matsumoto, (Minister without Portfolio and Chairman of the Cabinet Constitutional Revision Committee), inclosing a "Supplementary Explanation" concerning his proposed constitutional revision. The letter and explanation were delivered personally to the Chief, Government Section, by Mr. Jiro Shirasu (close associate of Foreign Minister Yoshida) at 1530 hours today.

2. The "Supplementary Explanation" consists of an argument in favor of the Matsumoto draft constitution and against the draft constitution which I submitted to Matsumoto and Yoshida on 13 February. The gist is an argument that the Matsumoto draft constitution "is a tablet, sugar coated, for the benefit of the masses" but not too "fundamental or radical" so as to "shock the moderates, and cause them to assume an antagonistic attitude toward democracy itself." Dr. Matsumoto points to the Weimar Constitution of 1919 as proving conclusively the fact that the constitution of a country can achieve the desired ends only when it is adapted to its natural circumstances."

3. The Matsumoto memorandum is frivolous in concept, contentious in tone, and calculated to probe our lines to determine whether we meant what we said at the conference at the Foreign Ministers. He goes to the extreme in this memorandum of correcting typographical mistakes in his original memorandum, explaining the Matsumoto draft and thereby tries to regain the initiative by embroiling us in a discussion of his draft.

4. Accordingly, when General Whitney finished reading the memorandum, he asked Mr. Shirasu if he was familiar with the contents and upon receiving a negative answer, he asked him to read it. When he had finished reading it, General Whitney said: "This memorandum by Dr. Matsumoto is a repetitious defense of his draft of constitution which, as I have previously stated, has been rejected by the Supreme Commander as an instrument affording the opportunity to the people of Japan for the freedom and democracy to which they are entitled. The Supreme Commander has approved the proposed constitution which I presented to Dr. Matsumoto and Mr. Yoshida last week, and he is determined that the principles embodied in the proposed constitution shall be brought before the people and that the people shall have an opportunity for a full and free explanation thereon." General Whitney then asked Mr. Shirasu if the so-called "supplementary explanation" represented the views of the cabinet to which he replied that he thought it did not but that it represented Dr. Matsumoto's views. General

-2-

Whitney then asked him if the draft of constitution which he had submitted had been presented to the cabinet, to which Mr. Shirasu replied that it had been, whereupon General Whitney said to Mr. Shirasu, "The Supreme Commander is determined that the people of Japan shall have an opportunity to pass upon the constitution principles contained in the document transmitted by me the other day. This does not mean that minor variations, the better to adapt it to the understanding or requirements of the people, are not acceptable. The Supreme Commander, however, is insistent that the principles embodied in the draft constitution which I submitted must be maintained; therefore, unless I hear from the Cabinet within 48 hours that the principles of the constitution which I submitted are acceptable to the Cabinet, and will be sponsored by it before the people, the Supreme Commander will take the constitution to the people directly and make it a live issue in the forthcoming campaign in order that the people will have the opportunity to enact this constitution."

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

MEMORANDUM FOR THE SUPREME COMMANDER:

19 February 1946.

Mr. Shirasu called at my office at 1530 and advised that he was directly representing the Cabinet whom he had just left in session; that the Cabinet requested a forty-eight hour extension of the time I gave them yesterday in which to accept the principles of the constitutional draft I submitted at the conference on the 13th.

I asked Mr. Shirasu as to the actual purpose for this delay. He informed me that our constitution was being translated by a trusted translator into Japanese as most members of the Cabinet could not speak or understand the English language, and as a consequence required a Japanese translation in order to fully understand the same. He stated that the complete translation would not be available until to-morrow afternoon. I informed Mr. Shirasu that I considered the request for forty-eight hours extension was quite reasonable as I felt sure that if the document was fully understood the members of the Cabinet would see in it a means of protecting the dignity and person of the Emperor and the Imperial institution in modified form; a means of assuming a moral leadership among other nations of the world; a means of gaining great favor among the Allied nations; and a means of sharply reducing the period of Allied control over Japan. I told him that if the members of the Cabinet thoroughly understood the principles embodied in that document I would lay everything I had on their immediate and wholehearted acceptance of them. For that reason I was entirely in accord with the proposition of giving them the time to reach such thorough understanding, but that it was in their interest to reach a decision earlier, if at all possible to do so, and communicate that decision at once to this headquarters, without waiting for the expiration of time agreed upon - this in the interest of the preservation of secrecy and the time element involved as well. I requested that I be furnished with a copy of the Japanese translation just as soon as it was completed.

To all of the above Mr. Shirasu agreed without hesitation, and left my office with the greatest display of relief, saying that he would rejoin the Cabinet immediately, and that the Cabinet proposed to remain in session constantly until the matter was disposed of.

I think there is no doubt now but that the Cabinet will accept these principles and get into the swing of this thing as they finally did into compliance with the "purge" directive. There was no weakness in my agreement to extend the time given them yesterday as I promised it on both the necessity and the value of a complete understanding of the document by the members themselves - showing every confidence that if the document was understood there was no doubt as to the action which the Cabinet would take thereon. I think there is no doubt.

Mr. Shirasu repeated to-day that following our conversation yesterday was the first time our constitution had been placed before the entire Cabinet. Heretofore I have been inclined to doubt the truth of this statement but it may be that the most reactionary element of the Cabinet (Matsumoto, Yoshida et al) has been trying to play a lone hand without taking the more liberal element into its confidence, until they were forced to do so by the position I took yesterday.

C.W.

RGFME.

I believe that the analysis on the attached memorandum is further borne out by:

- (a) the routine pattern which the Japanese have followed with respect to compliance with all directives of a distasteful nature.
- (b) the fact that this section has received no tip-off of final action by the Cabinet.

The Foreign Minister's statement that he is leaving town may be

- (a) false,
- (b) opposed to the idea that a crisis is imminent, or
- (c) suggestive that he has lost out in his reactionary stand on the constitutional issue.

C.V.

21 Feb 46