

Declassified E.O. 12356 Section 3.3/NND No. 785017

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LOCAL GOV'T POLICY
SEPT. 1944 - MAY 1945

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To see 1-4.

WJH

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6.

Chief Commissioner.

There is much of this which I like and think it would be most beneficial if the proposal were made to the Italian Government.

WJH

21 May 45.

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HEADQUARTERS ALLIED COMMISSION

Office of the Chief Commissioner

APO 394

CONFIDENTIAL

14 May 1945.

MEMORANDUM TO: Executive Commissioner.
Vice President, Civil Affairs Section.

(3) MAY 15 REC'D

The attached document for reorganization of local government in Italy is being submitted to the British and Soviet Governments by the U.S. Department of State for consideration. In the event of their concurrence, official action will be taken to urge the plan upon the Italian Government.

The attached is for your information, particularly with respect to communications which the Commission has had recently with the Italian Government looking to the ~~reorganization~~ ^{provision} of its local electoral procedure.

Ellery W. Stone
ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

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PWC-312
(CAC-294)
September 26, 1944

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ITALY: RECONSTRUCTION OF LOCAL GOVERNMENT
Views of the Inter-Divisional Committee
On Italy

The Inter-Divisional Committee on Italy regards as the preferred solution for the reorganization of local government in Italy: the establishment of A Quasi-Federal State, Composed of Regions, the Regional Governments to Have Only Specified Powers, all Other Powers Being Vested in the National Government.

The Regions

Under this recommendation the fundamental units of local government would be the regions, historical-cultural areas approximately like the compartimenti or regioni which hitherto have been used only for statistical purposes.

Within each region the provinces might be retained as administrative areas. The provinces, as heretofore, would be divided into communes.

Powers of local units

This plan is not federal, but only quasi-federal. Ultimate political authority or sovereignty would pertain to the central government. No region would have power to separate from Italy or to overrule the national law.

The regions, however, would have power, through their own organs, to legislate on and to administer those affairs which the future constitution would specify as regional matters. The precise delimitation of regional powers and functions would be determined by the future Italian constitution. At the same time the constitution would define the powers of communes or municipalities. Once the boundaries of a region were established, they would be subject to change only with its consent. Some organ of the central government, independent of the national legislature, should be established to maintain the observance of the constitutional powers both by the central government and by the regions. This organ might be the Court of Cession (Supreme Court), which could be endowed with the function of interpreting the constitution, or it might be the Council of State, which could be provided with somewhat broader powers as a court of administrative law.

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The regional

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The regional governments would be entrusted with (1) supervision of all elections, national, regional, and communal; (2) supervision of the communes regarding their limits of indebtedness and observation of their powers and functions. The regions would also be entrusted with all those powers which by the law of February 4, 1915 (No. 148) were conferred on the provinces. Precise delimitation of regional powers in legislation, taxation, and administration would, of course, be left to the Italian people to determine. In general, however, it would be essential for the region to have control over regional roads and communications, regional waterways, most aspects of agriculture, local commerce and industry. Most police functions would be performed by the regions and communes. Other functions such as relief, social welfare, education, sanitation, public works and reclamation, might be divided between the central government and the regions.

Form of Regional Government

Each region would have its elective council which would have ultimate authority to make laws or regulations within its sphere of powers. The executive authority within the region would be an executive committee, chosen by the council from among its own members, and responsible to the regional council. One member might be chosen as regional governor or president. Regional administrative officials would be responsible solely to the regional executive. If the office of prefect be retained for administration of the province, the prefect would be responsible solely to the regional executive.

The Communes

Supervision of the communes would devolve essentially on the regions. The national constitution would make general provision for communal powers. Cities should be given control over their own affairs as defined by the functions assigned them, and their elected organs should not be subject to recall, dissolution, or any process except judicial, on the part of a higher unit of government. Co-operative arrangements among small rural communes should be encouraged. Communes unable to exercise fully the functions of local government would be permitted only a limited autonomy, and would be subject to the supervision of regional officials.

Powers of the Central Government

Ultimate political power or sovereignty would pertain to the central government. All powers not specifically conferred on the regions would be vested in the central government. Some organ of

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the central government (such as the Court of Cassation or the Council of State, but not the national parliament), would determine, on the basis of the constitution, the limits of competence of national and regional officials.

National law would be administered within each region by national officials dependent on the various ministries, and by regional officials.

Simplification of Areas of Administrative Jurisdiction

The regions would constitute the fundamental units of local government and would also be used as units of administration by the national government. The government would, after the establishment of the regions, and their minor units (provinces and communes), proceed to a simplification of the areas of administration used by the various ministries at Rome, Finance, Agriculture, Public Works, etc., in order to bring the various fiscal, sanitary, road, public works, judicial and other areas into harmony.

The Committee recommends this solution because:

1. While in no way would it threaten the national unity of Italy, it would provide the basis for local self-government, a necessary predicate for a democratic regime;
2. It would permit a widespread variation in governmental regulations on matters which are essentially local;
3. It would tend to focus the attention of the Italian people on their immediate problems of reconstruction and amelioration, thereby diminishing the appeal of imperialism;
4. It would remove certain great defects under which the national government formerly suffered: concentration of local problems in the ministries at Rome; and the power of the central government to manipulate parliamentary elections.

Prepared and reviewed by the Inter-Divisional Committee on Italy:

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