

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

ACC

10000/109/622
(VOL. III)

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

10000/109/622
(VOL. III)

LOCAL GOV'T ELECTIONS
SEPT. - NOV. 1945

11073

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

Chief Commission ⁴¹

P 40 Submitted. But Carr will submit
a letter to P.M. on 60th laws by Nov 8

MS/6/x1

E.C. (42)

2/11

Noted

GMS

NOV 7 RECD
CE 1015

CC 5704

Exceeded!!!

Closed

11033

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

(41)

Ex Comm.

See Brig. Larr's minute at (40)
and the Draft Election Laws att'd.

ESJ 5/11

P.L.C. in miss couce

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

27.

OCT 20 1962
14 02

Chief Commissioner.

Attached is submitted for your ~~approval~~ signature information.

Noted by CC
[Signature]

lt 24 x 25.

MS (201x)

22

Ex-lon.

CGP

See see 21 for info.

EDB 10/10

10/10.

23.

C.S.O.

More careful if it had gone out after the Ps

Signature.

DD/ella 10/10

(26)

Ex-lon.

CGP

See see 25 & 24 for info

EDB 10/10

10/10.

30.

Ex. Commissioners

Please see 28-29 for info.

DD 1-1 10 30/10 10/10

Ex. Com.
C. G.

(26)

Please see 25 & 24 for info
Fried 19/10. edg/10

Ex. Commission

30.

Please see 28-29 for info.

17/35/1 to 30/10 Ex. Com.

Atty Ex Com

32.

Please see 31 for info. The draft laws will not be discussed by the Commission for over a fortnight, according to Local Govt S/C, as they are not yet in a position to appoint members of an examining body. Local Govt S/C hope to be able to present their views on the drafts by about 20/8/November

to 1/11. Ex. Com.

1384

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

Exclm

Please see file # 2012-14

22/5

22/5

11

C.S.O.

See 9 for action taken

249

12

Ex. Com.

7-10 for inf.

Final

14

27/2

ESD

This is the kind of thing I like to hear mentioned at Ex Com's meeting. (I had not heard of it before)
I should like to see the report prepared by CIA (info)

25/5

15

Capt. Breyer

Nov 14 pl. get a copy of the report
a return for tomorrow's Ex Com meeting

1985

Ex. Com. 7-10 for inf.
14. ~~Final~~ 27/9.

CSO

This is the kind of thing I like to hear mentioned
at Ex Com's meeting. (I had not heard of it before)
I should like to see this report prepared by Ed Griffin

HS/2515

15

Capt. Braybrook

16.14 pl get a copy of the report
a return for tomorrow's Ex Com meeting

~~Final~~ 1/10

Ex. Com.
C.S.O.

17.

5702

Have with copy at 16 which you will wish to
see before tomorrow's Conference 28/9 1/10

~~Final~~

1/10

HS/6x

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

2806
HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/45/B/2/LG

Tel: 478706

SUBJECT: Draft Election Laws.

5 November 1945

TO : Executive Commissioner.

NOV 5 1945

1. Herewith are sent copies of:--

- (a) a supplemental report on the Draft Law for Constituent Assembly elections:
- (b) the report on the Draft Law for Local Elections:
- (c) a report on the implementation of both Laws.

Copies are also attached for transmission to the Chief Commissioner.

2. A draft letter from the Chief Commissioner to the Prime Minister and drawing attention to the various points which are recommended in the reports is in course of preparation. It will be sent down as soon as possible, but it has not been thought desirable to delay the transmission of the annexed reports.

CGRM/pec

Copies to Polad (A)
" (B)
AC/45/B/2/LG

See 253 & 254
in Vol. IV for further
action.

22/12

M. Carr
M. CARR
Brigadier
VP CA Section

(LIFT ORAYORCOKE) 015 571

4/12
5710
A 9/11
7538

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

Supplemental Report on the Draft Law for Elections to the Constituent Assembly

1. Since this Sub Commission's report of 28 October, a complete set of the papers has been received--the remaining Schedules and, more particularly, the Majority and Minority reports of the Drafting Commission. The writer has also had long conferences with the experts of the Ministry of the Interior on technical and drafting points. In the result it appears necessary to modify in some respects the previous report of the Sub-Commission.
2. A brief indication of the contents of the Minority Report seems first to be desirable. The Majority Report does not need particular reference as it deals with the Draft Law as drawn up and this Draft has already been examined in the previous report of the Sub-Commission.
3. The Minority Report addresses itself to two questions--the size of the constituencies and the restrictions on the exercise of the preference vote.
4. The signatories of the Minority Report propose the splitting of the 9 largest regional constituencies (Piemonte, Lombardia, Veneto, Emilia, Toscana, Lazio, Campania, Puglia and Sicilia) so as to raise the number of constituencies from 19 to 30, each constituency, however, still consisting of a group of complete provinces and being wholly comprised within a given region. Under this proposal, the number of Deputies per constituency would vary from 7 to 28 instead of from 7 to 73.
5. The minority also propose an alteration as to the preference vote. The Draft Gives the voter one such vote in constituencies having up to 15 Deputies--~~2~~ 2 preference votes in constituencies with 16 to 30 Deputies--and ~~3~~ 3 in constituencies returning more than 30 Deputies. The minority suggest one preference vote in constituencies having up to 10 Deputies--2 in those having 11 to 20--and 3 in those having more than 20 Deputies.
6. One Commissioner has put in yet another minority report recommending compulsory voting. It does not seem necessary to do more than mention this.
7. It is considered that the points raised in the Minority Report are all matters which, though arguable, should be left exclusively to Italian decision. They do not affect the basic principles of a democratic election.
8. In the previous report, reference was made to the period of 70 days which, according to the Draft Law, must elapse between the proclamation of the election and the election day and it was suggested that this period might be reduced. As a result of an examination in point with the Italian Government's technicians, it is desired to withdraw this suggestion. It is not considered that 70 days will be too long in view of the practical difficulties which Italian official agencies will have to overcome in performing their tasks. This applies particularly to the printing of ballot-papers.
9. The discussions above-mentioned have also clarified a point of some importance as to the nomination of candidates. It has now been made clear that the Draft Law does make provision for the posting in public places of the names of those duly nominated before the Election Day and throughout the constituency. The Sindaco is not however required to perform this duty within any stated time. It is recommended that a time-limit should be fixed.

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5. The minority also propose an alteration as to the preference vote. The Draft gives the voter one such vote in constituencies having up to 15 Deputies--2 preference votes in constituencies with 16 to 30 Deputies--and 3 in constituencies returning more than 30 Deputies. The minority suggest one preference vote in constituencies having up to 10 Deputies--2 in those having 11 to 20--and 3 in those having more than 20 Deputies.

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7. It is considered that the points raised in the Minority Report are all matters which, though arguable, should be left exclusively to Italian decision. They do not affect the basic principles of a democratic election.

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9. The discussions above-mentioned have also clarified a point of some importance as to the nomination of candidates. It has now been made clear that the Draft Law does make provision for the posting in public places of the names of those duly nominated before the Election Day and throughout the constituency. The Sindaco is not however required to perform this duty within any stated time. It is recommended that a time-limit should be fixed.

10. The effect of the foregoing observations is to leave only two points as to which it is recommended that observations be made to the Italian Government:--

(a) the absence from the Draft Law of any provision forbidding political propaganda in the vicinity of the Polling Station;

(b) the absence of any dead-line for giving public notice of the names of the duly nominated candidates.

CCH/pec

2 November 1945

Distribution: Chief Commissioner
Exec. Commissioner
VP GA Section
Polad (A)
" (B)
AG/45/B/1/LG

R. R. Temple, Major
RALPH R. TEMPLE, Major
Director
Local Government Sub Commission

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

Report on the Draft Law as to Local Elections

1. This Draft presents more complications than that on the elections for the Constituent Assembly and it has been thought best to present first some very brief notes on the outstanding features of the Draft under its main headings, i.e.:-

Organs of Communal and Provincial Administration.
The Electorate and Eligibility.
Election of Councils in Communes.
Elections in Communes of less than 30,000 population.
Election of Provincial Councils.

and then to examine how far the Draft meets the "four points" raised by the CC in previous correspondence with the RM.

2. Organs of Provincial and Communal Administration. The Draft would restore the Provincial and Communal Councils, their subordinate administrative structures and their powers, as provided for in the 1945 Law. The principal variations made in the Draft are two.

3. The number of Councillors in relation to population is altered so that the large and medium Communes and Provinces will have smaller Councils than they did 30 years ago. The object is to take account of the increase of population in the interval and to avoid an excessive number of large Councils. Similar adjustments are made in the numerical composition of the standing Executive Committees, i.e. "Giunta Comunale" and the "Deputazione Provinciale".

4. The Draft reverts to separate Presidents of the Provincial Council and the Provincial Deputation. The earlier draft or "Blue Book" produced by the Ministry of the Interior in June last proposed to amalgamate these offices. The explanation is that the Provincial Council functions in the manner of a small Parliament. It is considered necessary to have a President of the Council to act as a sort of "Speaker" and a separate President of the Provincial Deputation to act as "Leader of the House".

5. There is nothing in this part of the Draft which is not acceptable.

6. Electorate and Eligibility. The provisions regulating those entitled to vote are defined so as to follow the "Constituent" Election Law on the subject and therefore require no further comment than has been made in this Sub Commission's report on that Draft Law. The "poverty disqualifications" are abolished and the disfranchisement of Fascists tightened up.

7. Provision has been made for granting soldiers' elections--

Election of Provincial Councils

and then to examine how far the Draft meets the "four points" raised by the CC in previous correspondence with the PM.

2. Organs of Provincial and Communal Administration. The Draft would restore the Provincial and Communal Councils, their subordinate administrative structures and their powers, as provided for in the 1915 Law. The principal variations made in the Draft are two.
3. The number of Councilors in relation to population is altered so that the large and medium Communes and Provinces will have smaller Councils than they did 30 years ago. The object is to take account of the increase of population in the interval and to avoid an excessive number of large Councils. Similar adjustments are made in the numerical composition of the standing Executive Committees, i.e. "Giunta Comunale" and the "Deputazione Provinciale".
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5. There is nothing in this part of the Draft which is not acceptable.
6. Electors and Eligibility. The provisions regulating those entitled to vote are defined so as to follow the "Costituente" Election Law on the subject and therefore require no further comment than has been made in this Sub Commission's report on that Draft Law. The "poverty disqualifications" are abolished and the disfranchisement of fascists tightened up.
7. Provision has been made for granting soldiers the abstract right to vote at elections--abstract because in practice only those soldiers will be able to use their vote who happen to be stationed or on leave in their Commune of residence at the time. It is known that the Italian Government's experts have examined the possibility of postal or proxy voting and in fact have requested and been supplied with information on the subject by this Sub Commission. The Italian experts have concluded that anything of this kind is impracticable in present circumstances and this Sub Commission must reluctantly agree with them.
8. As to eligibility, anyone can be a Communal or Provincial Councilor who is a registered elector and can read and write. It seems curious that a literary qualification has been introduced here but not into the Draft Law on "Costituente" elections; that Draft makes eligible to be Deputies of the "Costituente" all Italian citizens over 25. The opposite would seem to be more realistic. The discrepancy probably arises from the fact that the two drafts have been prepared by two different people. In any event, there is no point here to be taken by AC.
9. The Draft would make women eligible for all local public offices, thus representing yet a further advance upon the proposals of the June "Blue Book", which admitted them only to membership of the Council and their Executive Committees. The present Draft allows a woman to be a Sindaco, or a President of the Council or Provincial Deputation.

- 2 -

10. This part of the Draft also seems quite unobjectionable.
11. Election Procedure. Two separate procedures are proposed according to the size of the Comune, as follows:
 - (a) in the smaller Communes the elections would be on the majority system with limited voting as was the case under the 1915 Law, i.e., the voter may vote for only 4/5 of the seats.
 - (b) in the larger Communes, the system would be proportional representation with preference votes, as in the Constituent Assembly elections, but with the additional faculty for the voter to cancel names from the list.

The draftsmen have fixed the dividing line at the 30,000 population mark, which is a figure for consideration by the Council of Ministers and not a recommendation.
12. Elections in Communes under 30,000 population. The first point to note is that there is no division of the Comune into constituencies. The elector votes for the whole number of the members of the Council. There is, however, power (on local request from Communes divided into fractions) to constitute the fractions into constituencies, each electing a fixed number of the Councillors.
13. The Prefect fixes the date for the election of the Deputies 15 days in advance. The candidates must be nominated six days before the election and their nominations examined in the next day by the Electoral Commission, i.e., five days before the election. This period is considered by the Sub-Commission to be too short. It will certainly be too short if the recommendations made below as to public notice of nominations and official ballots are adopted. It is considered that nominations should be completed and published at least 20 days before the election. The point should be taken up with the Italian Government.
14. The names of duly nominated candidates are posted up in the Polling Station on election day, but there is no provision--as there is in the "Costituente" Election Law--for giving public notice of the duly nominated candidates throughout the Comune and in advance of election day. The names are posted only in the Polling Station where the voter sees them for the first time on election day. This is considered to be a point of substance. One of the main objects of prior nomination of candidates is to enable the elector to have official assurance as to who is running in good time before the election, so that he can weigh the merits of the candidates and come to an informed decision. It is believed that any practical difficulties, e.g. provision of paper and printing, can and ought to be overcome.
15. The provisions as to ballot-papers are not considered satisfactory. According to the Draft, the elector provides himself with his own ballot-paper which he brings into the Polling Station. It must conform to the pattern annexed to the Draft and it may be written or printed or partly one and partly the other. In practice, therefore, the Parties will probably provide the ballots.
16. There are evident practical difficulties against the official printing of ballots for local elections such as the obtaining of paper and the cost of printing at the local level.

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15. The provisions as to ballot-papers are not considered satisfactory. According to the Draft, the elector provides himself with his own ballot-paper which he brings into the Polling Station. It must conform to the pattern annexed to the Draft and it may be written or printed or partly one and partly the other. In practice, therefore, the Parties will probably provide the ballots.
16. There are evident practical difficulties against the official printing of ballots for local elections such as the obtaining of paper and the absence of means for printing at the disposal of the smaller Communes. These are not considered insurmountable. On the other hand, the official ballot is an important precaution against fraud and a factor in insuring a genuine freedom of choice.
17. It is accordingly suggested that the lack of provision for publication of nominations or for official ballot-papers be raised with the Italian Government.
18. Elections in Communes of 30,000 population or more. As the procedure here is the same as that proposed for Constituent Assembly elections, it only appears necessary to note the principal points of variation from those proposed under the national system.
19. It is first to be observed that in this class of elections also, there is no provision for the official publication, in good time before the election day, of the names of the duly nominated candidates.

- 3 -

20. Under this procedure also, the Prefect fixes the date of the election 20 days ahead. Nominations have to be presented 6 days before the election and the Electoral Commission transmits to the Sindaco the lists of those duly nominated 3 days only before the voting. As in para 13 above, it is considered that the candidates running should be officially notified to the public at least 20 days before the voting takes place. AC should advise the Italian Government to extend the period accordingly.

21. Neither is there provision for an official ballot-paper, the voter being supposed to provide his own and the ballots provided being required to conform to the prescribed pattern. The observations made in paras 16 and 17 above likewise apply.

22. The only important difference between national and the local procedures under proportional representation is the provision in the Draft Law on Local Elections which allows the voter to strike out names. For this purpose, the ballot contains at the head the symbol of the list it represents and beneath it the names of the candidates on that particular list. The elector votes:—

(a) for the list--by presenting the ballot relating to the list and bearing its symbol;

(b) for those he wishes to see preferred--by putting an "X" against their names on his ballot.

(c) Against those he does not want elected--by drawing a horizontal line through their names on his ballot. As in the "Costituente" Election Law, there is no provision for adding names.

23. No point should be raised with the Italian Government on this difference.

24. Elections for Provincial Councils. These are to be conducted according to the system adopted for the smaller Communes, i.e. according to the majority system and with limited vote. The limited vote is likewise the same, i.e. the voter can only vote for four-fifths of the seats. It seems strange that the system of proportional representation is not provided for in the Draft.

25. The Province, unlike the Commune, is divided into constituencies, each "mandamento" or Judicial District forming a constituency and Councillors being assigned to each "mandamento" in proportion to population.

26. It is provided that the elections of Provincial Councillors are normally to take place on the same day as those of the Communal Councillors and that, therefore, elections in all Communes in the same "mandamento" are to take place on the same day.

27. As the election procedure is the same, the exceptions taken in connection with Communes under 30,000 population are to be taken also in connection with the election of Provincial Councils.

28. The "four points". The extent to which the

elections which allows the voter to strike out names. For this purpose, the ballot contains at the head the symbol of the list it represents and beneath it the names of the candidates on that particular list. The elector votes:--

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27. As the election procedure is the same, the exceptions taken in connection with Communes under 30,000 population are to be taken also in connection with the election of Provincial Councils.

28. The "four points". The extent to which the Draft Law has dealt with three of the four points made in previous correspondence has been noted in the foregoing paragraphs. It remains to allude to the fourth point and to summarize the position as to all of them, as follows:--

(a) Prior nomination of candidates:--This has been partly met but not adequately--paras 14, 19 and 27 above.

(b) Official ballot-papers:--The substance of this point has not been met at all--paras 15-17, 21 and 27 above.

(c) Forbidding electioneering near Polling Stations:--An article (43) has been inserted in the Draft forbidding all electoral propaganda within 200 metres of the entrance to a Polling Station. This is satisfactory.

(d) Soldier Voting:--This has been met as far as it is possible to do so--para 7 above.

29.

Conclusion. It is accordingly recommended that it be suggested to the Italian Government that, for all types of elections contemplated by this Draft report:--
time before election day:

- (a) official publicity be given to the duly nominated candidates in due
- (b) adequate time between nomination of candidates and election day be allowed;
- (c) official ballot-papers be provided.

CGM/pec

3 November 1945

Distribution:

Chief Commissioner
Exec. Commissioner
VP CA Section
Polad (A)
" (B)
AC/45/8/2/LG

R. R. Temple
RALPH R. TEMPLE
Major
Director
Local Government Sub Commission

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

CGW/pec

3 November 1945

Distribution: Chief Commissioner
Exec. Commissioner
VP CA Section
Polad (A)
" (B)
AC/45/B/2/LG

Local Government Sub Commission

5636

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

Report as to Implementation of the Draft Laws on Elections

1. The Northern provinces may not have been returned to Italian control by the time these two Laws have been made and promulgated. In any event, there are provinces which may be retained under Allied Military Government after the bulk of the North has been transferred. It is therefore necessary to consider policy as to implementation.

2. It is submitted that it is in the Allied interest to give the most immediate implementation to both Laws, if only as evidence of the continued intention to encourage the holding of elections as soon as possible and to facilitate the achievement of that objective in every possible way. For this purpose, it is further submitted that arrangements be made for each Law to be published simultaneously with the implementation order relating to it and in a supplement to the Official Gazette. It is recommended that the Italian Government be requested to agree to this course.

3. The two Drafts have accordingly been examined to determine if they are so drafted as to admit of implementation. An amendment seems to be required in each.

4. Constituent Assembly Elections Law :- Art. 5 disfranchises those adjudged to lose their civil rights by Provincial Commissions for the Disfranchisement of Fascists established under DIL 149. Art. 6 denies the right to vote to those who have been Fascist party political secretaries of towns having over 10,000 inhabitants but they may be admitted to the franchise if their behaviour in office is adjudged free from faction, intemperance or fascist malpractices by a Provincial Commission established under the same DIL. This DIL is not in force in Military Government Territory and the Provincial Commissions in question have been set up throughout the North under DIL 159. If the Draft is left in its present form, the authority of the Provincial Commissions in the North to act under Articles 5 and 6 may be questioned.

5. It is recommended that the Italian Government be desired to take cognizance of the situation (well known to and accepted by them) of these Provincial Commissions in the North and to include in the Draft the requisite references to DIL 159.

6. Local Elections Law :- An Article (102) has been inserted which purports to confer on AIG the power to fix the date of communal and provincial elections in the North and to require AIG first to consult the Prefect and the first President of the Court of Appeal. This is misconceived. It should be deleted and its place taken by the usual clause bringing the Law into force on the day after its publication.

purpose, it is further submitted that arrangements be made for each law to be published simultaneously with the implementation order relating to it and in a supplement to the Official Gazette. It is recommended that the Italian Government be requested to agree to this course.

3. The two Drafts have accordingly been examined to determine if they are so drafted as to admit of implementation. An amendment seems to be required in each.

4. Constituent Assembly Elections Law :- Art. 5 disfranchises those adjudged to lose their civil rights by Provincial Commissions for the Disfranchisement of Fascists established under DIL 249. Art. 6 denies the right to vote to those who have been Fascist party political secretaries of towns having over 10,000 inhabitants but they may be admitted to the franchise if their behavior in office is adjudged free from faction, intemperance or fascist malpractices by a Provincial Commission established under the same DIL. This DIL is not in force in Military Government Territory and the Provincial Commissions in question have been set up throughout the North under DIL 159. If the Draft is left in its present form, the authority of the Provincial Commissions in the North to act under Articles 5 and 6 may be questioned.

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CAF/OL

Distribution :-

Chief Commissioner
Executive Commissioner
Polad (A)
Polad (B)
Local Sub Commission
AG/15/2/1/1G
AG/15/2/2/1G

R. R. Temple
Major,
Director,
Local Government Sub Commission.

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

2806
ALLIED [REDACTED] COMMISSION (35)
INTER-OFFICE MEMORANDUM
CIVIL AFFAIRS SECTION

SUBJECT:

FILE NO. Tel. Ext. 525.

TO Executive Commissioner.

2 Nov 1945
NOV 1 1945

With reference to your phone call on the subject of further action in respect of the electoral laws.

Further Appendices have now arrived in connection with both laws and these are being studied. We now have the complete set of documents.

It is hoped that our report on the electoral law for Administrative Elections will be ready on the morning of Friday, 2 Nov 45.

In view of supplemental documents which have now arrived, ^athe further report is being drawn up on the law for National Elections.

In view of the above time table it may be necessary to have a meeting with Polads over the week-end but possibly ^(time-table) this will permit of this being held on Saturday morning.

Thank you. Seen after my
note in the file ^{checked} (4x).

MC
M. CARR. Brig. 5834
VP CA Section.

Translation

The President of the Council of Ministers

Rome, 29 October 1945

Dear Admiral,

OCT 30 1945

I answer your letter of October 27th concerning the drafts of law for the political and administrative elections. To my mind, the Allied Commission must be able to express its objections, if any, about both law drafts and let them know to the Italian Government before the said drafts are discussed by the plenary Assembly of the Consulta. The Assembly will probably discuss this matter only after the Commission of Consultants concerned (Commission for political and administrative affairs) has already examined the law drafts, and in any case, not for several weeks.

To my mind, it would be advisable for the Allied Commission to send its possible objections to the Italian Government before that time. Should the Government deem it advisable to make modifications in accordance with these objections, it can insert them as part of the text that will then be submitted to the Consulta in plenary assembly.

I think it advisable for the possible objections of the Allied Commission to be sent to the government if possible before November 12th.

I remain,

Yours very truly,

B. Ferruccio Parri

Admiral Hilary W. Stone
Chief Commissioner
Allied Commission
Rome

trans. e/c

E.C. DIST - 30 OCT

ACTION: CHA Sec(1)

INFO: CHIEF Consul

CHIEF Consul

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Sel

(MISS SANDRO)

2806 40

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27 October 1945

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My dear Mr. Prime Minister,

It has been reported to me that there has just been delivered to the Local Government Sub-Commission a copy of the draft law for the elections to the Constituent Assembly and likewise a copy of the draft law for the administrative elections.

Officials of the Italian Government have informed my officers that these two drafts will be considered at a special meeting of the Council of Ministers on 30 October next, after which they will be submitted to the Consultative Assembly.

I observe that the two draft laws contain respectively 74 and 104 articles and, with the relative reports, extend to over 100 pages. It is evident that these two drafts, which it has taken the Italian Government several months to prepare with that care which the importance of the subject demands, cannot be examined by the Allied Commission in the few days before the meeting of the Council of Ministers on 30 October 1945.

I am not at present able to say whether the Allied Commission will have any observations to make on these draft laws. That must await a proper study of the text. It is assumed that the Italian Government will receive and consider such observations as the Allied Commission may have to make.

/ I should also assume ...

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See M

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2.

I should also assume that if, as a result of any observations which the Allied Commission may possibly make, the Government reach the conclusion that an amendment of the draft laws is desirable in any respect, any such amendment would be incorporated into the text of the law and submitted to the Consultative Assembly as an integral part of the law proposed by the Government.

I should be glad to have your views on these points.

Yours very truly,

WILLIAM W. SPURGE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
President of the Council of Ministers
Italian Government
Rome

Distributions

Chief Commissioner
Executive Commissioner
Polad (A)
Polad (B)
CA Section (45/H/1/LG)

5691

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

280636
ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM
CIVIL AFFAIRS SECTION

Tel. Ext. 525.

FILE NO.

SUBJECT:

TO : Executive Commissioner ✓

17 Oct 1945

OCT 17 1945

Attached for your information and that of the Chief Commissioner are two copies of latest report on progress of compilation of the Electoral Lists in Italian Government territory.

The number of Communes covered by this report number about 3,000. There are two lists for each Commune.

It will be observed, therefore, that about 50% of the lists have been completed but this does not mean that they are ready for use. Lists which are ready for use are those that have been finally approved and now number 558.

Particulars of lists completed or approved in Italian Government territory cannot yet be included in this report because they are still in process of compilation and the period before completion is not yet elapsed.

Y (CAPT BRAYBROOK) ^{ed} 19/10

M. Carr-Saunders
M. Carr-Saunders
V. C. A. Section.

See M. 24.27.

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AO/45/21/1G

Tel: 478706

15 October 1945

Preparation of Electoral Lists--Report of W/INT for September 1945

1. The report includes 44 only out of the 58 Provinces under Italian jurisdiction. However, it includes 3 AMG Provinces.
2. Comparison between August and September (Italian Government Territory only): --

	<u>Cumulative Totals For</u>		(3)
	<u>August</u>	<u>September</u>	<u>Difference</u>
	(1)	(2)	<u>of Cols. (1) & (2)</u>
Number of Communes V/S/AM	2628	2845	217
Number of Lists Completed.	2350	3378	528
Number of Lists Approved..	319	558	239

3. The figures show (a) a small increase only in the number of lists completed by the Communes and (b) a smaller number of lists approved by Electoral Commissions in September than in August. The slow progress is due to (i) the well known bottle-neck of the Judicial Record Offices and (ii) the inertia of Electoral Commissions.

4. As to the Judicial Record Offices, the Ministry of Justice has been sent a copy of the CC's Aide Memoire on the defects of the Central Office, with a request to take action on it. As to Electoral Commissions, the Ministry continues to urge Prefects to obtain better progress from these bodies.

R. P. Temple
RALPH R. TEMPLE
Major
Director

Local Government Sub Commission

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CCRW/pec

(1 SPARE HELD)

1910

HEADQUARTERS ALLIED COMMISSION

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LOCAL GOVERNMENT SUB COMMISSION

2800

AC/45/15/A/LG

Tel : 478736

SUBJECT : Preparation of electoral lists--Electoral Commissions.

15 October 1945

TO : Distribution as below

OCT 16 1945

1. The enclosed Ministry of the Interior circular No. 1500-G is forwarded for delivery to the Prefect. For the information of PCs and PCs an English translation of the circular is annexed together with a translation of the Ministry's covering letter to this Sub Commission No. 1500-G of 24 September, which sets out the reasons why this circular is necessary.

2. Recent indications received in this Headquarters show that in Southern and Central Italy the approval of lists by Electoral Commissions is proceeding far too slowly; and there is danger of a bottle-neck arising at this stage of the work similar to that which already exists in the Judicial Record Offices ("Casellari Giudiziali").

3. PCs should accordingly make immediate inquiry as to the position with regard to Electoral Commissions and Sub-Commissions in their provinces. They should ascertain whether all such bodies have been duly constituted, and, if not, insist that the Prefect, in conjunction with the Provincial Deputation, complete the necessary appointments at once. They should also satisfy themselves that the Electoral Commissions and Sub-Commissions have an adequate staff and that they are either proceeding expeditiously with the examination and approval of such lists as they have received or that they are in a position to do so as soon as they do receive any.

4. PCs will please also instruct their Prefects to include in their next and all subsequent fortnightly reports a statement of : --

(a) - the total number of Electoral Commissions and Sub-Commissions required by law to be appointed in the province; and

(b) - the number actually appointed at the date of each report.

BY ORDER OF THE CHIEF COMMISSIONER :

Ralph R. Temple

RALPH R. TEMPLE,

Major,

Director,

Local Government Sub Commission

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

too slowly; and there is danger of a bottle-neck arising at this stage of the work similar to that which already exists in the Judicial Record Offices ("Casellari Giudiziali").

3. PCs should accordingly make immediate inquiry as to the position with regard to Electoral Commissions and Sub-Commissions in their provinces. They should ascertain whether all such bodies have been duly constituted, and, if not, insist that the Prefect, in conjunction with the Provincial Deputation, complete the necessary appointments at once. They should also satisfy themselves that the Electoral Commissions and Sub-Commissions have an adequate staff and that they are either proceeding expeditiously with the examination and approval of such lists as they have received or that they are in a position to do so as soon as they do receive any.

4. PCs will please also instruct their Prefects to include in their next and all subsequent fortnightly reports a statement of: --

- (a) - the total number of Electoral Commissions and Sub-Commissions required by law to be appointed in the province; and
- (b) - the number actually appointed at the date of each report.

BY COMMAND OF THE CHIEF COMMISSIONER:

Ralph R. Hurtle

RALPH R. HURTLER,
Major,
Director,
Local Government Sub Commission

OSM/cz.

Distribution:

RC LIGURIA
LOMBARDIA
PIEMONTE
VENETIE

With copy for PCs

Chief Commissioner
Executive Commissioner

Filed (a)
" (b)

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AC/27/27/12
AC/45/7/12
FLORE

5688

See (Cart. Giudiziali) 12/10

AR 806
(20)

Ref : 15600 G
From : Ministry of Interior
Dir. Gen. Amm. Civile
Electoral Service
To : A.C. Local Govt S/C
Subject : Appointment members electoral commissions
and sub-commissions.

Rome, 24.9.45

1. From queries which have reached this Ministry it has been noted that often in the provinces of the Northern Italy, the electoral commissions and subcommissions have been constituted, as regards the appointment of the members by the Deputazioni Provinciali, from citizens residing in communes other than those where the said Commissions meet.
2. Since such a procedure, which after all is not in contrast with the provisions so far issued, is causing not only a substantial burden of expenditure on the State budget owing to the necessity of paying out to the interested parties besides the allowance for attendance also the reimbursement of travel expenses and billeting expenses, but above all is interfering with the normal functioning of said Commissions which on account of the volume of their tasks will have to meet daily until their mission has been fulfilled, it was deemed opportune to ask Prefects to constitute, if possible, the said Commissions and Sub Commissions from citizens residing in the same commune.
3. For this purpose we have prepared the enclosed circular which barring any objections on the part of your Commission, we are kindly requesting you to have it distributed with all dispatch to the Prefects of the provinces still under AMG jurisdiction.
4. Kindly acknowledge.

L. F. 21

FOR THE MINIST. R
Vicedomini

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

MINISTRY OF INTERIOR
DIREZIONE GENERALE AMMINISTRAZ. CIVILE
ELETTORAL SERVICE

TELEGRAPHIC CIRCULAR

To : Prefects of Provinces of
Northern Italy.

1300-C Electoral Service Stop. Following inquiries received wish to make clear desirability that member electoral commissions and sub-commissions to be appointed by Deputazioni Provinciali be chosen among citizens residing in communes heads of mandamenti not only in order to li it expenses charged to the State Treasury but above all in order to permit the regular functioning of said commissions which shall meet even daily until their tasks have been completed stop. Whereas commissions and subcommissions have already been set up contrary to present directives you are kindly requested to examine the possibility of proceeding to substitute members residing in different Commune stop. Kindly acknowledge stop.

FOR THE MINISTER
Vicedomini

MINISTERO DELL'INTERNO
DIREZIONE GENERALE AMMINISTR. CIVILE
Servizio Elettorale

CIRCOLO TELEGRAFICO

Prefetti Province Italia Settentr.

1300-G Servizio elettorale alt. Seguito quesiti rivolti chiariscasi opportunità che componenti Commissioni et sottocommissioni elettorali da nominarsi da Deputazione Provinciale siano scelti tra cittadini residenti comuni capoluogo mandamento non solo adope limitare spese carico erario ma soprattutto consentire regolare funzionamento predetti comitati che dovranno riunirsi anche quotidianamente fino al completo a svolgimento compiti loro affidati alt. Ove commissioni et sottocommissioni siano state già costituite contrasto presenti direttive pregasi esaminare possibilità procedere sostituzione componenti residenti Comuni diversi alt. Pregasi segnare ricevuta alt.

PER IL MINISTRO
Vicedomini

280640

(19)

AC/45/A/LG

10 October 1945

SUBJECT: Italian Local Government Law of 1915.

OCT 11 1945

TO : AFHQ (G-5)

1. I refer to your letter, reference G-5: 091.1 Italy, of 26 September, forwarding copies of the Deputy U. S. Political Adviser's letter of 10 September and the Deputy British Resident Minister's letter of 19 September, upon which you invite my comments.

2. My first comment is that the Allied Commission have been careful to refrain from taking "minor points" in its dealings with the Italian Government on this subject. The objections raised to the Law of 1915 relate to questions which, in my opinion, are fundamental to any democratic electoral system.

3. The criticisms made can be summarized as follows:

- (a) the law of 1915 makes no provision for an official ballot paper. The voter may use any piece of paper, provided it is white in colour and of a specified size. In practice, the political parties issue printed lists of their candidates and the voter has to obtain one of these in order to exercise his franchise;
- (b) There is no nomination of candidates prior to the voting. The voter therefore has no certain knowledge of those who are running for office and no opportunity to form a considered judgment upon their merits;
- (c) No provision is made for the control of political propaganda in the vicinity of the voting places. In view of the past history of Italian elections and the present state of the country, a provision of this kind is essential to ensure full liberty of choice to the Italian people.
- (d) The franchise is granted to officers of the armed forces, but denied to non-commissioned officers and men while actually serving—an indefensible instance of political privilege granted to a particular class.

4. These observations are approved by the United States Department of State, as has been pointed out in the letter of the Deputy U. S. Political Adviser, and the Government of the United Kingdom is in accord with the views of the United States Government. The Italian Government, however, has given

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- 2 -

no indication of its policy on these points, although from a recent conversation with the Vice President of the Council of Ministers, Signor Mario BRASIO, it appears possible that the Council of Ministers may consider them in the near future.

5. The objection that insistence on these points is delaying the elections does not arise, since the Italian Government is not, in any case ready to hold elections, or likely to be for some time, for the following reasons:

- (a) Electoral Lists have not yet been completed, except in a small fraction of the total number of communes (actually only 6% of the lists, male and female, have been approved by Electoral Commissions);
- (b) The Italian Government have not yet decided what local bodies or officials are to be voted for by the electorate.

6. I enclose a copy of a report which was presented on 28 September 1945 to the Advisory Council for Italy which sets forth the position with regard to the holding of local and national elections in Italy.

7. The action taken by the Allied Commission, and by the Local Government Sub Commission in particular, in connection with local and national elections in Italy has been:

- (a) to endeavour to discover what are the intentions of the Italian Government;
- (b) to encourage the Italian Government to hold its elections at the earliest possible date;
- (c) to give assistance in the compilation of the Electoral Lists in Allied Military Government Territory;
- (d) to urge the Italian Government to modify existing Italian electoral laws so as to assure a free and secret vote by the people.

8. The unreadiness of the Italian Government to hold local elections is accordingly in no way attributable to the Allied Commission. In fact, I have many times urged the Italian Government to come to a decision on questions which must be settled before such elections can be held.

CGHW/pec

/s/ Ellery W. Stone

Copies for: Chief Commissioner
Exec. Commissioner
Polad (A)
" (B)

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

3600

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

ALLIED FORCE HEADQUARTERS
G-5 Section

MEMORANDUM:

SUBJECT : Italian Local Government - Law of 1915. 15 September 1945.
TO : Deputy Resident Minister (Br).

Attached hereto is copy of a memorandum received from the
U.S. Political Advisor. Have you any views on this matter, or can
you express the views of your Government in connection therewith?

151
A. L. HAMBLEN,
Brigadier General, G.S.C.,
Assistant Chief of Staff, G-5.

Incl: ltr from US POLAD.

DISPATCHED

15 SEP 1945

G-5 Section
A.F.H.Q.

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ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

RM/3

MEMORANDUM:

14 September 1945

TO : Colonel Hammond.

Reference attached.

1. It appears that there has probably been some correspondence between the Allied Commission and the Embassy in Rome concerning the electoral laws and local elections. This letter is therefore somewhat out of channels. There appear therefore to be three courses open:

a. Forward the letter to Allied Commission under a covering letter substantially as follows:

"Forwarded for your information and guidance is a copy of a letter from the U. S. Political Advisor this Headquarters dated 10 September 1945, subject: Italian local government law 1915.

It would appear from the contents of this letter that there has been some previous correspondence on this subject between yourselves and the U. S. Embassy in Rome. Any matter in the attached letter which is not clear to you should therefore be referred to the U. S. Embassy Rome in the first instance."

b. A brief extract of the letter could be made and submitted to Allied Commission along the following lines:

"The State Department has intimated that it is anxious that the holding of local elections in Italy should not be unnecessarily delayed on account of disputes over minor points in the Italian Government Electoral Law of 1915.

Notwithstanding certain technical defects of the law of 1915, you should take no steps which might cause delay in the holding of local elections and the Italian Government should be encouraged to proceed with all possible speed with local elections in regions where electoral lists are complete."

c. The letter should be returned to U. S. Political Advisor as being a matter out of channels and beyond the military responsibilities of this Headquarters. Following is a suggested draft:

"Reference your letter dated 10 September 1945, subject:
Italian local government law of 1915.

It is considered that this Headquarters should not concern itself in any way with the question of Italian elections, other than in those areas where the holding of elections has a bearing on military responsibilities and commitments.

In all Italian territory outside Venezia Giulia there are no military reasons why elections should not be held. It is therefore considered that this matter should be referred to the Italian Government through diplomatic channels.

It is desired to point out however that the recommendations contained in the last paragraph of your letter under reference, whereby you state that the Allied Commission should make recommendations for consideration in drafting of future permanent law in local government, is entirely at variance with the CCS Directive contained in PAN 487."

2. It is recommended that course c. be adopted.

RB
R. BARRATT,
Lt. Colonel.

Encl: ltr fr POLAD as stated

HEADQUARTERS ALLIED COMMISSION
APR 1945
LOCAL GOVERNMENT SUB COMMISSION

(16)

27 September 1945

SUBJECT: Background and Present Status of Plans for the Holding of Local and National Elections in Italy.

1. EXISTENT SYSTEM OF GOVERNMENT

The Fascist system of central and local government has been totally abolished. In the place of Fascist local authorities, the essential administrative bodies envisaged by the pre-Fascist Law of 1915 have been restored throughout Italy as an appointive basis. This system of local government is a temporary one, pending the restoration of elections. No elective national legislature is yet in existence.

2. Before elected central or local governments can be established, the following preparations must be made:--

- (i) These must have the right to vote must be defined;
- (ii) Registers of the electors must be prepared;
- (iii) The types of elective local authorities to be established must be determined;
- (iv) A procedure for voting for these local authorities must be laid down;
- (v) The procedure for voting for the national legislature must also be determined;
- (vi) The necessary mechanism for the actual holding of the elections, e.g. booths, urns, stamps, voting papers, etc., must be provided.

3. FRANCHISE

By Italian Law all Italian citizens, men and women, who have reached the age of 21 by 31 December 1945 are qualified to be registered. The law excludes convicted persons who may not be registered, some of whom are lunatics, a number of specified crimes and persons found guilty of Fascist activity. The last named group includes high-ranking officials of the former Fascist Party, those persons convicted by regular courts for Fascist crimes and those declared to be subject to loss of civil rights by special Provincial Commissions set up under Article 8 of Decree No. 159 as to sanctions against Fascism.

4. PREPARATION OF ELECTORS LIST

The voters lists are prepared from the registers of permanent population and are every 10 years. They also show names of persons who have been convicted of crimes.

Before election control by local governments can be established, the following preparations must be made:

- (i) Those who have the right to vote must be defined;
- (ii) Registers of the electors must be prepared;
- (iii) The types of elective local authorities to be established must be determined;
- (iv) A procedure for voting for these local authorities must be laid down;
- (v) The procedure for voting for the national legislature must also be determined;
- (vi) The necessary regulations for the actual holding of the elections, e.g. booths, urns, stamps, voting places, etc., must be provided.

3.

PROHIBITS

By Italian law all Italian citizens, men and women, who have reached the age of 21 by 31 December 1945 are qualified to be registered. The law prohibits certain persons who may not be registered, some of whom are lunatics, bankrupts, persons habitually receiving public assistance, persons sentenced to a number of specified crimes and persons found guilty of Fascist activity. The last named group includes high-ranking officials of the former Fascist Party, those persons convicted by regular Courts for Fascist crimes and those declared to be subject to loss of civil rights by special Provincial Commissions set up under article 8 of Decree No. 159 as to motions against Fascism.

4. PREPARATION OF ELECTORS' LISTS

The voters lists are prepared from the registers of permanent residents maintained in every Comune. For these the Mayor extracts the names of all over 21, of sane mind, from the appropriate authorities lists of those disqualified and strikes them off. He then sends the lists for approval to the Electoral Commission, after which they must become final. This procedure is enacted by a Decree of the Italian Government published in January 1945. A citizen is usually registered in the comune in which he has permanent residence and in whose register of permanent population he is inscribed. However, refugees and evictees may be registered in the Comune in which they are temporarily living. Provision is also made for citizens to be registered in the comune in which they have their principal centre of business or interests.

5. In February 1945, the Italian Government began the preparation of registers of voters in the territory then under its jurisdiction. The Italian Government, however, was so drawn up that the preparation of the lists could not be undertaken in territory under Allied Military Government. At the request of the Allied Commission, the Italian Government issued their Decree so as to permit this. Shortly after this had been done, July 15th was set for beginning the compilation in Military Government territory. Before that time, however, necessary preliminary work was put in hand. Instructions were issued for the bringing up-to-date of

See 7617

- 2 -

the registers of the population and the electoral, the establishment of the temporary local government system so that the requisite originals and copies could be available to persons for their acquisition. Some 125 thousand printed forms of transmission were distributed to the 140 communes under which all military government and necessary information regarding the use of allied officers in the field. Similarly, by personal tours of the registers of the local government, Sub-Commission, Italian officials in the provinces were enabled to get an aware of the responsibilities they were to assume in this operation.

6. The preparation of the lists themselves involved a complicated procedure and required the intensive activity of many officials and bodies. The law sets forth a time table for the completion of each step, such as the preparation of initial list, notification of disqualifications, time for appeal, etc. The publication of notice of appeals of the definitive electoral list is 110 days after the initial compilation. The time periods, however, are mere guides and indeed practice shows that circumstances prevent their being followed to the letter.

7. PROBLEMS IN COMPLETING ELECTORS LISTS

The electors lists are not yet complete in the majority of the Communes under Italian administration. The latest figures furnished by the Italian Government give partial picture of the position as at 31 August 1945, as follows:

Total number of Communes under Italian jurisdiction	3,351
Total number of Communes reported on by the Government	2,628
Number of lists which have been approved by Electoral Commission	313 (Piedmont)

This in 6% of the lists. The Communes reported on by the Italian Government, the corresponding figures are yet available for Military Government areas. As the preparation of the lists did not begin until July 15.

The only lists that can be used as evidence are those that it will take to compile the electoral registers in the North to the experience in the South. Military and civil, lists were begun in the Southern part of Italy in January and now, 7 months later, they have been completed in only a small part of the territory. Lists in the North were begun in July and presumably will take at least 3 months thereafter to complete, perhaps longer.

8. ELECTORAL SYSTEM

Some of the factors which are delaying the completion of the registration of the Electoral Registers are the following:

(a) Extension of the time limits. The law provides that elections may be postponed and be limited extension of time for the completion of the registration of the Electoral Registers for reasons due to the exigencies of war, principally the destruction of records.

7. PROGRESS IN COMPLETING ELECTORAL LISTS

The electoral lists are not yet complete in the majority of the Communes under Italian administration. The latest figures furnished by the Italian Government give a partial picture of the position as at 31 August 1945, as follows:

Total number of Communes under Italian jurisdiction	3,351
Total number of Communes reported on by the Government	2,626
Number of lists which have been approved by Electoral Commissions	319 ^(also 2) _(Parma)

This is 6% of the lists from Communes reported on by the Italian Government. The corresponding figures are yet available for Military Government Territory immediately on the preparation of the lists did not begin until July 15.

The only guide that can be used to estimate the time that it will take to compile the electoral registers in the North is the experience in the South. As has been indicated above, lists were begun in the Southern part of Italy in February and now, 7 months later, they have been completed in only a small percentage of the territory. Lists in the North were begun in July and presumably will take at least 7 months therefore to complete, perhaps longer.

8. REASONING FACTORS

Some of the factors which are delaying the completion of the compilation of the Electoral Registers are the following:

(a) Extension of the time limit. The law provides that communes may request and be granted extensions of time for the commencement of the compilation of the Electoral Registers for reasons due to the exigencies of war, principally the destruction of records. In Southern Italy there has been such damage, and as a result of which many communes began the actual compilation of lists a long time after others. In territory under Allied control a sterner attitude has been taken in the granting of extensions as a result of which only 67 Communes out of 3,626 have been granted extensions.

(b) Return of local certificates. Copies of electoral lists must be sent to the provinces in which the persons named therein were born in order to be entered in the criminal registers of the Province. Extracts of such criminal records are then sent back with the lists to the originating commune. Inasmuch as the registration of la Prevencan have been destroyed as a result of the war, extracts of criminal records must be sought from the Central Criminal Registry in Rome. The inefficient functioning of that office has provided a bottle-neck in the completion of the lists as a result of which, according to its Manager, they do not hope to complete their registers until the end of November. Registrations have been made by the Chief Commissioner of the Allied Commission to the Prime Minister concerning the situation found in suggestions have been

- 3 -

effort for their improvement to the end that this work need be eliminated. Fortunately, the Italian Government has a device - a device which will make it unnecessary for search of criminal records of so far as to be made at the provincial or the Central Registries. Since there is only 3% female criminality in the country it is felt that a record search in the police offices will be sufficient in the case of women.

(c) Work of the Electoral Commissions. Some delay has been incurred in the completion of the work of these Commissions due to the lack of judicial personnel, but principally due to the delay on the part of the Criminal Registries to send the lists to the proper authorities with extracts of penal convictions.

REVISION OF LOCAL GOVERNMENT SYSTEM

The Italian Government has not yet decided what kinds of elective local bodies and officials are to be set up. Obviously elections cannot be held until the people know what they are to vote for. In June 1945, the Ministry of the Interior published a project for this purpose. It envisages the re-establishment of the elective Central and Provincial Councils provided for in the pre-war local government law of 1915. The project is merely a technical study, submitted for consideration by the appropriate authority in the Italian Government and is not necessarily the one that will ultimately be adopted, nor the only one to be considered. Any proposal for the establishment of local authorities has to be submitted for the opinion of the National Consultative Assembly.

VOTING PROPOSALS FOR LOCAL ELECTIONS

The above-mentioned project also contains a procedure for voting at local elections following the basis of the local Government Law of 1915. The Allied Commission has made recommendations to the Italian Government, (both to the RECENT and PARTI Government) criticizing the methods of voting as provided for in the Electoral Law of 1915 and suggesting that this law be amended. The points raised were:

- (i) No prior declaration of candidates is provided;
- (ii) No official printed ballots by the state;
- (iii) No guarantee against subornation at the polls;
- (iv) No provision for voting by soldiers and non-commissioned officers while on service, although this right is afforded officials.

No response has been received from the Italian Government with regard to these criticisms, although the Allied Commission has recently been informed by the Minister of the Consultative Assembly that the criticisms would be submitted for consideration by the Council of Ministers.

The Italian Government has not yet decided what kinds of elective local bodies and officials are to be set up. Obviously elections cannot be held until people know whom and what they are to vote for. In June 1945, the Ministry of the Interior published a project for this purpose. It envisages the re-establishment of the elective Municipal and Provincial Councils provided for in the pre-Fascist local government law of 1915. The project is merely a technical study, submitted for consideration by the appropriate authorities in the Italian Government and is not necessarily the one that will ultimately be adopted, nor the only one to be considered. Any proposal for the establishment of local authorities has to be submitted for the opinion of the National Consultative Assembly.

10. VOTING PROCEDURE FOR LOCAL ELECTIONS

The above-mentioned project also contains a procedure for voting at local elections likewise based on the local government law of 1915. The Allied Commission has made representations to the Italian Government, (both to the MONTE and PARI Governments) criticising the methods of voting as provided for in the Electoral Law of 1915 and suggesting that this law be amended. The points raised were:

- (i) No prior nomination of candidates is provided;
- (ii) No official printed ballots by the state;
- (iii) No guarantee against electioneering at the polls;
- (iv) No provision for voting by soldiers and non-commissioned officers while on service, although this right is accorded officially.

No response has been received from the Italian Government with regard to these criticisms, although the Allied Commission has recently been informed by the Minister of the Consultative Assembly that the criticisms would be submitted for consideration by the Council of Ministers.

11. VOTING PROCEDURE FOR NATIONAL ELECTIONS

No indication has been received from the Italian Government as to the voting procedure they propose to adopt for any national legislative body. The Minister for the Constituent Assembly has, however, established a Commission in his Ministry to study this subject and in particular the last pre-Fascist law on national elections, that of 1919. Any law as to elections for the national legislature will also have to be submitted for the opinion of the National Consultative Assembly.

12. PRIORITY OF LOCAL OR NATIONAL ELECTIONS

It should be noted that the Italian Government has not decided whether national elections will precede local or vice versa. However, it will be possible to hold local elections at various dates as parts of the country, particularly in Southern and Central Italy, have completed the necessary preparatory work. The holding of national elections, however, will necessarily be dependent upon the

completion of all preparations in all parts of Italy. No elections can be held until elections are announced on the foregoing important questions of local government system, voting procedures at local elections and voting procedure at national elections.

13. MECHANISMS FOR VOTING

No difficulty is expected in connection with providing urns, booths, stamps and premises, in spite of the lack of material. It has been stated that the actual making of urns and booths will be completed by the end of October in Central and Southern Italy. Allied Force Headquarters has ordered the making available for the holding of elections of premises requisitioned by the military. The work of dividing the country into voting districts is proceeding on time and should not be a factor for delay of the elections.

14. ESTIMATED MANPOWER

It is estimated that of the total population of 43,000,000 in the country, about 22,000,000 will be put on the Electoral Registers of 1945. Of these, 15,000,000 are men. By way of comparison it may be noted that at the last General Election held in 1921, based upon the 1921 electoral list, 11,500,000 or 52% of the total population were registered and approximately 6,500,000 took part in the election. The lists for 1945 are more than double the 1921 lists because for the first time some will have the right to vote.

RH/AMH/pec

R. H. BRIDGES
Colonel
Director
Local Government Sub Commission

Translation

The President of the Council of Ministers
Minister of the Interior

n. 37011

Rome, 23 September 1945

SEP 23 1945

Dear Admiral,

I received your memorandum of the 7th, A.G./15/2/L.G. on the position of the Central Individual Record Office.

This important matter had already been the subject of the attention of my Ministry, which took action, for the part concerning it, to try and improve the working conditions of the above mentioned office, assuming the expense for the larger staff which is necessary.

We already knew that the Central Individual Record Office, of which the Government formed after the liberation of Rome had inherited in a very disorderly state, not yet reorganized, had great difficulties in functioning. On the other hand, from what our offices knew, it seemed that no delay for the summoning of the elections was to be feared for such a reason. However, after what you have told me, I have ordered that an ascertainment be made.

I have at once drawn the particular attention of the Minister of Justice on the mentioned inconveniences, asking him to take in consideration the suggestions made and at once take the necessary action to eliminate the said inconveniences.

Yours very truly,

s. Ferruccio Parri

Admiral Ellery W. Stone
Chief Commissioner
Allied Commission
R o m e

BU DIST - 23 Sep 45
Action: C.A. Sec (2)
Info: Chief Comm
Exec Comm

trans. o/e

P.A.

CRB 7/10

BU 8/10

Noted

(2 SPARES)

(CAPT BRAYBROOK)

CRB 28/3

5662

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

CG 204

25 September 1945

SEP 25 1945

EC (10)

Dear Mr. Goshie:

With reference to your letter of 24 September 1945 concerning the Russian Delegation's desire to have presented at the next meeting of the Advisory Council a report on the "Background and Present Status of Plans for the Holding of Local and National Elections in Italy," arrangements are being made to have such a report presented.

Sincerely yours,

WALTER W. STONE
Rear Admiral, USNR
Chief Commissioner

Mr. John L. Goshie
Chief of Secretariat
Advisory Council for Italy
Rome, Italy

cc: Executive Commissioner (2)
CG Files

EC II 1st - 25 SEP 45

(2806/EC)

EXEC Comm

C.A. SEC

5681

(CAPT BRAYBROOKE)

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

Ref: 2806/80

25 September 1945

SUBJECT: Elections

TO : Civil Affairs Section

Copy of Chief Commissioner's Memorandum CC 204 dated 25 September 45 and enclosure from the Advisory Council for Italy (dated 24 September 45) are forwarded for appropriate and immediate action.

13 C. E. BRAYBROOKE, CAPT., I.C.

✓ Chief Staff Officer
To Executive Commissioner

2 Incls:
as above

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SECRETARIAT
ADVISORY COUNCIL FOR ITALY

Rome, September 24, 1945

URGENT

Sir,

The Russian Delegation of the Advisory Council for Italy has expressed the desire to have presented at the next meeting of the Advisory Council for Italy a report on the "Background and Present Status of Plans for the Holding of Local and National Elections in Italy".

In view of the foregoing, it would be appreciated if you would make the necessary arrangements to have this report presented at the September 28, 1945 meeting of the Advisory Council for Italy, which will be held under the chairmanship of the Yugoslav Representative.

Respectfully yours,

/S/ JOHN L. GOSHIE
Chief of Secretariat

Admiral Ellery W. Stone

Chief Commissioner

Allied Commission

Rome.

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

2869

(C)

AO/45/12/10

21 September 1945

My dear Mr. Prime Minister,

SEP 24 1945

I refer to the letter I wrote to you on 20 August, setting forth the views of the Allied Commission as to the proposal to appoint a Special Commission to examine doubtful cases of citizenship in connection with the preparation of the electoral lists in the Province of Bolzano and in neighboring areas. I do not appear to have had any reply to this letter.

I feel that if such a Special Commission is to be set up, it is important that it be appointed and set to work as quickly as possible, as otherwise the embarrassment of all concerned in the preparation of the lists increases from day to day. May I ask you to let me know at an early date whether you agree with the views expressed in my earlier letter?

Yours very truly,

/s/ Elmer W. Stone

ELMER W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Perruccio Parrò
President of the Council of Ministers
Italian Government
Rome

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HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AG/45/19/10

Ref: 470190

SUBJECT: Preparation of electoral lists in Venezia-Giulia. 19 September 1945

TO : AFHQ (G-5)

SEP 21 1945

1. Reference is made to your letter dated 11 August (subject--elections in Venezia-Giulia) and to AGS XIII Corps signal 8/237 of 15 August to you, copy to this HQ. Your letters of 23 August to this HQ and 6 September to HQ XIII Corps are also relevant.
2. This HQ accepts the view of AGS XIII Corps that it is not expedient to allow local elections in Venezia-Giulia at this stage. It will be appreciated, however, that it would in any event be impossible to hold such elections until registers of voters or electoral lists have been prepared.
3. The British and United States Governments have stated through their Home Embassies that they are in favour of the preparation of electoral lists at this stage.
4. For your information, electoral lists have been prepared or are in course of preparation in the remainder of Italy. In Central and Southern Italy, the preparation was commenced in February 1945: in the five northern Regions of Emilia, Liguria, Lombardia, Piemonte and Veneto the preparation of the lists was commenced by direction of the CGAO on 15 July. The franchise is defined and the procedure for preparing the lists laid down in a number of Decrees of the Italian Government, commencing with D.L. 28 September 1944 No. 247. These Decrees have been implemented in the Regions above-mentioned by AGS Order.
5. It is considered that the procedure to be adopted for Venezia-Giulia should follow as closely as possible that adopted for the remainder of Italy. As however the Italian Government Decrees mentioned in para 4 cannot be implemented in Venezia-Giulia, the procedure must be defined in an AGS General Order.
6. A number of technical difficulties in the preparation of this order will arise, but these are all believed to be surmountable. It is essential, however, that there should be consultation with the appropriate officials of the Italian Government on the matter. It is not proposed to consult or even discuss with the Italian Government the policy involved or decisions taken, but merely to have the advice of Italian expert officials on technical questions of law and drafting. Have you any comments?

FOR THE CHIEF COMMISSIONER:

Copies to: CGAO Venezia-Giulia
Chief Commissioner
Exec. Commissioner
Folad (1)
(3)

M. Carr Bryader
M. Carr
Brigadier
VP CA Section

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28065

AIDE MEMOIRE

AC/45/20/16

7 September 1945

SEP 20 1945

SUBJECT: Condition of Cassellario Giudiziale Centrale - Piazza Firenze, Rome.

1. I wish to draw your attention to the condition of the Cassellario Giudiziale Centrale. As you are no doubt aware, it is necessary in the compilation of electoral lists for provinces to refer to that office to obtain extracts of criminal records in cases where no record is obtainable in the pertinent Provincial Cassellario Giudiziale.
2. The information of this Commission is that 14 of the Provincial Cassellari Giudiziali have been destroyed, thus putting a very heavy burden on the Central Registry.
3. As a result of an explanation given by the Electoral Service in the Ministry of the Interior with regard to the apparent excessive time that it is taking to compile the electoral lists, which was attributed to the fact that considerable time is lost at the Central Registry in making extracts, one of my officers obtained permission to visit the Cassellario Giudiziale Centrale.
4. This officer reports that the keeping of the registers is in an extremely bad condition. It appears that:—
 - (a) the original index cards are only completed up to the year 1930;
 - (b) that for the years 1930 to 1940, the documents are arranged alphabetically for each province in boxes and are scattered through in a large number of rooms;
 - (c) that for the years 1941 to 1945, the records are kept tied up in bundles arranged by provinces in yet other rooms.
5. It is therefore necessary for the clerks working in these offices to make 3 separate searches under conditions that in no way lend themselves to accuracy. It is reported that several million names have already been handled in this way, but at the present time there are some 700,000 names incomplete, and it is estimated by the officials of the Central Registry that it will take 3 months to complete the names at present outstanding without any additions that are to be expected.

See P. 13

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(Ans Kersley) 2A

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6. I am considerably disturbed by this state of affairs, as you will appreciate if it is going to take so long for only one process of the electoral system to be completed, it is going to be a very considerable time before elections, either national or local, can be held throughout the country. The fact furthermore does not appear to be appreciated when statements are made by responsible government officials that elections can and will be held at an early date.

7. I earnestly request that you give this matter your personal attention, with a view to improving the conditions, and in this connection offer the following suggestions:

- (a) that additional personnel be hired immediately;
- (b) that more space be secured for housing these records until the task of making extracts for electoral lists is concluded;
- (c) that all documents be put in wooden boxes and arranged alphabetically according to provinces;
- (d) that boxes or documents unindexed be arranged to permit easy access by personnel in 3 or 4 rooms instead of 10 to 15;
- (e) that if photographic material and machinery is available and can be procured that photostats of original records be made which could be sent to the Communes, thereby obviating the time-consuming process of making extracts by hand.

W. E. Stone

WILLIAM W. STONE
Rear Admiral, USNR
Chief Commissioner

RRC/pec

Delivered to:

The President of the Council of Ministers.

20 September 1945

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

280646

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/27/16/LG.

Tel: 478190

SUBJECT: SITREP 12 Sept. 45.

13 September 1945

TO : Civil Affairs Section.

SEP 15 1945

1. Reference your 6/16.B/CA dated 22 August 1945 concerning reports on matters of special interest.

2. Appointment of Provincial Commissions for Disfranchisement of Fascists:

(a) After considerable discussion with the Italian Government, the method to be followed in appointing the Provincial Commissions for Disfranchisement of Fascists has been defined in a Directive issued by this Sub Commission on 3 September 1945 (reference AG/45/A/LG).

(b) The presiding officer of the Commission (by virtue of Article 8 of DIL 159 of 27 July 1944, as modified by article 2 of DIL 2 of 4 January 1945, both of which have been duly implemented and are in effect in AMG Territory), is a magistrate appointed by the President of the Council of Ministers after consultation with the Minister of Grace and Justice and the High Commissioner for Sanctions against Fascism. The Italian Government is at present selecting the Presidents of the said Commissions for each province, whose names will be published in the Gazzetta Ufficiale and duly implemented so that they are to be effective in AMG Territory.

(c) Inasmuch as it is not specifically indicated who should actually appoint the other 2 members of the Provincial Commissions, it has been agreed that the Provincial Commissioner should request the First President of the Court of Appeals to nominate the members; the appointment of such members to be made legal by formal order of the Provincial Commissioner.

[Signature]
R. R. CRIPPS,
Colonel,
Director,
Local Government Sub Commission.

PR/10.

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✓ EGS

Forwarded in accordance with your 150/37 EC of 21 Aug.

[Signature]
S.H. WHITE, Lt Col
CSO, CA Section

[Signature] 2896
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