

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

ACC

10000/109/623
(VOL. IV)

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

10000/109/623
(VOL. IV)

LOCAL GOV'T ELECTIONS
OCT. 1945 - FEB. 1946

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

File closed →

see Volume 5.

eso

289.

Immediate

(a) Where is the action - 279 + 282. ✓ See 290-292/2

XX(b) What is distribution of 288

175/2

293.

Ex. Com.

Sir, Reference your ltr. 289(b) above, distribution of the document in question is:

C. COM.
EX. COM.
POLADS (1) + (2).
CA SEC.

Delay in supplying this information is due to the fact that the file has been with the. b. Com for signature of a letter.

J.S.
Therules 175/2

A/c.c.

295

A/c.c. - folio 294 for info re.

H.S. 11/2 175/2

175/2

5776 175/2

298

A/c.c. H.S. folios 297-6 for info: seen by A/c.c.

175/2

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

262

Chief Commissioner.

(260)

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

Noted by CC

DEC 29 1960
c 20910

M/28/21

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

Both Embassies

has

cc

1138

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281

CSO

279

Thin of corner should
be to G S Timberline
with a corner cut
which I will see

SS 1611

see Reserve
A1611

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1139
E.C. ²⁸⁰ Personal
This should
be forwarded to
G-5. It
surely is not
"holding in
Trust".
It should
be sent to

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272

Ex. loun.

280

See ser 266-271 for info. On the whole satisfactory.

DD-71

Final 4/1

273

Noted

277

280 - 281

See ser 276-275 for info. US 9/1

5713

244.
Cpt. B. Have int C.H.S.
now cleared this with
Polads. FWT 10/12

245.
ESO. All while the cleared with Polads
(B) & verbally with (A). On strength
of this he has prepared already the
letter for signature. also a minute
to us. & hopes tomorrow to submit,
after final clearance with (A).
Bancroft FWT 11/12
SUBS. DEPT. OF COMMERCE
12/12. FWT 12/12
C/O Wait for letter
CSB 12/12

FWT 12/12

246.
C/O FWT 12/12
246 for info - CC & Ex. C. must know.
246 for info - 208 refer.

247.
C/O FWT 12/12
247 for info - 214 refer.
247 for info - letter letters about electoral register
in all Adm. FWT 22/12.

5774

248.

Letter for signature - also a minute to us & hopes tomorrow to submit, after final clearance with [unclear]

171100Z JAN 68
FM HONOLULU
TO DIRECTOR
SUBJ: [unclear]
INFO: [unclear]
12/12
E/O Wait for letter
CRS 12/12

Blatt 172

CRS 12/12

253 for info - CC & Ed. C. must know.
250 for info - 208 refer.

CRS 12/12

253 for info - 214 refer.
254 for info - letter letters about electoral apigleis
in Alaska Adige.

RS. 27/12.

5774

RS. 22/12.

CRS 12/12
251 info. RS. 22/12.

CRS 12/12

253-260 info. V. interesting
RS. 27/12.

RS.

Ex CB

#240

Further, Team will be necessary.

Local Govt is awaiting the review of the letter to the POC. which was submitted for the CC. sign. If the policy revision is approved, instructions will be issued. One would have thought that the PC strategy would have applied the same ruling as regards the registration of German speaking election to all his businesses.

It is noted that the PC in writing cannot now send us copies to the CC as to Local Govt.

May the submission of file w/12/1 LG to the CC for sign be expedited please.

Recd Ex C. Office
on 29/11

DB 29/11

[Signature]

CA-S.
21 NOV 1943
X-525.

Note

241

Ref last para. of min 240: file w/12/1 LG, with draft of letter for CC's approval, was submitted by CA Sec to Poles A & B on 20 Nov. Poles A has not yet dealt with file: it has still to go to Poles B.

23/11

DB 29/11
Ex C. Office

240

242

Ref min 8 and 9. Have spoken with CA Sec. Would it be possible please to take up (perhaps on Ex Comm level) these delays which make things very difficult?

DB 3/12

243

290

5773

Note

241

Ref last para. of min 8: file 45/12/1. EG, with draft of letter for EC's approval, was submitted by CA Sec to Polad A & B on 20 Nov. Polad A has not yet dealt with file: it has still to go to Polad B.

23/11

BBuygh to
EG Ex Comm.

5773

ESD

242

Ref min 8 and 9. Have spoken with CA Sec. Would it be possible please to take up (various on Ex Comm level) these delays which make things very difficult:

BB 3/12

ESD

243

The file is still with Polad A: I have now taken it up to Col White who has a meeting with Polad's tomorrow at which he will discuss

BB 6/12

Ex Comm

236.

Re see folios 234-5 on a subject which you must have discussed with Noyon Somersat.

236/11

CAS

237

All's well that ends well.

236/12

LG.

238

The Treaty working on the same instruction as Bologna as to including others. It looks as if they were not. Should not be informed that his instructions in Bologna must of necessity also apply to German speaking students in French. Perhaps auditions.

[Signature]

CAS
21 Jan 1946
x 500

239

CAS. I agree with Min. 6 that the same instructions must be issued for all non- since with German speaking people. This should be done as quickly as possible, and will be done as soon as the letter from the CC to the PM setting forth the third

DC 26/21

238

LG.

Is Trulli working on the same instruction as Bologna as to including others. It looks as if they were not. Should not RC be informed that his instructions in Bologna must of necessity also apply to German speaking students in Trentino Belluno area.

Handwritten signature

CA 5
2/20/1946
x 626

239

C.A.S. I agree with Min. 6 that the same instructions must be issued for all ^{of the} ~~the~~ people. This will be done as quickly as possible, and will be done as soon as the letter from the CC to the PM setting forth the third category of persons to be initially registered is signed by the CC and dispatched. We need not wait for the decree which is being prepared on citizenship of persons in the Alto Adige region since the temporary compilation of electoral registers may be started and names struck off later. But we must get the letter to the PM dispatched and then issue consistent directives to the RC of Venetian Region for Bolzano, Trento, Belluno and Udine.

Respt. Temple, Major
Director L.G. S/C

28 Nov. 46
x-495

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

~~232~~ 232

ESQ a) Re see min ²³¹ ~~231~~ in reply to min ²³⁴ ~~234~~

b) Re see folio ²²⁹ ~~229~~ for info. Q23 5/12

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5771

210.

Pre. see 196 for info. It finally bills
Van Guilder to carry on with preparation
of electoral lists. It implements folio 4
an Temp. jacket D - our exposition of the
facts to AFHQ. Agreement of AFHQ is at 181R.

EB 4/11

Ex. Comm. Pre. see CA Secs opinion on 215. 213.
at 203. 213. and 213.

EB 23/11

Chief Commissioner.

Attached is submitted for your signature
information

I agree. 17/11/23/11 - see by cc.
see that 207.

Ex. Comm. see on 213. 213.
1) Pre. see 213. for info
2) Pre. see 213. for info. EB 23/11

5776

Encl. See CA Secs opinion on 215 and 200
at 203.

EB 23/1

206-28

Chief Commissioner

20526

Approved
Attached is submitted for your signature
information

I agree.

184 (23/1) - seen by cc.
See that at 207.

Ex Comm. 213
seen on c.s. file 213-204
1) See 213 for info
2) See 213 for info. EB 23/1

3776

CSO

206

We must tell R.C. You R. check in the present

form. CAS for action. 184 (23/1)

230

CA Sec

See the 213 216. I take it to refer to
also 213 221.

EB 23/1

Off. Ex Comm.

231

Ex Com S.

For are awaiting approval of the draft letter to the P.M. to see
if the policy is agreed. As soon as the policy is settled. Substantive and
the sub-RC. She will also be informed as soon as possible a in communication
1945

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/45/38/LA.

Tel: 478706

SUBJECT : Report on Local Elections

13 February 1946

TO : Vice-President, Civil Affairs Section

FEB 14 1946

1. Attached hereto is a population analysis of the 437 Communes which are scheduled to hold local elections on 10 March 1946. As indicated, over 70% of the Communes have a population of less than 3000 inhabitants.
2. Our latest information is that 915 Communes are scheduled to hold local elections on 17 March, and 590 on 24 March. The total of the three dates therefore is 2242. This is not final as supplementary lists are expected to come in. The population analysis will be compiled when the information is final.
3. Geographically the distribution is well scattered for the election on the 10th March. I have had a map prepared which graphically presents the distribution.
4. Several days ago the Ministry of Interior set Sunday, 7 April as an additional date for the holding of local elections and all Prefects were so informed.
5. So far as the preparation of electoral lists is concerned the latest information is that 13,359 lists (or 92% of the total) have been compiled, and 6,098 lists (or 42% of the total) have been approved. The total number of lists for Italy excluding Venezia Giulia is 14,428. A fuller report on progress is being prepared.

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

RRT/vw

Distribution :- Chief Commissioner
Executive Commissioner
Polad A
Polad B
U.S.S.R. Representative
45/21

Seen by Me.

5709

See M. 298

(COPY 10) 45/4/2

1A 1/3

296

COMPARISON VOTING ON THE LOSS OF A JOB

Population % ratio as per definitive list.

Total Number of Comparisons; 437.

0 - 999	22 occurrences	5.05%
1000 - 1999	95	21.8%
2000 - 2999	79	18%
3000 - 3999	65	14.9%
4000 - 4999	51	11.9%
5000 - 5999	30	6.88%
6000 - 6999	21	4.8%
7000 - 7999	15	3.44%
8000 - 8999	8	1.92%
9000 - 9999	8	1.92%
10,000 - 10,999	5	1.12%
11,000 - 11,999	6	1.34%
12,000 - 12,999	5	1.12%
13,000 - 13,999	3	.67%
14,000 - 14,999	4	.90%
15,000 - 15,999	1	.23%
16,000 - 16,999	3	.67%
17,000 - 17,999	2	.46%
18,000 - 18,999	3	.67%
19,000 - 19,999	2	.46%
20,000 - 20,999	2	.46%
21,000 - 21,999	2	.46%
22,000 - 22,999	1	.23%
23,000 - 23,999	1	.23%
24,000 - 24,999	1	.23%

5708

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

5708

6000 - 6999	21	"	6.03%
7000 - 7999	15	"	4.80%
8000 - 8999	8	"	3.44%
9000 - 9999	8	"	1.92%
10,000 - 10,999	5	"	1.92%
11,000 - 11,999	6	"	1.12%
12,000 - 12,999	5	"	1.36%
13,000 - 13,999	3	"	1.12%
14,000 - 14,999	4	"	.67%
15,000 - 15,999	1	"	.90%
16,000 - 16,999	3	"	.23%
17,000 - 17,999	2	"	.67%
18,000 - 18,999	2	"	.46%
20,000 - 20,999	2	"	.67%
21,000 - 21,999	2	"	.46%
23,000 - 23,999	1	"	.46%
26,000 - 26,999	1	"	.23%
28,000 - 28,999	1	"	.23%
29,000 - 29,999	2	"	.23%
34,000 - 34,999	1	"	.46%
39,000 - 39,999	1	"	.23%
72,10% of the Communes voting on March 10th have less than 5,000 inhabitants.			
18.96% of the Communes " " have more than 5,000 but less than 10,000 inhabitants.			
.46% of the Communes voting on March 10th have more than 30,000 inhabitants.			

R. L. Temple, Mayor
 RALPH R. TEMPLE, Mayor
 Director, Local Government Sub Committees

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

NO/45/21/1G

9 February 1946
FEB 11 1946
Ext. 495

SUBJECT : Interim Report of progress on Compilation and Approval
of Electoral Lists.

TO : Executive Commissioner
Hq., A.C.

		<u>31 Jan 1946</u>	<u>15 Jan 46</u>
Compiled	{ male lists	6360	4288
	{ female lists	6999	6546
	<u>Total</u>	<u>13359</u>	<u>10834</u>
Approved	{ male lists	2848	1622
	{ female lists	3250	2067
	<u>Total</u>	<u>6098</u>	<u>3689</u>

AN.

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

5707

See M. 295

PA 1/2

8049

E
(MTR)

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

292

Ref: 2006/292/EC.

6 February 1946.

SUBJECT: Elections in ISTRIA.

TO : US Embassy.
British Embassy.

274

Herewith is forwarded copy of a letter dated 15th January received from the Italian Prime Minister concerning elections which took place in that part of ISTRIA South of the River DRAGONIA. The matter was raised with Polads (A) and (B) who consider that it might be referred to your Government in case it may wish to take the matter up with its Missions in BELGRADE.

For the Chief Commissioner:

M. S. LUSH

Brigadier,
Executive Commissioner.

Copy to: CA Section.

5766

PA. 2/3
2/3

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

291

Ref: 2806/291/EC.

5. February 1946.

SUBJECT: Elections in Croatia ISTRIA.

TO : Allied Force Headquarters.
Attn: G-5 Section.

274

1. Herewith is forwarded copy of a letter dated 15 January received from the Italian Prime Minister concerning elections which took place in that part of ISTRIA south of the River DRAGOGNA. The letter deals with a subject outside the jurisdiction of this Commission.

2. Copies of the Prime Minister's letter have also been forwarded to the US and British Embassies who will, it is understood, take the matter up with their respective Governments. The Governments may wish to take the matter up with their missions in BELGRADE.

For the Chief Commissioner:

M. S. LUSH

Brigadier,
Executive Commissioner.

Copy to: CA Section.

5765

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

290

Ref: 2906/290/10.

7 February 1946.

My dear Mr. Prime Minister:

274

I am writing to acknowledge receipt of your letter No. 5/29 of 15 January concerning elections in Istria. I have taken the matter up with the US and British Embassies who will in all probability refer the matter to their respective Governments. It is a matter which is outside my jurisdiction and with which I can do little other than forward your letter to the appropriate quarters.

Yours very truly,

(Sgd) *Ellery W. Stone*
ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Det. Alcide de Gasperi,
President of the Council of Ministers,
The Italian Government,
R O M E.

5764

Copy to: CA Section.

Q

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

10/13/24/10

478190

Analysis of progress of Electoral work in the Italian Government and Northern Provinces territory (Based on Ministry of the Interior report for the period ending 16 January 1946)
NOTE: for the purpose of this analysis territory is shown as I.G. & N.P. territory in accordance with the situation prior to 31 December 1945

(A) Italian government territory

Total No. of Communes : 3586
No reported on : 3585

1. Compilation of draft list (elenchi)

Male lists compiled :
Female lists compiled
Total

2801 - i.e. { 78% of all I.G. communes have male lists compiled.
3492 - i.e. { 97.5 % of all I.G. communes have female lists compiled.
6293 - i.e. { 88% of all I.G. communes have communal lists compiled

2. Approval of definitive lists

Male lists approved:
Female lists approved:
Total

1397 - i.e. { 39% of all I.G. communes have male lists approved
1695 - i.e. { 47.3 % of all I.G. communes have female lists approved
3092 - i.e. { 45 % of all I.G. communes have male & female lists approved

(B) Northern Provinces territory as recently handed over to the Italian government (including UDINE but excluding VENEZIA GIULIA)

Total No. of Communes: 3628
No. reported on : 3586

1. Compilation of draft lists (elenchi)

Male lists compiled :

1487 - i.e. { 41% of all communes in N.P. territory and 41.5% of communes reported on have male lists compiled.

Female lists compiled :

1. Consolidation of draft list (elenco)

Male lists compiled :

Female lists compiled

Total

2801 - i.e. { 78% of all I.G. communes have
male lists compiled.
3492 - i.e. { 97.5 % of all I.G. communes have
female lists compiled.
6293 - i.e. { 88% of all I.G. communes have
communal lists compiled

2. Approval of definitive lists .

Male lists approved:

Female lists approved:

Total

1397 - i.e. { 39% of all I.G. communes have
male lists approved
1695 - i.e. { 47.3 % of all I.G. communes have
female lists approved
3092 - i.e. { 45 % of all I.G. communes have
male & female lists approved

(3) Northern Provinces territory as recently
handed over to the Italian government (including
UDINE but excluding VENEZIA GIULIA)

Total No. of Communes: 3628
No. reported on : 3586

1. Compilation of draft lists (elenco)

Male lists compiled :

Female lists compiled :

Total

1467 - i.e. { 41% of all communes in N.P.
territory and 41.5% of com-
munes reported on have male
lists compiled.

3054 - i.e. { 85% of all communes in N.P.
territory and 85.3% of com-
munes reported on have fe-
male lists compiled

4521 - i.e. { 62.5% of all communal lists
reported on and 62% of all
communal lists compiled

2. Approval of definitive lists

Male lists approved :

225 - i.e. { 6.21% of all N.P. territory
communes and 6.28% of all
communes reported on have
male lists approved

DIST BN

C. Com.

As Com.

Per. (A) - (B)

ENT. SEC.

See h. 289. 293

12/8

WTC

288

Female lists approved :

372 - i.e. { 10.2% of all N.P. territory
communes and 10.4% of com-
munes reported on have fe-
male lists approved

Total

597 - i.e. { 7.9% of all N.P. territory
communes and 8% of communes
reported on have been
(approved

(C) I.G. and N.P. territories combined

Total No. of communes : 7214 (less Venezia Giulia)
Total No. reported on : 7171

1. Total No. of draft lists (Elendhi) Male and Female compiled :

10,844 - i.e. { 70.5% of communal lists
reported on or 70.5% of all
communal lists have been
(compiled

2. Total No. of definitive lists (male and female) approved :

3,689 - i.e. { 24.2% of communal lists
reported on or 24% of all
communal lists have been
(approved

Note 1: The total number of Communes in all Italy (less Venezia Giulia)
which have completed both male and female lists and had them approved by the
Electoral Commissions is: 1456.

Note 2: The following provincial capitals have had both lists compiled
and approved;

Avellino	Cosenza	Frosinone
Brindisi	Crotone	Grosseto
Caserta	Roma	Ragusa

R. R. Temple, Major

RALPH R. TEMPLE

Major

Major

2. Total No. of definitive lists (male and female) approved :

10,844 - i.e. { 70.5% of communal lists reported on or 70.5% of all communal lists have been compiled

3,689 - i.e. { 24.2% of communal lists reported on or 24% of all communal lists have been approved

Note 1: The total number of comunes in all Italy (less Venezia Giulia) which have completed both male and female lists and had them approved by the Electoral Commissions is: 1456.

Note 2: The following provincial capitals have had both lists compiled and approved:

Avellino
Brindisi
Caserta

Cosenza
Cremona
Enna

Frosinone
Grosseto
Ragusa

RM/mf/rags/rbo

R. R. Temple, Major

RALPH R. TEMPLE
Major
Director
Local Government Sub Committee

DISTRIBUTION

CHIEF COMM.

EX COMM.

COLAD A

COLAD B

CA SEC

Note BY C.COM. - E.C. Peterson

COPY.

2306

Pl note a return N.Y. for circulating (and) Eng.

Memorandum to be used as basis of conversation
with Italian Prime Minister
by American Ambassador.

JAN 24 1946

The views of the Government of the United States concerning the holding of local (administrative) elections were communicated to the Italian Prime Minister (Signor Farri) on August 24 and September 11, 1945 (copies of memoranda of conversations on those occasions attached). Signor De Gasperi received similar communications at those occasions in his capacity as Minister for Foreign Affairs.

The Government of the United States has continued to follow with closest interest preparations for elections in Italy. While it is disapproving that local elections have not yet been held in any towns or cities, it is gratifying to know that dates have been set for elections both national and local. The Government of the United States hopes that the Prime Minister will press forward with these plans; that electoral laws which are now under discussion will guarantee the Italian people's choice of the form of democratic government which they desire and a full and free expression of their will. It is further hoped that all political parties will co-operate to ensure the holding, in an orderly manner, of free elections.

The Government of the United States is keenly alive to its responsibility to the Italian people in the matter of elections by reason of the reiterated promise that the Italian people would have the free and untrammelled right to choose by constitutional means their own form of democratic government, first given during hostilities and affirmed in the joint statement of the President of the United States and the British and Russian Prime Ministers on October 13, 1943, and in the Moscow Declaration of November 1, 1943. With this responsibility in mind, the Government of the United States has instructed its Ambassador to bring to the attention of the Italian Prime Minister its views with respect to the powers and limitations of the Constituent Assembly to be elected by the Italian people during the coming months. They are as follows:

Italian constitutional law cannot determine the functions and nature of the Constituent Assembly since constitutional law, strictly speaking, is based on statutes. The only legal government of Italy is the present one with ultimate law-making powers vested in the Council of Ministers and the Lieutenant General of the Realm. Except for self-imposed limitations, and those arising from the instrument of surrender, the powers of the present Italian Government are without legal limits. The present Italian Government are without the assembly, also has authority to limit the Assembly to its fundamental task of framing a new constitution. The decree-law of June 25, 1944 (no. 151) did in fact do just this. But while, in broadest interpretation, Italian constitutional law might be understood to include Italian and foreign precedents for the Assembly, the phrase "constituent assembly" as used in modern Italy, has varied interpretations and there are hardly any relevant Italian precedents. The interpretation of "constituent assembly" as an organ of government is not correct.

of their will. It is further hoped that all political parties will co-operate to ensure the holding, in an orderly manner, of free elections.

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Italian constitutional law cannot determine the functions and nature of the Constituent Assembly since constitutional law, strictly speaking, is based on statutes. The only legal government of Italy is the present one with ultimate law-making powers vested in the Council of Ministers and the Lieutenant General of the Realm. Except for self-imposed limitations, and those arising from the instrument of surrender, the powers of the present Italian Government are without legal limits. The present Italian Government are without the assembly, also has authority to limit the Assembly to its fundamental task of framing a new constitution. The decree-law of June 25, 1944 (no. 151) did in fact do just this. But while, in broadest interpretation, Italian constitutional law might be understood to include Italian and foreign precedents for the Assembly, the phrase "constituent assembly" as used in modern Italy, has varied interpretations and there are hardly any relevant Italian precedents. The interpretation of "constituent assembly" as an organization which both creates a new constitution and governs the country is based on European precedents where break-downs of the previously existing legal regimes or revolutions occur, thus necessitating the two different functions of drafting a new constitution and of governing being performed by the assembly. Since a legal regime exists in Italy, competent to administer the country during the convention of the assembly and also under obligations to the Allied Governments, the case of Italy is not parallel. The Constituent Assembly would have to confine itself to one task under a strict construction of decree law no. 151 of June 1944, which provides only for a new constitution to be drawn up by the Constituent Assembly and attributes no other functions to it. The decree-law contemplates the continuance of the Council of Ministers as the governing authority until a new Parliament is formed. The term "new Parliament" which is mentioned therein, means the Parliament to be created by the Assembly. Furthermore, the joint declaration of October 13, 1943, which established the right of the Italian people to choose, by constitutional means, a democratic form of government, must provide the framework within which the institutional question will be solved, and this requires that there

Order to copy for
file return for file to CC. 10/27

-2-

be observed legal continuity. Constitutional conventions, such as have been held in the United States, might be relevant foreign precedents for such procedure. Constitutional assemblies of this nature do not attempt to govern but confine themselves strictly to constitution-making.

The American Ambassador is sending to Signor De Gasperi for study by experts in his Government a detailed study made by the Department of State on which it based its conclusions set forth above.

The Government of the United States looks to the Government of Italy to discharge its grave obligations by laying the foundations for a state based on the sovereign will of the Italian people which will command the respect of the world and which will be worthy of the best Italian traditions.

Rome, January 24, 1946.

JWJ/sq

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

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

0930

JMJ/ejl

1000, January 24, 1946.

2814

As soon as honest balloting may be possible, the Government of the United States desires to see Italy commence the reconstruction of its government on an elective basis. With the view to holding national elections as soon as electoral machinery established for local elections is in operation throughout the country, it is felt that the Italian Government should consider immediately the holding of local elections, commune by commune, as quickly as preparations are completed. The United States Government advocates this course as the best guarantee of national democracy and as the most feasible in overcoming material difficulties precisely because the United States Government recognizes the serious responsibilities as well as privileges accruing to the Government of Italy in holding the first elections since the pre-fascist period. Such a course will provide already tested machinery for the national elections and would restore to the community, which is the foundation of the state, democratic responsibility. Although the Government of the United States is getting ready to conclude a treaty of peace with Italy, on the assumption that it is a democratic state, it is not possible up to the present time to point out to a single commune which has a popularly elected organ of government, even in that territory early liberated and restored to Italian jurisdiction. Consequently it is the earnest hope of the Government of the United States that at least communal elections will have been held throughout Italian metropolitan territory before the end of 1945.

Aug 24, 1945.

283

The Government of the United States desires to reiterate its views that administrative elections demonstrate the workability of electoral machinery and, therefore, in the opinion of the Government of the United States, should commence at once and should precede national elections. Furthermore, the arguments sighted for the postponement of elections have not impressed the Government of the United States. It is felt that a Government which insists upon its democratic character should take the initial step of seeing that at least local officials in some sections of the nation should have achieved their powers through election by their fellow citizens. Likewise, no reason is seen why local elections in such communes as were first returned to the administration of the Italian Government should be further postponed, while the Council of Ministers is debating the question of first holding national elections. It is noted in addition that the law for the Constituent Assembly is still being discussed, and that therefore the national elections could not be held immediately, while on the other hand local elections in some of the communes could begin at once, and it would thus seem most desirable to begin holding these local elections immediately in the light of the many previous statements on this subject by the Italian Government. In this connection it is finally noted that if the decision is later taken that the national elections should be held at once, a suspension of local elections would be possible until such time as national balloting might be completed.

The Government of the United States, in conclusion, will watch with interest the steps taken by the Italian Government with regard to this matter.

On August 24th the President of the Council of Ministers informed the American Ambassador that the Italian Government has not as yet been able to reach an agreement as to when the elections should be held and also indicated the danger of local uprisings and Government crises during the elections.

September 11, 1945.

5758

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

282

Ref: 2306/23

23 January 1946

SUBJECT: Elections.

TO : G.A. Section.

279
Ref Prime Minister's letter 5/29 dated 15 January 1946
forwarded to you for action on the 19th January.

The Executive Commissioner has requested that this letter
be forwarded to G-5 AFHQ and the Embassies with a covering
note for his signature.

C. R. BRAYBROOKE

Chief Staff Officer
to Executive Commissioner

See 290-292

5757A
B. G.

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

MINISTERO DEGLI AFFARI ESTERI

Rough Translation

Copy

No. 5/29

Rome, January 15th, 1946

Dear Admiral STONE,

JAN 15 1946

You are certainly aware that during the second half of November last, some elections, which were announced as "Administrative", took place in the so called "Croatian Istria" (by such name, the Yugoslav pretend to designate that part of Istria south of the river Dragogna).

Should these elections have had no different purpose than of providing for the local administration, I would not have deemed it necessary to interest you in the matter. But, on the contrary, they were greatly transformed in such a way that they ended up by being a true and proper political speculation for the purpose of showing the unanimous will of the Slav and Italian populations of the whole of the Venezia Giulia to see the region annexed to Yugoslavia.

It has not been possible to clearly identify what legislative measure was the base for holding said elections. All real guarantees were missing for the formation of electoral rolls, the secrecy and the freedom of the ballot.

The elections took place in an intimidatory atmosphere. In many places the Italians were subject to threats, ranging from the warning that the non-voters would have been deprived of food ration cards to serious menaces against the freedom and even against the life of those who would have failed to go to the polls. Propaganda speeches and posters stated that non-voters and those opposing the only ticket were to be considered as being the enemies of the "people's cause", which was identified with the Yugoslav cause. Before and during the elections many persons were arrested.

There can be no doubt that the elections' results were artificially and unscrupulously altered. According to Yugoslav figures, the affluence to the polls would have been nearly one hundred percent, and nearly unanimous would have also been the vote in favour of the only ticket.

Yet, from countless reports in my possession, there is a well grounded evidence that those who abstained from voting were very numerous, and there were very many blank ballots and ballot forms hailing Italy.

The true purpose of such pseudo-elections was made clear in the final stage of the electoral operations, when a "Regional Popular Committee of Istria" was elected at Parenzo.

30 at suitable date

- 1 -

M. 280-1

E.C. DIST - 19 Jan
Requid. S. E. A. Sec. (2)
Info: C.C.
E.C.

See F. 282-290-292

(ATTN) ERB 2/1

278

- 2 -

The speeches delivered in the "Assembly" which was to choose among its components the above mentioned Committee's members, clearly showed that the "democratic and secret" elections were held under the leadership of the "Italo-Slovenian antifascist Union", an association which is known to be dominated by Yugoslav agents.

Among the delegates present in Parenzo there were some self-styled delegates from Pola and from Trieste as well as some representatives of the "Comitato Regionale Popolare del litorale Sloveno", of the Yugoslav Military Administration in Istria and even a member of the Yugoslav Constituent Assembly.

Several speakers have asserted the unanimous ("Plebiscitary") will of the population of Istria, Trieste and Pola to join the Federal Yugoslav Republic. It has been furthermore declared that the members (15) named by the "Regional Popular Committee of Istria" are the only authentic representatives of the popular will of the Venezia Giulia.

Such assertions have been summed up and solemnly reaffirmed in a final motion in which it has been also stated, on behalf of said populations, "the firmest resolve to keep on marching under the leadership of Marshal Tito and the decision to fight against any attempt to separate Istria or any part of the Venezia Giulia from the Yugoslav Republic".

In view of the above, I cannot refrain from expressing to you, dear Admiral Stone, in your capacity of Chief of the Allied Commission, my high disapproval for such methods of political struggle, which are foreign to genuine democratic spirit, and from formulating my protest and all my reserves as to this new scheme attempted by the Yugoslavs to coerce or mystify the will of the Italians of Istria.

Believe me, Dear Admiral Stone,

Very sincerely yours,

(sgd) DE GASPERI

5755

HEADQUARTERS ALLIED COMMISSION

APO 394

LOCAL GOVERNMENT SUB COMMISSION

2806-4

10/25/22/10.

15 January 1946

JAN 17 1946

Analysis of Progress of Electoral Work in Italian Government and AMG Territory. (Based on Ministry of Interior Report for period ending 31 Dec. 1945).
 NOTE: For the purpose of this analysis territory is shown as "I.G." or "A.M.G." Territory in accordance with the situation prior to 31 Dec. 1945.

(A) Italian Government Territory

Total No. of Communes : 3586
 No. reported on : 3533

1. Compilation of Draft Lists (Alenchi).Male lists compiled : 2431 - i.e.

(70% of I.G. communes reported on, or (69% of all I.G. communes have male lists compiled.

Female lists compiled : 2442 - i.e.

(97% of I.G. communes reported on, or (96% of all I.G. communes have female lists compiled.

Total : 2923 - i.e.

(84% of I.G. communal lists reported on, or (83% of all I.G. communal lists have been compiled.

2. Approval of Definitive Lists.Male lists approved : 1124 - i.e.

(32% of I.G. communes reported on, or (31% of all I.G. communes have male lists approved.

Female lists approved : 1362 - i.e.

(39% of I.G. communes reported on, or (38% of all I.G. communes have female lists approved.

Total : 2489 - i.e.

(35% of I.G. communal lists reported on, or (35% of all I.G. communal lists have been approved.

(B) A.M.G. Territory (excluding Venezia Giulia)

Total No. of Communes : 3628
 No. reported on : 3540

Executive Communes

276

(62% of all I.G. communes have male lists compiled.
(97% of I.G. communes reported on, or 96% of all I.G. communes have female lists compiled.
(84% of I.G. communal lists reported on, or 83% of all I.G. communal lists have been compiled.

Female lists compiled : 3442 - i.e.
Total : 5923 - i.e.

2. Approval of Definitive Lists.

Male lists approved : 1124 - i.e.

(32% of I.G. communes reported on, or 31% of all I.G. communes have male lists approved.

Female lists approved : 1365 - i.e.

(39% of I.G. communes reported on, or 38% of all I.G. communes have female lists approved.

Total : 2489 - i.e.

(35% of I.G. communal lists reported on, or 35% of all I.G. communal lists have been approved.

(B) A.M.G. Territory (excluding Venezuela Giulia)

Total No. of Communes : 3628
No. reported on : 3340

1. Compilation of Draft Lists (Alenchi).

Male lists compiled : 232 - i.e.

(28% of AMG communes reported on, or 26% of all AMG communes have male lists compiled.

Female lists compiled : 2608 - i.e.

(78% of AMG communes reported on, or 72% of all AMG communes have female lists compiled.

Total : 2840 - i.e.

(53% of AMG communal lists reported on, or 49% of all AMG communal lists have been compiled.

g/ (Car B) 18/12/11

See M.277

275

- 2 -

2. Approval of Definitive Lists.

Male lists approved : 22 - i.e.

(2.3 of AMG communes reported on, or
(2.5 of all AMG communes have male lists
(approved.

Female lists approved : 185 - i.e.

(5.2 of AMG communes reported on, or
(5.1 of all AMG communes have female
(lists approved.

Total

: 277 - i.e.

(4.2 of AMG communal lists reported on,
(or 5.8 of all AMG communal lists have
(been approved.

(C) I.G. and A.M.G. Territories combined.

Total No. of Communes (less Venesia Giulia) : 7214
Total No. reported on : 6673

1. Total No. of Draft Lists (Slomani) (male and female) compiled :

2450 - i.e.

(62 of communal lists reported on, or
(62 of all communal lists have been
(compiled.

2. Total No. of Definitive Lists (male and female) approved :

2766 - i.e.

(20 of communal lists reported on, or
(19 of all communal lists have been
(approved.

Note : The following provincial capitals have both male and female lists compiled and approved : AVELLINO, CASERTA, COMAS, FROSINONE, MITO and ROMA.

John H. Kessy, Dep.

Major

Director

Local Government Sub Commission

JLS/vw

5733

COPIA

IL PRESIDENTE
DEL CONSIGLIO DEI MINISTRI

Roma, 4 gennaio 1946

Caro Ammiraglio,

In seguito all'esame della Commissione per gli affari politici ed amministrativi della Consulta, il Consiglio dei Ministri ha approvato il 2 corrente, nel testo definitivo, lo schema di legge elettorale per la ricostruzione dei Consigli comunali.

Come e' stato gia' reso noto in via ufficiale, dal progetto sono state stralciate le norme concernenti la elezione dei Consigli provinciali, essendosi il Governo riservato di provvedere al riguardo in separata sede.

Mi e' assai gradita l'occasione per assicurarla che la nuova legge ha accolto integralmente i rilievi formulati da codesta Commissione Alleata per l'adozione della scheda di Stato, la preventiva pubblicazione delle liste dei candidati, la proroga dell'intervallo tra il decreto di convocazione dei comizi e la data delle elezioni, al fine di consentire al pubblico la conoscenza delle liste in parola, nonche' per l'abolizione dell'articolo riguardante le modalita' di attuazione della legge nei territori sottoposti al Governo Militare Alleato.

Gradisca, caro Ammiraglio, vivissime cordialita'.

f/ De Gasperi

All'Ammiraglio
MILLEY W. STONE
Capo della Commissione Alleata
R O M A

(Translation)

THE PRESIDENT
OF THE COUNCIL OF MINISTERS

Rome, 4 January 1946

JAN 11 1946

Dear Admiral,

Following the examination by the "Commissione per gli affari politici ed amministrativi" of the Consulta, the Council of Ministers approved on the 2nd instant, in its definitive text, the electoral draft law for the reconstitution of the communal councils.

As it has already been officially announced, the provisions concerning the election of the provincial councils have been omitted from the project, since the Government decided to provide thereto in due course by separate legislation.

I gladly welcome the occasion to assure you that the new law has entirely accepted the remarks made by your Allied Commission as to the adoption of the State ballot paper, the anticipated publication of the lists of candidates, the extension of the term between the issuance of the decree convoking the electoral meetings and the date set for the election, in order to allow the public to get acquainted with the lists in question, as well as the abolition of the article concerning the modalities for the implementation of the law in the territories under the Allied Military Government Jurisdiction.

Please accept, dear Admiral, my cordial regards,

/s/ De Gasperi

5732

EC 29/11 Jan 1946

ACTION - CA Sec

INFO - CC

EC

To: Admiral ELLERY W STONE
Chief of the Allied Commission
Rome

Trans. An.

(CAT 0) 285 11/1

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11/1
CR

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AC/45/E/2/13

SUBJECT: Memorandum on Proposed Decree
on Local Elections

Ref: 478707

31 December 1945

TO : Vice President of Civil Affairs Section

JAN 4 1946

1. I have had the new draft decree on local elections compared with the previous draft heretofore discussed with you. The memorandum indicating the differences is attached hereto for your information. In order to retain the file I have prepared extra copies for the information of the Executive Commissioner, Chief Commissioner, and Polads A and B.

2. The proposed decree was not discussed, as we had been informed it would be, Saturday, 29 December. Instead we are now informed that it will be considered by the Council of Ministers at the sitting on Wednesday, 2 January 1946.

3. Apparently all the remaining points raised in the Chief Commissioner's letter of 8 November have been met in this proposed decree. These were:
(a) adequate provision for the posting of duly nominated candidates in adequate time before election; (b) provision for an official ballot paper furnished by the State; (c) technical minutes regarding implementation.

4. Although our original request as set forth in the Chief Commissioner's letter was for a period of 20 days to intervene between publication notice of the nomination of candidates and election, at a conference I indicated that a period a few days shorter would be acceptable. Accordingly, in the proposed draft provision is made for the publication of the names of the candidates 15 days before election. That period is quite adequate and satisfactory.

5. Our main criticism of the original proposed law was the absence of an official ballot paper. In subsequent conferences with the Head of the electoral service at the ministry I refused to be swayed by the difficulties which he presented and made many suggestions as to the type of ballot paper and even gave him samples from my own collection. The new Minister of the Interior was in accord with the Prime Minister on the desirability of having a State ballot, as was the pertinent commission in the Consulate. Accordingly, provision is made for an official ballot paper to be furnished by the Ministry of the Interior. Photostatic copies are being made and will be sent to us in a few days. I have already seen some of the proposed samples and they are quite satisfactory.

JAN 3 1946

271

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6. The proposed draft includes the usual clauses which declare that the law will come into force on the date of publication in the official Gazette. That follows the suggestion proposed in the letter of the Chief Commissioner.

7. The omission of provision for provincial elections is understandable in view of the urgency to get on with some form of local election as quickly as possible. The introduction of a State ballot does give rise to certain administrative difficulties. In any event this aspect of local government will be dealt with shortly. Furthermore, the real seed of democratic government is planted in the Commune.

8. Although the decree does not make any provision for compulsory voting, the report attached to it indicates that the commission in the Consulta studying the law had by a vote of 15 to 13 gone on record in favor

see 272, 273
7935

270
of it. The proposal of the Government is that that matter be considered by the Consulta not only in connection with local elections but also with regard to political elections. My own attitude is to discountenance any form of compulsory voting.

9. I am quite satisfied with the proposed draft; in fact, I am rather elated that all of the points made in the Chief Commissioner's letter have been met. I trust there will be few alterations when the proposed decree is finally approved by the Council of Ministers.

R. R. Temple
Major

RALPH R. TEMPLE
Major
Director
Local Government Sub Commission

RRT/rbe

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

5748

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

5749

546

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AC/45/B/2/LG.

Tel: 478706

31 December 1945

SUBJECT: Memorandum on the proposed new D.L.L. on
Administrative Elections.

TO : Director Local Government Sub Commission.

1. The proposed new D.L.L. on Administrative Elections was delivered by hand to this S/C on 28 December 1945. It was compared with the previous draft D.L.L., which has already been the subject of a Memorandum. This Memorandum only purports to deal with the differences between the present D.L.L. and the previous draft.

2. All reference to elections for the Provincial Council has been omitted from the present D.L.L. This has resulted in the omission of many paragraphs which appeared in the previous draft dealing with Provincial elections. In a covering Report to the Council of Ministers on the present draft D.L.L. the Ministry of Interior state that they have eliminated from it the part relative to the provincial elections, "which will be dealt with, in due course, by the Government separately." Presumably by means of a separate D.L.L. of which we should obtain a copy of the proposed draft for examination.

3. The only additions to the previous draft which are worthy of note are the clauses necessitated by the adoption of this S/Cs suggestion that an official ballot paper should be provided. Art. 21 of the present draft sets out the procedure for nomination of candidates and provides for the publication of a list of properly nominated candidates 15 days prior to the date of the election.

4. Art. 29 provides for an official Ballot paper to be furnished by the Ministry of Interior and refers to a model Ballot paper to be attached to the D.L.L. The Ministry of Interior have been requested to forward a copy of this model Ballot paper to this S/C. Succeeding articles have been altered where necessary to allow for use of this Ballot paper. Arts. 38, 41(30), 43, deal with invalid Ballots, interpretation of voters' intention and various checks to ensure that all Ballot papers issued have been returned.

5. A few other Articles have been redrafted or extended to give a clearer meaning than in the previous draft, but there is no substantial difference from the previous draft with the exception of the second para of Art. 36 which provides that "On the day of the election public gatherings and meetings, of direct or indirect election propaganda in public places or open to the public, are forbidden". This may be a little drastic but is probably necessary in the present state of Italian politics. The rule against all electoral propaganda within 200 meters of the polling place has also been retained from the previous draft.

6. A new provision has been made by the addition to Art. 54 of a clause which removes the hearing of an Election petition from the Consiglio Comunale to the G.P.A. if the Consiglio Comunale do not deal with it inside two months.

7. The Articles from 55 to 71 deal with elections in Communes "Capoluoghi" of with a population of more than 50,000 inhabitants and those with a population of less than 50,000 inhabitants.

- with, in due course, by the Government separately." Presumably by means of a separate D.L.L. of which we should obtain a copy of the proposed draft for examination.
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6. A new provision has been made by the addition to Art. 54 of a clause which removes the hearing of an Election petition from the Consiglio Comunale to the G.P.A. if the Consiglio Comunale do not deal with it inside two months.
7. The Articles from 55 to 71 deal with elections in Communes "Capoluoghi", or with a population of more than 30,000 inhabitants and they have been altered where necessary in a similar manner to provide for the State ballot paper and the other alterations already mentioned are duplicated in this section.
8. The Articles from 72 to 84 deal with the penalties for all breaches of electoral law and are similar to the Articles in the previous draft except that the fines have been substantially increased. The fine which could formerly range from 500 to 5,000 lire will now be from 3,000 to 20,000 lire. A new para added to Art. 79 that a Candidate's agent who obstructs the proceedings of the election can be imprisoned from two to five years and fined up to 20,000 lire.
9. Except where mentioned above the new draft D.L.L. is in all respects similar to the previous draft. It is possible that some alterations may be made in it by the Council of Ministers before it is finally approved. There is no provision in either draft for compulsory voting.
- 79

10. Attached hereto as appendices are translations of Art. 38 which describes the method of voting in Communes of less than 30,000 inhabitants "non Capoluoghi" (Appendix I) and Arts. 59-60 which describe the method in larger Communes. (Appendix II).

WIC/mw

W. I. Cunningham type

W. I. CUNNINGHAM
Captain
Executive Officer
Local Government Sub Commission

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

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

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267

A p p e n d i x I .

Method of Voting in Communes with 30,000 inhabitants or less which are not "Capoluoghi".

Art. 38

The elector, whose identity has been recognized, presents the electoral certificate from which the president detaches the coupon referred to in article 22 to be kept in a special folder and, after having received from the President the ballot paper drawn out from the first urn and a pencil, walks to the table set aside for voting (booth) only to compile and fold the ballot paper. Subsequently he presents the ballot paper, already folded, to the President, who places it in the second urn.

Together with the ballot paper also the pencil must be returned. Failure to return the ballot paper and the pencil will be punished with a fine of lire 1000 to lire 5000.

As the ballot papers are deposited in the urn, one of the scrutators keeps record of it by placing his signature in the proper column of the sectional list at the side of the name of each voter.

Each elector is entitled to vote for as many candidates, to be found in any list, as there are councillors to be elected, when their number is inferior to five; in the other cases, he can vote only for a number of candidates equal to four fifths of the councillors to be elected increased by a unit, should said number contain a fraction.

The vote is expressed by drawing a cross-mark in the appropriate squares at the side of the chosen names.

The ballot papers are valid even if there have not been countermarked as many names of candidates as there are councillors for which the elector has the right to vote: they are valid, moreover, when the marking of the vote has been placed only on the countersign of the list: in this event, the vote is intended as given to all the candidates of the list.

The elector who has placed the marking of the vote on the countersign of a list, may cancel one or more names.

5746

first urn and a pencil, walks to the table set aside for voting (booth) only to compile and fold the ballot paper. Subsequently he presents the ballot paper, already folded, to the President, who places it in the second urn.

Together with the ballot paper also the pencil must be returned. Failure to return the ballot paper and the pencil will be punished with a fine of lire 1000 to lire 3000.

As the ballot papers are deposited in the urn, one of the scrutators keeps record of it by placing his signature in the proper column of the sectional list at the side of the name of each voter.

Each elector is entitled to vote for as many candidates, to be found in any list, as there are councillors to be elected, when their number is inferior to five; in the other cases, he can vote only for a number of candidates equal to four fifths of the councillors to be elected increased by a unit, should said number contain a fraction.

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The elector who has placed the marking of the vote on the countersign of a list, may cancel one or more names in the chosen list and mark candidates of other lists up to the number of councillors for whom he is entitled to vote.

266/
Appendix II.

Method of voting in Communes with more than 30,000 inhabitants or which are "Capoluoghi".

Art. 59

The elector may manifest his preference for the candidates of the list voted by him and effect the cancellation of some of them.

The number of the preferences cannot be greater than two, three, four or five, respectively for the Communes for which the number of councillors to be elected is of 40, 50, 60, 80.

The cancellation of all the candidates of the list renders the ballot paper void.

The preference is expressed by drawing a cross-mark in the appropriate square at the side of the name or the names of the preferred candidates; the cancellation by drawing a line on the name of the candidate or candidates not approved.

Art. 60

The elector whose identity has been recognized presents the electoral certificate from which the President detaches the coupon referred to in article 22 to hold it in safe-keeping in a special folder, and after having received from the President the ballot paper taken out from the first urn and a pencil, he walks to the table set aside for the polling(booth) only to complete the ballot paper with the vote of the list and with the indications of preference or of cancellation, and to fold it. The elector then presents the ballot paper already folded to the President who deposes it in the second urn.

As the ballot papers are deposited in the urn, one of the scrutators makes a record thereof by placing his own signatures in the proper column of the sectional list at the side of the name of each voter.

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Art. 60

The elector whose identity has been recognized presents the electoral certificate from which the President detaches the coupon referred to in article 22 to hold it in safe-keeping in a special folder, and after having received from the President the ballot paper taken out from the first urn and a pencil, he walks to the table set aside for the polling(booth) only to complete the ballot paper with the vote of the list and with the indications of preference or of cancellation, and to fold it. The elector then presents the ballot paper already folded to the President who deposes it in the second urn.

As the ballot papers are deposited in the urn, one of the scrutators makes a record thereof by placing his own signatures in the proper column of the sectional list at the side of the name of each voter.

The ballot papers are of a unique type and of the same colour; they are furnished by the Ministry of the Interior with the essential features of the model described in exhibit B attached to the present decree, signed by the Minister of the Interior.

The ballot papers must reach the electoral office duly folded.

2806 / 285
Vice President,
Civil Affairs Section.

1. The questions raised in para 8 of memorandum AC/45/11/16 of 28 Dec 45 from Local Government Sub-Commission were discussed, with the memorandum as a whole, by the Chief Commissioner at his political meeting today.
2. The Chief Commissioner has ruled that the Local Government Sub-Commission should adhere strictly to the directives of PAN 487 and tender advice on the subjects mentioned (and indeed all matters affecting Local Government) only when asked to do so by the Italian Government. They should informally endeavour to obtain as much information as possible, especially with regard to proposed legislation, including an opportunity to see such legislation in draft, but they should make no formal advance in this direction.
3. The Chief Commissioner is satisfied with the situation regarding the Electoral Law and commends the Local Government Sub-Commission for their efforts in this respect.

MSL/JG.
28. Dec. 45

M. S. LUSH

Brigadier,
Executive Commissioner.

Early

5744

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

advance in this direction.

3. The Chief Commissioner is satisfied with the situation regarding the Electoral Law and commends the Local Government Sub-Commission for their efforts in this respect.

MSL/30.
28. Dec. 45

M. S. LUSH

Brigadier,
Executive Commissioner.

Handwritten signature

5744

Handwritten initials: PA 3/12

(c.50)

HEADQUARTERS ALLIED COMMISSION
APO 394
ALL GOVERNMENT SUB COMMISSION

AC/45/B/2/LG.

Tel: 478706

SUBJECT: Memorandum regarding relationship between
Italian Government and Allied Commission on
Electoral Laws.

28 December 1945

TO : Executive Commissioner.

(two V. P. C. A. S.)

1. On 26 October the Local Government Sub Commission received the Draft Laws for the political and local elections which - officials of the Italian Government stated - were to be considered at a special meeting of the Council of Ministers 4 days later. The Chief Commissioner requested the Prime Minister by letter of 27 October to afford us a more ample opportunity to study the Drafts and submit our observations (fol. 5A).

On 29 October the Prime Minister agreed in his letter that the observations of the Allied Commission should be sent before the Draft Laws are submitted to the Consulta and suggested that this be done before 12 November (fol. 11A).

2. Accordingly this Sub Commission made its study of the Draft Laws (folios 8, 20) on the basis of which the Chief Commissioner sent a letter on 8 November to the Prime Minister containing suggestions for modifying the Drafts and suggesting that the exact phraseology be arrived at through conferences with Local Government S/C (fol. 21). A conference with representatives of the Presidency of the Council and the Minister of the Interior took place on 17 November at which complete agreement on the Allied Commission's criticisms on the Political Law was reached (fol. 22) and there was general discussion on the points raised concerning the Local Elections Law.

3. However the Governmental crisis then took place and for several weeks we were in constant touch with the Ministry to ascertain whether there were any new developments. Finally immediately after the crisis was settled, i.e. on 13 December a conference was held with representatives of the Ministry in which it was stated that an immediate response from the Prime Minister to the Chief Commissioner's letter of 8 November would be made (fol. 25). It was apparent during the conference that the Ministry was going to recommend one of our basic suggestions namely State ballot, inasmuch as the head of the Electoral Service showed us some samples that he had prepared based on my suggestions.

4. On 17 December the letter from the Prime Minister to the Chief Commissioner was received. In it the Prime Minister stated that the suggestions of the Allied Commission regarding the Political Elections' Law had been fully accepted in agreement with the Ministry for the Costituente.

As far as the Local Election Laws are concerned, the Prime Minister said that he would communicate to the Chief Commissioner as soon as possible the definitive thought of the Italian Government (fol. 27).

5. Since the receipt of the Prime Minister's letter, the Local Government Sub Commission has been in constant touch with the Ministry in order to be kept informed as to progress. We knew that the Law was being considered by one of the Commissions in the Government.

On 29 October the Prime Minister agreed in his letter that the observations of the Allied Commission should be sent before the Draft Laws are submitted to the Consulta and suggested that this be done before 12 November (fol.114).

2. Accordingly this Sub Commission made its study of the Draft Laws (folios 8,20) on the basis of which the Chief Commissioner sent a letter on 8 November to the Prime Minister containing suggestions for modifying the Drafts and suggesting that the exact phraseology be arrived at through conferences with Local Government S/C (fol.21). A conference with representatives of the Presidency of the Council and the Minister of the Interior took place on 17 November at which complete agreement on the Allied Commission's criticisms on the Political Law was reached (fol.22) and there was general discussion on the points raised concerning the Local Elections Law.

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As far as the Local Election Laws are concerned, the Prime Minister said that he would communicate to the Chief Commissioner as soon as possible the definitive thought of the Italian Government (fol. 27).

5. Since the receipt of the Prime Minister's letter, the Local Government Sub Commission has been in constant touch with the Ministry in order to be kept informed as to progress. We knew that the Law was being considered by one of the Commissions in the Consultative and were able to follow its discussions in the newspapers.

These newspaper reports indicated that our suggestions were being earnestly debated and apparently considered very favourably.

They were being advanced as proposals of the Italian Government.

Before the holidays i.e. 21 December we received the first time information volunteered by the Ministry that the Commission in the Consultative had approved the adoption of a State ballot for local elections. We were also told that any of the changes would be immediately communicated to us.

6. Yesterday, 27 December, not having heard from the Ministry a call was made and we were informed that the Draft Law was being completed that day and would be submitted to the Council of Ministers this morning. We were informed that the suggestions of the Allied Commission had been adopted, particularly those concerning State ballot and the adoption of a time interval between the nomination of candidates and the holding of elections.

263
However it was also stated that provisions for provincial elections were being omitted or changed, because it was impossible to hold provincial elections. Obviously the structure of Local Government would have to be accordingly modified if provincial councils were to be provided for.
The text of Law we were told would be sent to us to-day. Obviously too late to do anything about it.

Fortunately it seems that there was general agreement on the proposals of the Allied Commission - the only new point being in connection with provincial elections. An examination of the Draft Law may reveal other points.

7. The foregoing raises the question as to what the relationship between the Allied Commission and the Italian Government should be, in connection with electoral laws.

As the foregoing reveals there has been close contact between the two, the initiative at all times, however, coming from the Allied Commission - acting of course through the Local Government Sub Commission. This S/C has been persistent in calling either in person or by telephoning in order to keep abreast of developments. Rarely has any new information been volunteered by the Italian Government. Although little can be done concerning the Draft Law which is being presented to-day to the Council of Ministers there undoubtedly will be further decrees proposed in the future.

For example, provision will have to be made concerning provincial elections, special provisions, perhaps, for the Alto Adige region, possible amendments on voting procedures and actual conduct of elections.

The Political Electoral Law furthermore has yet to be enacted, and we are informed that the Consulta will meet in Plenary Session on 9 January 1946, and it is thought that the Political Elections Law will be submitted to it.

Thereafter the Council of Ministers will consider it.

8. The question therefore rises as to whether the Sub Commission acting for the Allied Commission is merely to sit back and wait to be informed of developments, tendering its advice when requested, - or is it to assume a more positive attitude and ask the Italian Government to submit its proposals before presentation to the Council of Ministers in ample time for the proposals to be studied and observations on them to be made.
Not pertinent at this time, but worthy of consideration is the position to be taken by the Commission or the Allied Governments, as observers perhaps, of the actual elections whenever they take place.

9. It would seem that the possible inclusion in the revised Armistice terms or in the new Treaty of Peace of the provision guaranteeing democratic elections would require a more positive attitude on our part. In any event a directive as to what position is to be taken by us should be forthcoming.

R. R. Temple
RALPH R. TEMPLE
Major

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RCT/vw

R. R. Temple
5112

RALPH R. TEMPLE

Major

Director

Local Government Sub Commission

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

2806 91

260

FROM: Local government Sub-Commission

22 December 1945

TO: *Executive... Commission*

22 DEC 1945

DEC 22 1945

1. Please see attached folio for your information. It sets forth the present position regarding the preparation of the electoral lists.
2. Since the last report (Nov 15) 1949 more lists have been compiled and 715 more approved. They still have a long way to go (last analysis is on AC/45/2/LG - *copy sent to you*).

228.

Ralph Stump
Major
Director
Local Government S/C

See hrs. 261. 262

Copy to CC

q
(MISS S)



RECOMMENDING ALLIED OVERSEAS
AND 334
LOCAL OVERSEAS AND OVERSEAS

10/15/10/10

20 December 1945

Analysis of Progress of Classified Work in Italian
Government and ASD Territory. (Based on Ministry
of Interior Report for period ending 14 Dec. 1945)

(A) Italian Government Territory

1. Compilation of Draft Lists (Classified).

Male lists compiled : 2217 - I.O.

Female lists compiled: 1377 - I.O.

Total : 3594 - I.O.

{ 65% of I.O. censuses reported on, or
{ 64% of all I.O. censuses have male
{ lists compiled.

{ 95% of I.O. censuses reported on, or
{ 94% of all I.O. censuses have female
{ lists compiled.

{ 80% of I.O. censuses reported on,
{ or 79% of all I.O. censuses have
{ been compiled.

2. Approval of Restrictive Lists.

Male lists approved : 1720 - I.O.

Female lists approved, 1244 - I.O.

Total : 2964 - I.O.

{ 25% of I.O. censuses reported on, or
{ 24% of all I.O. censuses have male
{ lists approved.

{ 30% of I.O. censuses reported on, or
{ 29% of all I.O. censuses have female
{ lists approved.

{ 27% of I.O. censuses reported on,
{ or 27% of all I.O. censuses have
{ been approved.

(B) A.S.D. Territory

1. Compilation of Draft Lists (Classified).

Male lists compiled : 613 - I.O.

Female lists compiled: 1171 - I.O.

{ 24% of ASD censuses reported on, or
{ 17% of all ASD censuses have male
{ lists compiled.

{ 74% of ASD censuses reported on, or
{ 74% of all ASD censuses have female
{ lists compiled.

etc comm
259

(Lists compiled)

Female lists compiled: 227 - 1.0.

Total : 224 - 1.0.

2. Approval of Definitive Lists

Male lists approved : 272 - 1.0.

Female lists approved: 124 - 1.0.

Total : 124 - 1.0.

(3) A.M.O. Inventory

1. Compilation of Draft Lists (Merged).

Male lists compiled : 618 - 1.0.

Female lists compiled: 176 - 1.0.

Total : 224 - 1.0.

2. Approval of Definitive Lists

Male lists approved : 22 - 1.0.

Female lists approved: 72 - 1.0.

Total : 122 - 1.0.

{ 25% of I.G. censuses reported on, or
{ 94% of all I.G. censuses have female
{ lists compiled.

{ 22% of I.G. censuses reported on,
{ or 79% of all I.G. censuses have
{ been compiled.

{ 25% of I.G. censuses reported on, or
{ 24% of all I.G. censuses have male
{ lists approved.

{ 30% of I.G. censuses reported on, or
{ 29% of all I.G. censuses have female
{ lists approved.

{ 27% of I.G. censuses reported on,
{ or 27% of all I.G. censuses have
{ been approved.

{ 24% of A.M.O. censuses reported on, or
{ 17% of all A.M.O. censuses have male
{ lists compiled.

{ 72% of A.M.O. censuses reported on, or
{ 52% of all A.M.O. censuses have female
{ lists compiled.

{ 43% of all A.M.O. censuses reported
{ on, or 34% of all A.M.O. censuses
{ have been compiled.

{ approx. 1% of A.M.O. censuses reported on,
{ or less than 1% of all A.M.O. censuses
{ have male lists approved.

{ 57% of A.M.O. censuses reported on, or
{ 2% of all A.M.O. censuses have female
{ lists approved.

{ 2% of A.M.O. censuses reported on,
{ or 1% of all A.M.O. censuses have
{ been approved.

258
- 2 -
(c) I.S. and A.S. territories combined.

1. Total No. of Draft Lists (Element) compiled: 2121 - 1.0. {66 of criminal lists reported on, or 97 of all criminal lists have been compiled.
2. Total No. of Definitive Lists approved: 2014 - 1.0. {66 of criminal lists reported on, or 97 of all criminal lists have been approved.

John L. Kucsey
Ralph A. Kucsey
Major
Director
Local Government Sub-Committee

2/2/53

5739

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

AC/45/12/LG.

Tel: 478706

SUBJECT: The Upper Adige etc. - Preparation of
Electoral Lists.

17 December 1945

TO : See Distribution below.

DEC 21 1945

1. Executive Memorandum No. 5 gives directions for the compilation of the electoral lists throughout Military Government Territory. Para 2 thereof states that these directions include the Provinces of Bolzano and Udine for which supplemental instructions would be issued. The supplemental instructions in question are contained in the present directive.
2. This directive applies to all Provinces containing areas referred to in the Italo-German Accords of 1939 (as subsequently amended), i.e. the Provinces of Belluno, Bolzano, Trento and Udine.
3. Persons of Italian birth or speech who were never affected by the said Accords will be inscribed in the electoral lists in the normal way.
4. The following classes of German-speaking inhabitants of these provinces are, under Italian Law, Italian citizens and will be inscribed in the lists:-
 - (a) those who opted under the Accords for Italian citizenship, or
 - (b) those who opted for German citizenship but took no other steps in the direction of acquiring that citizenship.
5. The class of optants described in para 4(b) therefore provisionally excludes from inscription in the lists those optants for German citizenship who, for example, transferred their residence to Germany (whether they have since returned to Italy or not) or obtained a certificate of German naturalization and entered the German civil or military service.
6. The inclusion of any name in an electoral list is provisional and will not be taken as evidence of nationality and it does not confer any permanent rights on the person concerned nor exclude the possibility that such name may be subsequently deleted from the Register.
7. Prefects will be directed to transmit these instructions at once to Sindaco and Electoral Commissions, and to ensure that these Authorities apply them uniformly and generally. Every effort will be made to complete the lists rapidly as possible.

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7. Prefects will be directed to transmit these instructions at once to Sindaci and Electoral Commissioners, and to ensure that these Authorities apply them uniformly and generally. Every effort will be made to complete the lists as rapidly as possible.

BY COMMAND OF THE CHIEF COMMISSIONER

[Signature]
 S.H. WHITE
 Lt. Colonel
 Vice President
 Civil Affairs Section

RRT/aw

Distribution : -

10 VENEZIA Region (10 copies)
 Chief Commissioner
 Executive Commissioner
 Padua (A)
 Padua (B)

[Initials]
 (MISS S)

[Handwritten mark]

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

Ref : AG/45/12/1/10

21 December 1945

My dear Mr. Prime Minister:

My letter of the 20 Aug expressed the views that the electoral registers in Alto Adige should be compiled according to the existing Italian Law and that the functions of the Special Commission should be confined to ascertaining facts.

Before your predecessor's letter of Nov 9th reached me and in the absence of any communication from him on this matter, the Regional Commissioner of Venetia was instructed that the lists must be compiled in accordance with the existing Italian Law. He was informed that according to the advice which the AG had received as to the existing law, he should include therein not only the two classes of electors referred to in Para 2 (b) of my letter but also German speaking Italians who had opted for German nationality but had taken no other step to acquire that nationality. It is noted that this instruction is in general accord with the provisions contained in the draft decree forwarded in your letter of the 18 November.

Your predecessor's letter of 9 Nov agreed in principle to the immediate preparation of the Lists and to the provisional inclusion therein of names which might be subsequently struck out, if it was found that they had been erroneously included; but, your letter of the 18 Nov suggests that the preparation of the lists should be suspended until agreement as to the draft law has been reached. The preparation of the lists will take most time. As the difference between the draft decree and the present instructions are only of relatively minor degree it is felt that the compilation of the lists should continue. If names are included therein which should, according to later agreement, be excluded, it will be far more expeditious to strike those out later than to delay the work of compilation now. It is proposed therefore to continue with the compilation; otherwise the lists may not be ready by the time of the elections.

The draft decree is being studied and will be the subject of a separate communication.

Yours very truly,

5737

Final
Dott. Alcide DE GASPERI
The President of the Council of Ministers
Italian Government
R O M E

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

Copy to: 6. bin
6. 6 ✓

See M. 255

(MISS 5)

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

6/18.2/CA

21 December 1945

DEC 21 1945

My dear Mr. Prime Minister:

This Commission has carefully considered the draft law as to citizenship in the Alto Adige sent to me under cover of your letter 3/2068 of the 18 Nov 45. It would remind you that the original proposal of this Commission in its letter 45/12/16 of 20 Aug was that Local Commissions should be appointed to ascertain the facts and apply the existing law.

It considers the present proposals to deprive a number of those who under existing Italian law are Italian citizens of that citizenship as inappropriate. It would not view the enactment of such a law with favour nor be prepared to implement it in the Alto Adige.

Holding this view this Commission sees no reason to take objection to Art 6 Sec 2 of Regional Order No 17 to which The Minister of Interior's letter 47673/12431 of 28 Nov refers. The Article merely states the effect of the existing Italian law which in the view of this Commission should rightly apply.

Yours very truly,

/s/ Ellery W. Stone

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

Dott. Alcide DE GASPERI
The President of the Council of Ministers,
Italian Government,
ROME.

Copy to: Polad A and B
Local Govt S/C

to En

to En. ✓

See M. 255

(M 553)

2806 86
250
COPY

From: The President of the Council of Ministers

Rome, December 1945

Dear Admiral,

DEC 19 1945

208
I have examined the observations of the Allied Commission, communicated by you to my predecessor with letter of November 1945, concerning the drafts of legislative provisions for the political and administrative elections.

The remarks as to the first draft law can be summarized as follows:

- 1) lack of a provision forbidding the electoral propaganda in the vicinity of the electoral sections;
- 2) failure of setting forth a term for carrying out the obligation, foreseen by art. 16, of posting the manifest containing the lists of the candidates in all the communes of the circumscription;
- 3) the necessity that in articles 5 and 6, where mention is made of the Provincial Commissions who are called upon to take steps for the disenfranchisement of the electoral right for political unworthiness, reference should be made in addition to art. 2 of D.L. 26 April 1945, n. 149, also to art. 8 of D.L. 27 July 1944, n. 159, as on the basis of the latter the aforesaid Commissions have been set up in the Provinces still under AMG due to failure of extending D.L. 26 April 1945 referred to above to them.

I am glad to be able to inform you that, in agreement with the Ministry for the Costituente, said remarks have been fully accepted and that, consequently, the variations contained in enclosure have been applied to the text of the draft decree which the Government has submitted to the Consulta Nazionale, so that the Assembly will examine the draft already completed on the lines suggested by the Allied Commission.

As far as the remarks on the legislative project for the administrative elections are concerned, I shall communicate to you as soon as possible the definitive thought of the Italian Government, while I wish to assure you that personally as a matter of principle I am in favor of the adoption, also in this field of State ballot paper: on this problem in the meantime, the attention of the Consulta Nazionale has been called in connection with the examination it will have to make with regard of the aforesaid project.

Once this point has been solved - and its solution is connected also with the practical possibilities to provide for the supply of the ballot papers - the other questions outlined by you in this matter will be settled taking special account of the recommendations of the Allied Commission.

1) lack of a provision forbidding the electoral propaganda in the vicinity of the electoral sections;

2) failure of setting forth a term for carrying out the obligation, foreseen by art. 16, of posting the manifest containing the lists of the candidates in all the communes of the circumscription;

3) the necessity that in articles 5 and 6, where mention is made of the Provincial Commissions who are called upon to take steps for the disenfranchisement of the electoral right for political unworthiness, reference should be made in addition to art. 2 of D.L. 26 April 1945, n. 149, also to art. 8 of D.L. 27 July 1944, n. 159, as on the basis of the latter the aforesaid Commissions have been set up in the Provinces still under AMG due to failure of extending D.L. 26 April 1945 referred to above to them.

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Once this point has been solved - and its solution is connected also with the practical possibilities to provide for the supply of the ballot papers - the other questions outlined by you in this matter will be settled taking special account of the recommendation of the Allied Commission.

Please accept, Dear Admiral, my best and cordial regards.

/s/ De Gasperi

Trans. AM.
17/12/45

See M. 152. E.C. DIST. 19 Dec.
Action: C.A. Dec. (2)
Info: C.C.
E.C.

Plt
20/12
Ry

(M. 5)

1204

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

249

AMENDMENTS TO THE POLITICAL ELECTORAL LAW PROJECT FOR THE CONSTITUENT ASSEMBLY

1. Art. 32 - At the beginning of this article provisions of art. 43 of the law project for administrative elections, concerning the banning of all electoral propaganda in the neighbourhood of the Sections have been integrally inserted.
2. Art. 16 - after the word "...in other public places" the following additional words have been added "within the twentieth day preceding the date of the elections", for the purpose of insuring the timely publication of the notice with the lists of the candidates.
3. Articles 5 and 6. - Reference to art. 8 of Decree 27 July 1944, n. 159 has been inserted.

5734

Bob

248

Copy.

Chief Commissioner

DEC 18 1945

Chief du Cabinet of the P.M. told me yesterday that elections had been fixed as follows:-

Administrative - On each of 4 Sundays in March.

Provincial - April 28th

(Sgd) W. S. LUSH 18/12/45.

~~DEC 18~~

DEC 18 1945

17/15

5733

See M.254

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

COPY

(247)

HEADQUARTERS ALLIED COMMISSION
Office of the Chief Commissioner
APO 394

6/18.2/OA

December 1945

My Dear Mr. Prime Minister:

This Commission has carefully considered the draft law as to citizenship in the Alto Adige sent to me under cover of your letter 3/2068 of the 18 Nov 45. It would remind you that the original proposal of this Commission in its letter 45/12/13 of 20 Aug was that Local Commissions should be appointed to ascertain the facts and apply the existing law.

142 V.A. II

It considers the present proposals to deprive a number of those who under existing Italian law are Italian citizens of that citizenship as inopportune. It would not view the enactment of such a law with favour nor be prepared to implement it in the Alto Adige.

Holding this view this Commission sees no reason to take objection to Art 6 Sec 2 of Regional Order No 17 to which the Minister of Interior's letter 47673/12431 of 28 Nov refers. The Article merely states the effect of the existing Italian law which in the view of this Commission should rightly apply.

Yours very truly,

WILLIAM W. STORM
Rear Admiral, USNR.
Chief Commissioner.

Dott. Alcide DE GASPERI
The President of the Council of Ministers,
Italian Government,
ROME.

5732

Ref: 2806/EC. ✓

14 December 1945.

Chief Commissioner.

Administrative Elections.

1. You wrote on 8 Nov making certain suggestions on Administrative Law.
2. At a conference on 17 Nov agreement was reached on points raised by you with one exception - the form of ballot.
3. No progress during crisis.
4. At meeting on 13 Dec the head of the Electoral Services (Minister of Interior) told Local Government Sub-Commission that he has prepared a report which, owing to the crisis, he had not yet been able to submit to the Italian Government. He had prepared schemes for the form of ballot which are acceptable to us.
5. Although we asked the Italian Government on 5 Nov for a reply and have received none, no action has been taken by AG which can be possibly counteracted as holding up anything at all. The delay has been due to the crisis which has prevented the ~~draft~~ of the Minister of Interior finding anyone to read the report. ~~done~~

MSL/JG.

(Sgt) M. S. LUSH

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

5731

2. At a conference on 17 Nov agreement was reached on points raised by you with one exception - the form of ballot.

3. No progress during crisis.

4. At meeting on 13 Dec the head of the Electoral Services (Minister of Interior) told Local Government Sub-Commission that he has prepared a report which, owing to the crisis, he had not yet been able to submit to the Italian Government. He had prepared schemes for the form of ballot which are acceptable to us.

5. Although we asked the Italian Government on 5 Nov for a reply and have received none, no action has been taken by AG which can be possibly constituted as holding up anything at all. The delay has been due to the crisis which has prevented the draft of the Minister of Interior finding anyone to read the report.

(Sgd) M S. LUSH

MLL/JC.

5731

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

TRENTO PROVINCE
Venezie Region
Allied Military Government
APO 394

16 November 1945.

SUBJECT: Electoral Lists

TO : Brigadier General M. LUSH,
Executive Commissioner,
Allied Commission, ROME.

NOV 19 1945

NOV 24 1945

REF. : RXII/TREN/52

1. Arising out of my statement before you on Wednesday, I would as briefly and concisely as possible make you aware of my actions.

2. On my arrival in Trento Province I found a letter dated 23 October 1945, signed by Major Gilshennan, on the subject of Electoral Lists and as my predecessor had told me nothing of these. I made enquiries, only to be told that no lists had been compiled owing to the problem of those persons who had voted for Germany and were static in the Communes being allowed a vote. On my pointing out to the Prefect the urgency of the lists being compiled he said he was wiring to Rome for instructions.

3. Sometime later I was shown a telegram from Rome which was not clear but was taken to mean the aforesaid persons were not entitled to vote; a further wire was sent and last week, on the Prefect's return from Rome, the enclosed copy of Telegram was shown me which stated definitely the matter was to be held up.

4. It was this information I gave you, and on my return from hearing your observations I called on all concerned and am happy to report that the Electoral Lists are ready, that the contents of the Rome telegram has been ignored, and I attach a report from the Prefect giving the situation at the moment.

5. I have the honor to be, Sir,

Your obedient servant,

M. B. SOMERSET,
Major
Provincial Commissioner,
Trento Province, AMG.

5730

*See h. 236-
243-4-5-6*

*see M. 11-25
Nov 26 1945*

TRANSLATION

TELEGRAM

Prefect of Belluno ; Info : Prefect of Trento.

38093 - 15800 - 6649 - Electoral Service

566 / Awaiting issue of legislative disposition by which the problem of the "allogeni", in respect ^{of} to the citizenship and consequent electoral right, will be brought to a solution, it is necessary that you direct that the compilation of the electoral lists be resumed as soon as possible in the Commune of Cortina - Colle Santa Lucia and Livinalongo. For the moment the electoral works will be limited to the listing of all germans and "allogeni" who voted for the Italian citizenship in accordance to same agreements.

The Ministry will communicate detailed instructions, also in case of a further compilation of new lists, as soon as the above mentioned disposition will be brought, juridically, to perfection.

It is requested that you furnish, together with the reports, also concrete informations on the state of the electoral operations in the above mentioned Communes. Please assure reception of this cable.

Ministry of Interior - Cipher Office.

3.II. 1945

Copia telegramma

Prefetto Belluno per conoscenza Prefetto Trento

38093 - I5800 - 6649 - servizio elettorale
at 566/ In attesa emanazione provvedimento legislativo col quale
verrà regolata posizione allogeni at fini cittadinanza et conse-
guente esercizio elettorale pregasi disporre siano ripresi lavo-
ri formazioni liste comuni Cortina - Colle Santa Lucia e Livinal-
longo tenendo presente che per momento dovrà limitarsi iscrizio-
ne at germanici et allogeni che optarono per cittadinanza italiana
seguito accordi medesimi alt
Ministero riservasi comunicare istruzioni particolareggiate an-
che per eventuale compilazione liste aggiunte appena anzidette
provvedimento sarà giuridicamente perfezionato alt Pregasi favo-
rire con prossime relazioni concrete notizie circa andamento ope-
razioni elettorali comuni suindicati alt Assicurasi ricezione pre-
sente alla Ufficio cifra Interni.

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

5728

1212



DEC 4 1945

SUBJECT: Note of Interview - Local Government E/C office

DATE: 1 December 1945.

PRESENT: Capt. MORTA Smeato, Representative of the Vice President and Minister for the Costituente
Major Ralph R. Temple, Director, Local Government E/C
Sgt. Archie Nixon, Interpreting.

1. Capt. MORTA said he was paying me a visit to indicate the present position with regard to the work of the Commissions formed in the Ministry for the Costituente Assembly. He brought with him several copies of a book showing the work of the Commission for the Elaboration of the Political Electoral Law, as well as several copies of the Bulletin of Information of the Ministry of the Costituente.

2. The book on the work of the Commission for the Elaboration of the Political Electoral Law contains no new material that Sub Commission has not seen before; it merely gathers in one place such material. It may be noted that the draft of the proposed Electoral Law as printed in the book contains all of the amendments agreed upon between this Sub Commission and the Ministry of the Costituente. The Law as such is therefore being presented as the Italian Government's proposal. It must now be submitted to the Consulta, after which it goes to the Council of Ministers for enactment.

3. The Bulletin of Information has just come off the press, although it bears the date of November 20th. It is a 16 page review containing interesting articles concerning electoral and constitutional matters of Italy and other countries such as France and the United States. Two pages are devoted to expression of opinions by interested citizens and organizations. Dr. MORTA said they hoped to extend this section of the Review. Professor CLAVINI, Chief of the Cabinet of the Ministry of the Costituente, is in charge of the Bulletin.

4. 20 thousand copies of the present issue have been printed. Capt. MORTA said he hopes the Ministry would get more paper to permit a wider circulation. The price of 5 lire is indicated on the top sheet as the cost of the Bulletin, but there is some question whether it will actually be sold. I indicated to Capt. MORTA that the Ministry could distribute the Bulletin through its own channels if it is so desired.

5. Capt. MORTA then stated that the Commission for Studies on the Re-organization of the State, formed in the Ministry for the Costituente under the chairmanship of Professor GIOVANNI of Naples University, had prepared a questionnaire dealing with local authority, administration and organization which it wished to have distributed to Prefectures, and various offices in the Ministry.

3121

Copy for E.C. Com
CAE
1000 1945
X-225

with regard to the work of the Commission formed in the Ministry for the Constitution Assembly. He brought with him several copies of a book showing the work of the Commission for the elaboration of the Political Electoral Law, as well as several copies of the Bulletin of Information of the Ministry of the Constitution.

2. The book on the work of the Commission for the elaboration of the Political Electoral Law contains no new material that the Sub-Commission has not seen before; it merely gathers in one place such material. It may be noted that the draft of the proposed Electoral Law as printed in the book contains all of the amendments agreed upon between the Sub-Commission and the Ministry of the Constitution. The Law as such is therefore being presented as the Italian Government's proposal. It must now be submitted to the Consiglio, after which it goes to the Council of Ministers for enactment.

3. The Bulletin of Information has just come off the press, although it bears the date of November 20th. It is a 16 page review containing interesting articles concerning electoral and constitutional matters of Italy and other countries such as France and the United States. Two pages are devoted to expression of opinions by interested citizens and organizations. Dr. MORITA said they hoped to extend this section of the Review. Professor CLAVINI, Chief of the Cabinet of the Ministry of the Constitution, is in charge of the Bulletin.

4. 20 thousand copies of the present issue have been printed. Dott. MORITA said he hopes the Ministry would get more paper to permit a wider circulation. The price of 5 Lira is indicated on the top sheet as the cost of the Bulletin, but there is some question whether it will actually be sold. I indicated to Dott. MORITA that the Ministry could distribute the Bulletin through its own channels if it is so desired.

5. Dott. MORITA then stated that the Commission for Studies on the Re-organization of the State, formed in the Ministry for the Constitution under the chairmanship of Professor GIO VATTI of Naples University, had prepared a questionnaire dealing with local autonomy, administration and organization which it wished to have distributed to Prefectures and various Comunes in the North. He said the questionnaire would be sent to us for our perusal and asked whether we could arrange for its distribution and receipt after being compiled. I stated that the name procedure that was used for the distribution and collection of the questionnaire on the progress in the compiling of election registers will be applied with respect to this particular question.

6. Dott. MORITA left his personal copy of the minutes of the first meeting of the Commission for the study of the Re-organization of the State for my information. **NW** I will have to return to him after reading it.

7. At Dott. MORITA's request I gave him a letter of introduction to the Chief Librarian of the United States Information Service to facilitate his using the library in Rome. I indicated to Dott. MORITA that at my suggestion the Librarian had increased the supply of books dealing with government subjects for possible use by officials of the Italian Government. I gave to him copies of pamphlets published by the United States Information Service in Italian dealing with various government subjects, particularly constitution and elections.

(Handwritten signatures and initials)
 See h. 212
 R. J. [unclear]
 [unclear]

AC/45/21/LG

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

28 November 1945
Analysis of Progress of Electoral Work in Italian
Government and AMG Territory. (Based on Ministry of
Interior Report for period ending 15 November 1945)

(A) Italian Government Territory

1. Compilation of Draft Lists (Elenchi).

Male lists compiled : 1991 - i.e.

{60% of communes reported on, or
{56% of all Italian Government communes
{have compiled male lists.

Female lists compiled: 1043 - i.e.

{92% of communes reported on, or
{85% of all Italian Government communes
{have compiled female lists.

Total : 5034 - i.e.

{76% of communal/reported on, or
{70% of all Italian Government communal
lists.

2. Approval of Definitive Lists.

Male lists approved : 593 - i.e.

{18% of communes reported on, or
{17% of all Italian Government communes
{have had male lists approved.

Female lists approved : 704 - i.e.

{21% of communes reported on, or
{20% of all Italian Government communes
{have had female lists approved.

Total : 1297 - i.e.

{19% of communal/reported on, or
{18% of all Italian Government communal
lists

(B) A.M.G. Territory

1. Compilation of Draft Lists (Elenchi).

Male lists compiled : 286 - i.e.

{20% of communes reported on, or
{8% of all AMG communes have compiled
{male lists.

Female lists compiled : 899 - i.e.

{64% of communes reported on, or
{26% of all AMG communes have compiled
{female lists.

Total : 1185 - i.e.

{42% of communal/reported on, or

Female lists compiled: 303 - i.e.
 Total : 5034 - i.e.
 { 92% of communes reported on, or
 { 85% of all Italian Government communes
 { have compiled female lists.
 { 75% of communal^{lists} reported on, or
 { 70% of all Italian Government communal
 lists.

2. Approval of Definitive Lists.

Male lists approved : 523 - i.e.

Female lists approved : 704 - i.e.

Total : 1227 - i.e.

(B) A.M.G. Territory

1. Compilation of Draft Lists (Elenchi).

Male lists compiled : 286 - i.e.

Female lists compiled : 899 - i.e.

Total : 1185 - i.e.

2. Approval of Definitive lists.

Male lists approved : 1

Female lists approved : 1

(C) I.G. AND AMG Territories combined

1. Total No. of Draft Lists (Elenchi) compiled :

6219 - i.e.

{ 67% of communal^{lists} reported on, or
 { 44% of all communal lists

2. Total No. of Definitive Lists approved :

1229 - i.e.

{ 14% of communal^{lists} reported on, or
 { 9% of all communal lists

note.
 (encs) 24/11
 Capt. R. Temple, Mgr.
 Director

J. L. Russell
 Capt.

5726

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

2806
214

(227)

3/7.2/5

1 Dec 45

DEC 1 1945

SUBJECT: UNIA Pamphlets.

TO : See Distribution

212

The enclosed copies of UNIA pamphlets are forwarded for your information.

H. J. Jones

H. J. WHITE, Lt Col.
1/17 CA Section.

DISTRIBUTION :

EMILIA Region
LIGURIA Region
LOMBARDIA Region
PIEMONTE Region
VENETIA Region

Local Govt. S/C
Educ. S/C
Ex. Com. S/C

5725

etc P.A. Re pamphlets.

P.A. 13/12

(CAPT 6) *ess 4/2*

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

HEADQUARTERS ALLIED COMMISSION

APO 394

Office of the Executive Commissioner

225

Ref: 2006/10

29 November 1945

TO : C A Section

214

213

Ref Memorandum from SO to OC dated 15 Nov 45 and your Memorandum of 21 Nov para 7. 50 of each of the pamphlets have been received from UNIB and are forwarded herewith for distribution to Regions.

C. R. BRAYBROOKE

Chief Staff Officer
To Executive Commissioner

5724

PA
30/11
2

2

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

MINISTERO DEGLI AFFARI ESTERI

EXHIBIT TRANSLATION

3/2123

Rome, November 27th, 1945.

Dear Admiral Stone,

With reference to my letter n. 3/2107, dated November 23rd, please find enclosed the draft of a provision in its final text as worked out by the Presidency of the Council of Ministers.

The alterations from the former draft, which was forwarded to you by President Parri in his letter n. 3/2068, have been underlined in the enclosed text so as to facilitate comparison.

I wish to confirm that this Ministry is at the disposal of the Allied Commission's constituent offices for any possible further joint discussion of the provision in question. Signor Casaroli, an official of this Ministry, has been named to this purpose.

Believe me, dear Admiral Stone,

Very sincerely yours,

(Signed) R. PIRELLA

Admiral Ellery R. STONE
Chief Commissioner
Allied Commission
R O M E.

E.O. DIST: - 29 Nov 45
Action : C.A. Sec
Info : C.G.
E.C.
Filed 'A'
" 'B'

5723 PA

30/11

(OFF 2) 208 3/11

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

Translation

State Department

The Secretary General

3/2107

Rome, 23 November 1945

NOV 27 1945

My dear Admiral,

I refer to the letter n. 3/2068 dated November 18th, sent to you by the President of the Council on the law decree, which is now being studied, about the citizenship of the German speaking inhabitants that voted for transfer to the Reich in 1939.

Meanwhile, the regulation has been approved on general principles during the Council of Ministers of the 21st, with a few small modifications, mainly in the drafting, to which the legal office is to give its final form. It should be ready within the next week, and considering its special international repercussions, the Presidency of the Council asked this Ministry to proceed to its examination with such organisms of the Allied Commission as are concerned in this matter. I hope this may take place within the next few days.

Believe me, my dear Admiral,

Truly yours,

S. Prunas

Admiral Stone
Chief Commissioner
Allied Commission
Rome

e/o

Se 211

EC DIST 27 Nov 45

ACTION - CA SEC

INFO - CC
EX COM
POL AD A

see M. 211

folio 224

(CAPT 13) 283 281

HEADQUARTERS
VENETIAN REGION
Allied Military Government
APO 394

TO : HQ Allied Commission
Civil Affairs Section

16 Nov 45

NOV 26 1945

SUBJECT : Preparation of Electoral Lists Bolzano Province

FILE NO : RXII/025.111

For reference see file AC/45/12/LG

1.

Ref:

- a) My letter RXII/025.111 of 5 Nov.
- b) Your telegram 8114 CITE ASCAS of 051740
- c) D/O letter AC/45/12/LG of 5 Nov.
- d) Letter of Chief Commissioner to the President Council of Ministers AC/45/12/LG of 19 Oct.
- e) My letter to P.O. Bolzano RXII/025.111 copy to your H.Q.

2. In as much as I have not received any further letter from you of a letter date than 5 Nov. I am assuming that the D/O letter from Brigadier Carr of the same date, is the one referred to in your telegram "Letter follows".

3. I proceeded to Bolzano 12 Nov and on 13 Nov, and again on 14 Nov had interviews with the Provincial Commissioner and the Prefect of Bolzano. In accordance with your views I headed Col. Miller on 13 Nov a letter whereof I attach copy. This letter was immediately passed on by Col. Miller in English and Italian texts to the Prefect. I discussed this matter on the afternoon of Tuesday 13 Nov, in Col. Miller's company, with the Prefect and his principal assistants. The Prefect foresaw no difficulties in the practical application of the instructions given to him.

4. He was however, very perturbed at the delay on the part of the Italian Government in the appointment of the Special Commission (referred to in the fourth paragraph of the Chief Commissioner's letter above referred to).

He was of the opinion that, should there be any further delay on the part of the Italian Government, then the appointment should be made by the Allied Military Government.

5121

- b) Your telegram 8114 CITE AOCAS of 06/17/40
c) D/O letter AC/45/12/LG of 5 Nov. 1941
d) Letter of Chief Commissioner to the President
Council of Ministers AC/45/12/LG of 19 Oct.
e) My letter to P.C. Bolzano RXII/025.111 copy
to your H.Q.

2. In as much as I have not received any further letter from you of a letter date than 5 Nov. I am assuming that the D/O letter from Brigadier Carr of the same date, is the one referred to in your telegram "Letter follows".

3. I proceeded to Bolzano 12 Nov and on 13 Nov, and again on 14 Nov had interviews with the Provincial Commissioner and the Prefect of Bolzano. In accordance with your views I headed Col. Miller on 13 Nov a letter whereof I attach copy. This letter was immediately passed on by Col. Miller in English and Italian texts to the Prefect. I discussed this matter on the afternoon of Tuesday 13 Nov, in Col. Miller's company, with the Prefect and his principal assistants. The Prefect foresaw no difficulties in the practical application of the instructions given to him.

4. He was however, very perturbed at the delay on the part of the Italian Government in the appointment of the Special Commission (referred to in the fourth paragraph of the Chief Commissioner's letter above referred to).

He was of the opinion that, should there be any further delay on the part of the Italian Government, then the appointment should be made by the Allied Commission. He has himself send an urgent message to Rome in this sense.

I fully endorse the urgency of the matter and ask that you do all in your power to procure the appointment of a Commission at the earliest possible date.

5. With reference to paragraph 1 of the D/O letter AC/45/12/LG of 5 Nov, I ought to report that Col. Miller and I myself, feel impressed by the sincerity and earnestness of purpose of the Prefect De Angelis. It would, in my opinion, be a serious loss were he to resign.

Copy to: P.C. Bolzano

Executive Commissioner (personal copy)

Regional Commissioner

See M 213.24

16.24

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

2806490

220 24 27

AG/45/B/LG

23 November 1945

NOV 23 1945

My dear Mr. Ambassador,

It has occurred to me that if there is to be a revised armistice document or a provisional peace (as the Italian Government are requesting) a phrase regarding Italian franchise might well be inserted. This clause should bind the Italian Government to establish democratic, legislative and administrative bodies, and to ensure that elections to the same be free, secret, independent, and be held as soon as possible.

In the last few days the drafts of proposed laws for elections to the Constituent Assembly and to Provincial and Communal Councils have reached me and have been examined. While these Drafts represent an advance in some respects upon anything that has previously been communicated to me, they are subject to alteration at the hands of the Council of Ministers and the Consultative Assembly.

I therefore feel that these draft laws do not lessen the desirability of obtaining an explicit pledge from the Italian Government in any fundamental document which may substitute the existing armistice terms.

I should be most grateful if you would communicate the above to the Foreign Office if you agree and recommend the inclusion of such a clause as I propose.

Sincerely yours,

/s/ Ellery W. Stone

ELLEERY W. STONE
Rear Admiral, USNR
Chief Commissioner

M. E. Sir Noel Charles
British Embassy
Rome

5720

Copy to: CC
E.O.V

seen on file 2608/EC

PA
23/11

1-2-2-3
Declassified E.O. 12356 Section 3.3/NND No. 785017

CG 200

27 November 1945

NOV 27 1945

My dear Mr. Ross:

N/R
Further to my letter of 15 November concerning the distribution of pamphlets which USIS produced in connection with the educational campaign prior to the forthcoming Italian elections. I have had the possibility of mass distribution through the Allied Commission thoroughly investigated. It is felt that the United States Embassy and USIS are the most appropriate bodies to make the distribution.

An issue of 50 of each of the documents will be appreciated so that the Commission may distribute them to Regional Headquarters for the information of Regions.

Yours very truly,

[s] Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Mr. Jerome D. Ross
Deputy Chief
United States Information Service
Rome

See to 256 5719

218
20/11

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

MEMORANDUM

21 Nov 45.

NOV 23 1945

TO: Staff Officer to Chief Commissioner.

- 1 Your Memorandum of 15 Nov 45 has been received and the points raised considered.
- 2 It is felt that the US Embassy and USIS are the most appropriate bodies to make the distribution. They can reach all the Departments likely to be interested and have, in fact, already made a large distribution and unless AC carefully checks their distribution there would be a reduplication of effort.
- 3 With the present and worsening state of AC manpower and transport positions the efficient distribution of large numbers of these booklets would be exceedingly difficult.
- 4 There is also, of course, the objection that AC has been instructed not to tender advice on these and similar matters unless its advice is requested. If AC undertakes this distribution it would be acting contrary to these instructions.
- 5 Lastly there is a point that AC is a dual-national body whereas these documents are uni-national. The question arises that if AC officially tendered advice, whether that advice should not take the form of an agreed document or two sets of parallel documents concerning the two constitutions.
- 6 Under the circumstances, therefore, it is recommended that the distribution to Italian bodies should be left to the U.S. Embassy and USIS who already have the matter in hand.
- 7 An issue of 50 of each of the documents will be appreciated so that they may be distributed to Regional Headquarters for the information of Regions.

S. H. WHITE, Lt Col,
A/VP CA Section.

5718

See M. 206-1

4 Dec 207-1212

See M. 207.28.

7. 219.225

215
215

To: Lre. Com. From: Office of C.C.

Attached is passed to you for your approval
on observations. before being passed on
to the C.C.

Approved 19 Nov 45

CAS

C.C. wanted you to consider distribution
under par 10 of his memo of June 20.

Para 2 of your minute is therefore irrelevant.

I think the chief points are.

(1) US plan seems adequate breach
all interested

(2) lack of staff & transport by the C.

But I would ask that the Dir of Interior

5717

CAS

CC wanted you to consider distribution under paras 10 & 11 of his memo of June 23.

Para 2 of your minute is therefore irrelevant.

I think the chief points are.

(1) US plan seems adequate to reach all interested

(2) lack of staff & transport by AC. 5317

But I would add that the Dir of Interior be approached with view to distribution to all local Governments.

W/L/m

Translation

The President of the Council of Ministers
3/2068

Rome, 18 November 1945

NOV 20 1945

See File 254

My dear Admiral,

I have just now been informed by the Prefect of Bolzano that the Allied Commission ordered the electoral lists to be prepared in Alto Adige, indistinctly including all the people who voted for Italy and remained there.

About this matter, I should like to refer to your letter dated October 19th, (AG/15/12/18) in which you spoke about the necessity of forming without delay a Commission to examine and decide about the citizenship of a large part of the population in the Alto Adige region.

Obviously, such a matter could only be examined after fixing the criterions which were to inspire it. And my delaying in answering your letter is due to the fact that I first wanted to have the matter examined in its complex juridical and political aspects, as I already wrote to you on November 9th.

The offices in charge drafted a plan which will be examined in the meeting of the Council of Ministers of the 21st. inst.

I had issued instructions to these offices to contact the organisms of the Allied Commission to know beforehand their opinion on the said draft.

Unofficially, I hereby forward a copy to you so that you may at once take cognizance of it.

Considering what I said in this letter, and believing that this matter is shortly to be solved, I shall greatly appreciate it if you give the necessary instructions to the authorities in charge to suspend the drafting of electoral lists in Alto Adige, to avoid the possibility of their being later on in opposition with the results of the enforcing of the planned law decree.

s. Ferruccio Parri

5716

Admiral Ellery S. Stone
Chief Commissioner
Allied Commission
Rome

E.C. DIST-20/10/45

Action: C.A. 12 (2)

Info: C.C.

E.C.

Poland A
" B

trans. e/s

ENB 30/11

(WPT BRAYCROCKE)

See 209
See 211

MEMORANDUM:

TO : Civil Affairs Section
(Attention: Brigadier Carr)

1. The Chief Commissioner invites your attention to the enclosed letter from USIS and the samples of the information pamphlets attached thereto.

2. You will note that the matter of assisting the Italian Government in educating the Italians in the basic principles of the free democratic nations was specifically referred to in paragraphs 10 and 11 of the Chief Commissioner's secret paper "Future Policy Toward Italy," dated 23 June 45, file CC 1001.

3. It is requested that the possibility of handling mass distribution of these pamphlets through Allied Commission be carefully investigated by you as soon as possible and appropriate recommendations made to the Chief Commissioner.

1 Incl.

L. W. STARNES
Lt Col, AD
Staff Officer to CC

cc Epe Comm.

elB
10/11

See 212

See h. 217
7. 225.

PA 18 1/2
11

15 November 45
NOV 16 1945

COPY

UNITED STATES INFORMATION
SERVICE
of the Office of War Information

Rome Division

November 13, 1945

Rear Admiral E. K. Stone
Chief Commissioner
Allied Commission
Rome

Dear Admiral Stone:

Mr. Stewart Brown has left for a short trip to the States, and has asked me to send you these samples of the pamphlets which USIS has produced in connection with the educational campaign anent the forthcoming Italian elections.

All four pamphlets have just come off the presses in the following quantities: 150,000 copies of "Come Si Vota Negli Stati Uniti", and 100,000 copies each of the other three. These we are distributing in quantity to members of the Italian Government, to members of the entire school system through the Ministry of Public Instruction, and to working class groups through E.N.A.L.

Mr. Brown suggests that if you want any mass distribution through AC will you kindly let me know.

Very cordially,

/s/ Jerome D. Ross
/s/ JEROME D. ROSS
Deputy Chief
USIS, Italy

Att.

5714

1230

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

2806 96

211
175

15 November 1945

NOV 15 1945

Dear Mr. Ross:

Thank you for your letter of the 13th enclosing the samples of pamphlets which USIS has produced in connection with the educational campaign prior to the forthcoming Italian elections.

I will advise you later as to the possibility of mass distribution of the pamphlets through the Allied Commission.

Yours very truly,

Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Mr. Jerome D. Ross
Deputy Chief
United States Information Service, Italy
ROME

cc Efec Comm. ✓

See 212. 213.
109-700

5113

(CAPT GRAYCROOK) ²⁰⁸
1945

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

HEADQUARTERS ALLIED COMMISSION
APO 394
CIVIL AFFAIRS SECTION

209.

Ref: AC/45/19/LG.

9 Nov 45.

SUBJECT: Preparation of Electoral Lists in VENEZIA GIULIA.
TO: SOAO VENEZIA GIULIA.

4 T5'D

186.V2

- 1 Reference is made to the letter of the Allied Commission to AFHQ G-5 dated 19 Sep 45 (file AC/45/19/LG) and to AFHQ reply of 28 Sep 45 (file G-5: 000.1-1) copies of both of which were sent to you. This correspondence indicates that the compilation of election registers is to commence in VENEZIA GIULIA as soon as possible and that the procedure will follow that in use in the remainder of Italy.
- 2 As agreed during discussion at this Headquarters on 5 Nov 45, the drafting of the pertinent AMG General Order and administrative regulations and forms will be undertaken by the VENEZIA GIULIA staff with such advice and assistance from Local Government Sub-Commission as you may require. It is suggested that the work of the legal officer to whom this task is assigned by you will be facilitated if he can arrange to spend some time at this Headquarters with local government experts.
- 3 The importance of starting the preparation of electoral rolls in VENEZIA GIULIA cannot be over-stressed and accordingly it is urged that the preparatory work should be commenced as quickly as possible.

FOR THE CHIEF COMMISSIONER:

M. Carr / Brigadier
M. CARR, Brigadier,
Vice President,
Civil Affairs Section.

Copies to: AFHQ.(G-5)
Chief Commissioner,
Executive Commissioner,
Folded (A),
Folded (B).

See M. 147
210

PAY 14

(CAPT BRAYCROCKE)

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

NOV 15/11/1945

8 November 1945

My dear Mr. Prime Minister,

NOV 8 1945

I am now in a position to communicate the observations of the Allied Commission upon the Draft of the Political Election Law for the Constituent Assembly and upon the Draft Law for the Reconstitution of Communal and Provincial Administration on an Elective Basis, both of which were considered by the Council of Ministers on 30 October and 1 November.

I have noted with pleasure that both Drafts are in several respects an advance upon previous Italian electoral legislation in the direction of modern development of democratic practice. There are consequently but few matters to which I consider I should draw the attention of your Government.

To deal first with the Draft Law for the Elections to the Constituent Assembly, I have noted the absence from it of any provision forbidding electoral propaganda in the neighborhood of the polling station or section office. The Draft Law for administrative elections on the other hand has made a suitable provision for this in Article 43. I trust that a similar provision will be made for the political elections.

I have also observed in the Draft Law for elections to the Constituent Assembly the provision in Article 15 for the lists of candidates to be presented to the Court of Appeal not later than the fortieth day before the election and in Article 16 for the Court of Appeal to complete the verification of the lists not later than the thirtieth day before polling day. Thereupon, provision is made for the printing of the lists, the transmission of them to the Sindaci and for the Sindaci to exhibit them in public places. No time-limit is stated, however, for the completion of this important duty on the part of the Sindaci. It is of great importance that the public should receive official notification of the candidates duly nominated in ample time before the election. With this object, I suggest a provision requiring the Sindaci to affix in public places the notice comprising the lists of candidates as verified by the Court of Appeal not later than the twentieth day before the election.

Turning now to the Draft Law for the administrative elections, I do not find in it any provision for the exhibition in public places of the names of candidates nominated. Provision is only made for such names to be posted in the voting room on the day of the election. It is of equal importance in the administrative elections that official notice of the candidates be given to the public in good time before the election. I would advise, therefore, the inclusion of appropriate provisions for this purpose. As in the case of the political elections, it is considered that public notice of the duly nominated candidates after verification by the Electoral Commission ought to be given at least 20 days before the election. For this purpose, therefore,

(CAPT BRAYKROCKE)

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- 2 -

the periods of 15 days fixed by Article 25 and 20 days fixed by Article 63 should be considerably extended. These periods appear in any case to be very short in comparison with the period of 70 days allowed for the political elections and having regard to the tasks to be performed and the objects to be attained.

I have also noted with particular attention the provisions of the Draft Law on administrative elections as to ballot-papers. Whereas for the political elections due provision has been made for a State ballot-paper, for the administrative elections this is not proposed. The Draft Law confines itself merely to prescribing the type of the ballot-paper to which those provided--presumably by political parties or by the voters themselves--must conform. That the ballot-paper should be printed by public authority and delivered by the officials of the section office to the elector when he presents himself to vote is a matter of cardinal importance, both as a precaution against fraud and as a means of ensuring to the elector the actual receipt of a ballot and a genuine freedom of choice. I consider that the provision of an official ballot is as necessary for the administrative elections as for the political elections and I would urge the Italian Government to dispose accordingly.

Before concluding this letter, I think it necessary to refer to the rendering executive of these two Laws in such parts of Italy as may still be under Allied Military Government at the time when the Laws are promulgated. It is the intention of the Allied Commission to give them immediate implementation by the quickest means possible. To that end I would ask the Italian Government to provide for their publication in a supplement to the Official Gazette in which can also be inserted the ordinance making them executive. In order to enable the Laws to be put into force in this way, it is necessary to request that an amendment of a technical nature be made in each of them. A Memorandum on the amendments desired for this purpose is enclosed.

I trust I may hear from you in the near future that the suggestions made above are accepted by the Italian Government and that they will be incorporated in the versions of the Laws that will be submitted to the Consultative Assembly. In this letter I have dealt in general terms only. For the purpose of determining the exact phrasing of any modifications agreed to, it may be desirable that the technicians of the Italian Government and the Local Government Sub Commission should confer so as to avoid any unnecessary delays.

Yours very truly,

Distribution:

Chief Commissioner
Executive Commissioner
Polad (A)
" (B)
AC/45/B/1/LG
AC/45/B/2/LG

/s/ Ellery W. Stone

ELLERY W. STONE
Rear Admiral, USNR
Chief Commissioner

Professor Ferruccio Parri
President of the Council of Ministers
Italian Government

Draft Political and Administrative Electoral Laws

Memorandum on the Modifications Required for the Purpose of Rendering the Laws
Executive in Military Government Territory

A - Political Electoral Law

1. In Article 5, No. 12, provision is made for excluding from franchise those deprived of electoral rights by sentences of the Provincial Commissions referred to in Article 2 of D.L. 26 April 1945 No. 149. The last paragraph of Article 6 provides that a particular class of persons otherwise excluded from the franchise may be admitted to the exercise of the right to vote by judgment of the same Provincial Commissions provided for in Article 2 of the same D.L.
2. D.L. 26 April 1945 No. 149 has not been rendered executive in Military Government Territory. Instead, Provincial Commissions are being established throughout the North under D.L. 27 July 1944 No. 159 and a procedure has been agreed with the Italian Government for the appointments of the Presidents and other members of these Commissions under that Decree.
3. Articles 5 and 6 of the Draft Law on the political elections should therefore refer to the Provincial Commissions established under either D.L. 27 July 1944 No. 159 or D.L. 26 April 1945 No. 149.

B - Administrative Electoral Law

4. Article 102 states that in territory not yet returned to the Italian administration, the date for the election of Communal and Provincial Councils is to be fixed by Allied Military Government in agreement with the Prefect and the First President of the Court of Appeal.
5. International law authorizes Allied Military Government to take administrative action (such as fixing the date for the administrative elections) under the Law without any express provision for the purpose. Likewise, Allied Military Government is not required to consult any Italian official before so doing.
6. If it should become necessary for Allied Military Government to exercise powers under this law, it is their intention to proceed in close cooperation with the Italian Government and to obtain the advice of the appropriate administrative and judicial officials in the territory under their control. The Italian Government however is not competent, as a matter of law, to prescribe a procedure for Allied Military Government to follow.
7. Article 102 should therefore be omitted. It should be replaced by the usual clause declaring that the Law will come into force on the day after its publication in the Official Gazette.

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

2806 91
ALLIED [REDACTED] COMMISSION 205
INTER-OFFICE MEMORANDUM
CIVIL AFFAIRS SECTION

SUBJECT:

Tel. Ext. 525.

FILE NO.

TO Executive Commissioner.

30 Oct 1945

OCT 30 1945

1905192
Enclosed are two copies of the latest report on the preparation of Electoral Lists.

You will probably wish to send one to the Chief Commissioner.

Copy handed
to cc.

MD
M. CAMP. Brig.,
VP CA Section.

WHITE)

See below.
5708
2/11

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL GOVERNMENT SUB COMMISSION

AG/45/21/14

Tel: 478706

26 October 1945

Preparation of Electoral Lists--Report of M/INT for period 1-15 October 1945

1. The Prime Minister has called for a special report for the first 15 of October, a copy of which is at fcs. 8, 8b, 8c and 8f.

2. The annexed Tables I and II summarize the figures in the report for Italian and for Military Government Territory, respectively.

3. Comment on Italian Government Territory (Table I)

a. Three more provinces are now reported (2--Cosenza, Siena and the new Province of Caserta. The missing 13 provinces are Apulia, Lazio, Pesaro, Pisa, Teramo and the 8 provinces of Emilia Region.

b. The compilation of lists by the Communes continues to accelerate slightly--558 additional lists compiled in a fortnight as against 528 in the whole month of September. Inference: the bottleneck of the Casellari Giudiziali is being slightly overcome.

c. The rate of approval of lists by Electoral Commissions continues to decrease--119 approved up to the end of August--239 in September--and only 55 in the first half of October. The gap between the lists approved and the lists awaiting approval is widening. There are now 1,121 lists awaiting approval as against 2,820 at the end of September. Inference: the inertia on the part of the Electoral Commissions and lack of proper organization and staffing; the Ministry's pressure on the Prefects as to this point has not yet had effect.

4. Comment on Military Government Territory (Table II)

a. Five provinces are now reported on--two from Lombardia and 1 each from Liguria, Piemonte and Veneto.

b. The number of male lists compiled is the same as at 30 September--3. The female lists, however, (which do not now have to go through the Casellari Giudiziali) have jumped upwards--69 to 226. Inference: There are no signs of the Casellari bottleneck being overcome in the North yet. The Casellari naturally dealing first with the demands of Southern and Central provinces which would, generally speaking, have reached them before those from the North.

3. Comment on Italian Government Territory (Table I)

a. Three more provinces are now reported as--Cosenza, Siena and the new Province of Caserta. The missing 13 provinces are Apulia, Lucania, Pesaro, Pisa, Terni and the 8 provinces of Emilia Region.

b. The compilation of lists by the Communes continues to accelerate slightly--558 additional lists compiled in a fortnight as against 528 in the whole month of September. Inference: the bottleneck of the Casellari Giudiziali is being slightly overcome.

c. The rate of approval of lists by Electoral Commissions continues to decrease--319 approved up to the end of August--239 in September--and only 55 in the first half of October. The gap between the lists approved and the lists awaiting approval is widening. There are now 3,321 lists awaiting approval as against 2,820 at the end of September. Inference: the inertia on the part of the Electoral Commissions and lack of proper organization and staffing; the Ministry's pressure on the Prefects as to this point has not yet had effect.

4. Comment on Military Government Territory (Table II)

a. Five provinces are now reported on--two from Lombardia) and each from Liguria, Piemonte and Venezia.

b. The number of male lists compiled is the same as at 30 September--3. The female lists, however, (which do not now have to go through the Casellari Giudiziali) have jumped upwards--69 to 226. Inference: There are no signs of the Casellari bottleneck being overcome in the North yet. The Casellari naturally dealing first with the demands of Southern and Central provinces which would, generally speaking, have reached them before these from the North.

c. No lists have yet been approved by Electoral Commissions: the position is stationary.

5. Conclusions

As to Military Government Territory, the position is not unsatisfactory as far as one can judge from 5 provinces only. As to Italian Government Territory, the Electoral Commissions show signs of becoming a bigger bottleneck than the Casellari.

CGRM/pec

O. G. R. WILLIAMS
Major
Executive Officer
Local Government Sub Commission

W. Williams

188

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

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TABLE I -- Analysis for Provinces in Italian Government Territory

(1)	At 31 August		At 30 September	
	Cumulative Total		Difference between 2/4(5)	
(1)	(2)	(3)	(4)	(5)
1. Number of Provinces reported on	39	44	5	
2. " " Communes " "	2628	2845	217	
3. " " Lists compiled by the Communes:				
Male	960	1138		
Female	1892	2242		
	2850 (55.7%)	3380 (59.3%)	528	
4. " " Lists approved by Electoral Commissions:				
Male	141	230		
Female	178	328		
	319 (6%)	558 (9.8%)	239	

NOTE: The percentages in columns 2, 3 and 5 are percentages of the total number of lists to be prepared by the Communes reported on. As each Commune has to prepare 2 lists (male and female) the total number of lists required is twice the number of Communes.

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Declassified E.O. 12356 Section 3.3/NND No. 785017Analysis for Provinces in Italian Government

	<u>At 31 August</u>		<u>At 30 September</u>		<u>At 31 October</u>	
	(2)	(3)	(4)	(5)	(6)	
	39	44	5	47	3	
	2628	2845	217	3023	178	
Communes:						
Male	960	1138		1406		
Female	1890 2850 (55.7%)	2240 3378 (59.3%)	528	2528 3934 (65%)	556	
Male	141	230		258		
Female	178 319 (6%)	328 558 (9.8%)	239	355 613 (10%)	55	

and 5 are percentages of the total
by the Communes reported on. As
lists (male and female) the total
is the number of Communes.

TABLE II - Analysis for Provinces in Military On

(1)	At 31 August	Cumulative Total	II Affe between
(1)	(2)	(3)	(4)
1. Number of Provinces reported on		3	-
2. " " Communes " "		287	-
3. " " Lists compiled by the Communes: Male Female		3 69 72 (12.5%)	-
4. " " Lists approved by Electoral Commissions: Male Female		NIL	-

Note: The percentages in columns 2, 3 and 5 are percentages of the total number of lists to be prepared by the Communes reported on. As each Commune has to prepare 2 lists (male and female) the total number of lists required is twice the number of Communes.

Declassified E.O. 12356 Section 3.3/NND No. 785017II - Analysis for Provinces in Military Co.

	<u>At 31 August</u>		<u>Difference between (2) & (3)</u>	<u>At 15 Oct</u>	
	(2)	<u>Cumulative Total</u> (3)		<u>Cumulative Total</u> (5)	
		3	-	5	2
		287	-	56%	347
Communes:					
Male		³ 69 72 (12.5%)	-	³ 226 229 (20%)	157
Rel Commissions:					
Male		NIL	-	NIL	NIL

3 and 5 are percentages of the
 reported by the Communes reported
 are 2 lists (male and female)
 listed is twice the number of Communes.

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