

and appears to be in conformity with democratic principles. Since, however, it has not yet been established long enough for its continued workability to be assured, the possibility of some amendments at an early date should not be ruled out. Any such amendments might be subject to disallowance by the supervisory authority.

In addition, a separate clause in the treaty might provide for a guarantee of human rights and fundamental freedoms.

The treaty should provide for the continuance of the exclusion from public office of exponents of militaristic nationalism and influential members of Japanese ultra-nationalistic societies, such as have already been excluded from public office by order of the Supreme Commander for the Allied Powers. Failure by the peace treaty to maintain these restrictions would clearly have undesirable consequences, though in order to check the growth of a permanently disaffected class there might well be some provision for review, which would enable deserving persons to be relieved in due course of their civic disabilities.

Other requirements to be imposed on Japan should provide for the continued prohibition of militaristic and ultra-nationalistic societies such as poisoned the political life of Japan before the war, and should forbid the reconstitution of special police and paramilitary organizations. In view of the ultra-nationalistic character of State Shinto, existing provisions regarding the complete separation between Shinto and the State should be maintained. It would also be desirable that the Japanese Government should accept certain minimum obligations with respect to educational policy. To all these matters the occupation authorities or the Far Eastern Commission⁶ have already devoted much attention.

The peace treaty should give full legal validity to all acts of the occupation authorities, and the Japanese Government should ensure that no Japanese suffers any disability by reason of his having acted in pursuance of the directives of the occupation.

(c) ECONOMIC FREEDOMS

There are also certain essential economic rights and freedoms of which cognizance should be taken in the peace settlement.

The remarkable growth of trade-unions in Japan has been one of the more encouraging aspects of the occupation period, and those freedoms assured to Japanese trade-unions by the policy of the Far Eastern Commission should continue to be assured to them by the terms of the peace treaty.

⁶ See the orders of SCAP to the Japanese Government, and the policy decisions of the Far Eastern Commission.