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UNITED NATIONS TEMPORARY COMMISSION IN KOREA

SUB-COMMITTEE I

VERBATIM RECORD OF THE SIXTH MEETING

Duk Soo Palace, Seoul, Korea
Tuesday, 24 February 1948 at 3 p.m.

Chairman: Mr. MANET (France)

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CHAIRMAN: I declare the sixth meeting of Sub-Committee of the United Nations Temporary Commission on Korea open.

ADOPTION OF THE AGENDA:

The agenda was adopted without discussion.

HEARINGS OF OFFICIALS AND EXPERTS : William F. Dean
Major General, US Army
Military Governor.

(General Dean assumed his seat in the Committee Room).

This Sub-Committee mainly deals with freedom for elections and we are not concerned so much with the legal provisions under the laws, ordinances and regulations as with the way which they are applied. I make this explanation in order to circumscribe the statement we should like you to make to the Sub-Committee, so that we may become better acquainted with the situation.

Perhaps you can give us a general picture of the situation here as regards the - I will not say free atmosphere for elections - freedom for elections, supposing that such an election were to be held, taking into account your experience of the election which was held some time ago.

General DEAN: I was not actually present during that election, but from the experience I have gained since I have been here in the carrying out of the provisions of existing ordinances, either executive decree or legislative enactment I feel that, given time to prepare for the election and to inform the people, we could carry out an election with all the freedom desired.

I want to amplify that further. We all realize that this will be the first election held in Korea under conditions of universal suffrage, and this is the Orient, where, no doubt for many years to come, the head man of the family will have great influence on the votes of everyone in his family.

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I think that the same conditions obtain in other parts of the world, but when I see these allegations that the police force is going to control the election, I feel that these statements are not based on fact. The Director of the Police has put out a definite requirement to the police force that they will not participate in the election, and that they will only enter the polling booths to cast their own individual votes.

I have heard it said, in fact, Mr. Menon mentioned it in his speech, that ten to fifty thousand people could be arrested to prevent them from voting. There is Section 94 of the election regulations, which were drawn up by a committee of Koreans who were drawing up the election regulations based on the law passed by the Interim Assembly, a law which was for one provision only, that was to have an election for another interim assembly in South Korea, and not a national government for all Korea. In that Section it is definitely provided there should be no arrests; in fact, it really puts in the right of habeas corpus so far as the holding of elections are concerned.

I am not at all disturbed over the elections not being held in a good atmosphere. I do not feel that the first elections that they hold will be as well conducted as subsequent elections will be. I feel that the holding of an election by secret ballot is an evolutionary process. I only know by reading, but I understand that in the election held in China two months ago only ten per cent of the population turned out, and that even Madame Chiang Kai Shek voided her ballot. So there will be a great many inaccuracies of individual votes, and there may be chicanery of sorts, but we have that in my own country. I feel that if we are going to have an election of any sort, the most important thing of all is that we must have an early announcement of the election, so we can prepare the voting public for it.

I have resisted an active educational campaign in the Press on the election law as passed by the Interim Legislative

Assembly because I felt it would confuse the public. With the United Nations Commission coming here, we felt that you would devise your own election laws. These laws might not be in consonance with those passed by SKIG -- the South Korean Interim Government -- and any differences put out through the Press over the radio might confuse the people. I feel that if an election is held under United Nations supervision, the Commission might well, and I should recommend that they do, direct that certain changes be made in the law passed by SKIG. The suggested changes were all enumerated by the then Acting Military Governor, General Helmick when he returned the law to SKIG before signature. One of these changes referred to the age limit. He suggested that this be lowered from 23 years to 21.

Another item was the literacy test; another referred to people who had been convicted of any crime; and another referred to the collaborators. I feel it is very difficult to determine who is a collaborator in a country which had been occupied for forty-five years. Another item was the provision for a special electoral district for people from North Korea. I feel that the refugees should be permitted to vote, but as residents for the time being of South Korea. In other words, the minute we say that an election here is an election for all Korea, I think we are missing the point. Any election we have here in South Korea should be an election for an interim government for South Korea alone.

CHAIRMAN: In other words, there would not be a special constituency. The refugees would just vote because they live here now?

General DEAN: Because they live here now.

Mr. PATTERSON (Canada): Would there be any requirements about term of residence in South Korea? I think that sixty days has been mentioned.

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General DEAN: It would be a relatively short period, but the refugees are not coming in the numbers they were, so I do not think it would have any great effect. I think the sixty day term would be reasonable, but I think there should be some period so that there would not be a last minute rush of people getting over for the purpose of voting only. I think that a person who has lived here for an appreciable length of time and has, we hope, been contributing his taxes, should be permitted to vote here.

CHAIRMAN: We have prepared a questionnaire, and, if you do not mind, I will read the questions to you.

General DEAN: I prefer that.

CHAIRMAN: The first question is: It has been suggested to us that it is difficult to determine at present what laws and regulations now in force restrict free elections. Do you believe this to be true? We were told that many Japanese laws and regulations were still in force or, rather, had not been abrogated, so that it was almost impossible to determine, at the present time, whether these will restrict free elections, since nobody knows whether they are still in force.

General DEAN: I think that an assertion such as that has undoubtedly been made by the minority party or parties which do not desire an election. I know that Dean Pergler or Dr. Fraenkel could give you, in great detail, the status of our laws. I know you have gathered from previous speakers that the law today is, in toto, the Japanese codified law, but, as you know, that is not true; the laws under which we are operating today are the old Korean civil laws. There are certain Japanese laws which we have not repealed, but we have repealed a great number, and ordinances have been promulgated by the Military Government and laws passed by SKIG and signed by the Military Governor.

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I know of no laws existing that would prohibit the holding of free elections, but I do know that before an election is held we will have a new ordinance on the books that will give us civil liberties than the people enjoy today.

They have been working on this new ordinance in the Department of Justice, and preparing for my signature an ordinance increasing the civil liberties of the people. That ordinance will ensure that a person can only be arrested on issuance of a warrant, except, of course, when a man is caught in the actual committing of a crime. The new ordinance will also entail an indictment within a certain short period of time. It will ensure early trial, it will ensure bail, and include provisions against illegal arrest. If the date of the election were announced today, that ordinance would be in effect long before an election could be held because, regardless of what some of the political parties suggest, you cannot announce an election today and hold it next week. A period of time is necessary between the announcement of an election and the holding of that election. I do not know whether you realize the transportation difficulties. You have gone from here to Pusan, but you travelled on a good railroad. When one gets on the highways on to some of these ox-cart roads, one sees what it does to a jeep. You have never taken a beating until you have travelled on some of the roads in the province, and there are thickly inhabited centres. The means of transportation are really backward.

I feel that under SKIG laws and the regulations set up by the committee that was formed, we could hold a free election. With the there added safeguards, the recent directives of the Director of Police as to the rights of assembly, free speech, freedom of the press, in addition to the ordinances that are being made in the making right now, we will have the regulations under

which such an election can be held.

CHAIRMAN: You have also given us the answer to the second question: If so, do you agree to the suggestion that new ordinances should be enacted to ensure complete freedom of elections?

Mr. PATTERSON (Canada): I think we ought to explain to General Dean that this question with regard to the Japanese laws still applying was not made with specific reference to this problem, but was made in connection with a survey of the whole legal system.

General DEAN: That has been a mis-statement all the way through. One cannot go into a country and say "We will abolish all laws". They were the laws of the land, and they were the laws that people knew.

Mr. PATTERSON (Canada): That was what I was going to say. We are not critical of the fact that Japanese laws still apply. It would be impossible to abrogate these laws before you were ready for a new system.

General DEAN: A great many of these laws are splendid. Our ordinance No. 9 of 1945, which was made before I came here, repealed several of these laws, and the civil liberties of the people have been immeasurably improved in comparison to what they were under the Japanese laws before they were repealed. I do not feel there is anything for which we have to apogize.

Mr. PATTERSON (Canada): I want to make that clear. The first point I wanted to make was that it was not a critical statement; it was simply a statement of fact. The next step was this. We saw as quite an easy task the taking of the laws and ordinances which have been passed since the occupation, and seeing how they impinge upon this question of civil liberties. But it is quite a job to be able to say what laws there may be which may have a bearing on this freedom of election. What we were trying to avoid was having critics say afterwards that the

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elections could not have been free because there was this that law which made a free election impossible. Therefore thought a survey ought to be made, and General Weckerling he would have a survey made of the laws in order to indicate which particular laws there might be which could be quoted impinging on a person's freedom.

General DEAN: Every ordinance which has been issued subsequent to our occupation states that if there is any conflict with existing codified laws, this law takes precedence and the other is rescinded.

Mr. PATTERSON (Canada): We are aware of that. We thought that the laws which had not been repealed should be reviewed so that those which might be quoted as making a free election impossible could be spotted.

CHAIRMAN: At the same time, General Dean has given us a very precise answer to the second question, which I was about to ask, that is. If so, do you agree to the suggestion that new ordinances should be enacted to ensure complete freedom of elections? If I understand you correctly, that is precisely what you are trying to do.

General DEAN: That work was initiated not with this election in mind; it was initiated before my arrival here.

General Hodge and General Lerch initiated this almost a year ago, and there have been many conferences to try to get all the Departments in agreement; that is, such departments as the Department of Justice and the Department of Police. The volume of minutes from these conferences already makes a large pile. I tell them what I want, but I find it takes legal talent, if there is more than one, some time to come to an agreement. But they tell me we shall have the draft this week. It is absolutely certain we will have such an addition before any election is held.

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Mr. WANG (China): We have come across a problem which will bear upon the subject we are studying. That is, on the one hand we have the Resolution which states that the representatives must be duly elected representatives of the people, and, on the other hand, we are met with a body of oriental customs and traditions. I am not speaking merely of the larger cities, I am speaking of those provincial towns and villages to which General Dean has referred. Probably for decades, at least for many years, they have had recognized elements who have been looked up to as the natural leaders. But these elders will not have any political opinions, but they will have the votes of their people. Suppose we announce an election. According to the Western conception, every individual must make up his or her own mind as to the one he wants elected. On the other hand, there is this oriental custom or tradition which makes the people look to the leaders for advice and directives. We should very much like to have your views on this, based on your experience here.

General DEAN: I have already stated that I feel that the head-man or the leader will have a great influence in the voting in his particular village. I feel that that is a condition which must prevail for many years, But, so long as the individual casts his own vote, and the leader does not cast it for him, I see nothing wrong with that. In the United States, and I would not be surprised if it happened in Canada, we see automobiles on which it is stated "Vote for So and So" in which people are taken to the polls to vote. At the last general election in Great Britain I saw a great effort made to influence people how to vote, and I am certain that certain families were using a great deal of family influence, but I see nothing wrong with that, so long as every particular member of that family casts his own vote independently. I still consider that a free election.

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I feel that we must have campaigning and attempts to influence people to vote for one candidate or another; so long as there is no coercion or physical violence or threat of violence employed.

CHAIRMAN: Do you think it possible to avoid these headmen taking all the seals of the others and voting for them? That, of course, could not be considered a free election.

General DEAN: I feel that the Election Committees will carry out their duties to the extent that only those registered can come up and vote. I do not believe that we can give any absolute guarantee that every election booth will be conducted one hundred per cent honestly. When we achieve that at home we shall be very fortunate. I am certain there is going to be chicanery at certain times, but I feel sure that the Subcommittee is interested only in the organized stifling of the voting of all parties except one, or that it is going to be a machine-run election. That is what you are interested in.

Mr. PATTERSON (Canada): That is one phase in which we are interested. We have been impressed - we cannot but be impressed by the reports that have come out of Korea that indicate that the police have inordinate power, and when one puts alongside these reports the fact that the Department of the National Police is an independent department, one cannot easily get rid of the doubts one has, or the fears that men, in such large numbers as that will exert pressure which is very difficult for a person at the top, however well-meaning he might be, to control. That, linked together with the very fact, which is well-known, that the police are meshed in with one political party - these factors come to us from various angles - creates a general feeling of uncertainty as to how far one can control the whole police organization in the interests of allowing individuals to vote as we expect in the West.

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General DEAN: I do not feel this to be so. If you will look at the records in the past few months you will see that rightist terrorists have been arrested on the same scale as the leftist terrorists. There have been arrests by the police down in Cholla Putko of some of the most influential rightist leaders for having directed terrorism. When there is any indication by the American officers that the rightists are behind any terrorism and that arrests must be made, then the police will go out and make those arrests.

Mr. PATTERSON (Canada): To what do you attribute the fact that there has been a change in orientation?

General DEAN: I attribute it to the fact that the Police Department is thinking about South Korea before it thinks about any political party.

Mr. PATTERSON: Why has this come about within the past few months?

General DEAN: I do not know that it has come about within the past few months. I have been here for only four months. I was not making any comparison of the past four months. I was only trying to indicate what I had seen. I was trying to differentiate between hearsay and actual physical experience, and I do know that early in November Dr. Syngman Rhee said he was going to have an election notwithstanding, and held an unlawful assembly in front of the Capitol. There were banners and shouting, but the police were resolute in arresting the ring-leaders and dispersing the mob. There were policemen and others hurt. Dr. Syngman Rhee said he was going to have an election, General Hodge notwithstanding, but the police sided with constituted authority, although everyone said that was their party.

Mr. PATTERSON (Canada): That, presumably, was because the American Military Government took a firm stand on it?

General DEAN: Yes. The American officers would take a

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firm stand in any election.

Mr. PATTERSON (Canada): That is what we are trying to get straight. To what degree would that be necessary, and at what points will it be necessary for the Military Government to say that this or that course should be taken. I am speaking in general terms, because the questions that come to us cannot be tabulated.

CHAIRMAN: We were told that General Hodge himself recommended or suggested to the Korean Interim Assembly that the National Police should ^{be} put under the supervision of, or attached to, a special Department for the Interior, and that that suggestion was either disregarded or discarded by the Legislative Assembly. Can you tell us whether this is true, and if so, why the Koreans themselves rejected the idea of putting the National Police under the supervision of the Department of the Interior?

General DEAN: I do not know that that happened. There is a complete re-organization plan for the Interim Government of Korea, and that has been referred to the Assembly, and that, I think, is one of the provisions of the recommended re-organization.

CHAIRMAN: It may not be that this specific provision has been disregarded, but the whole plan for other reasons. Is that so?

General DEAN: That may have occurred, I do not know.

Mr. WANG (China): It has come to our minds that one way to promote a free election is through the dissemination of information to the voters. That is, information to show how they can vote, that they do not have to be influenced by the police, and that they can vote whichever way they please. The more such information goes to the voter the better it will be in the light of our terms of reference. What is your opinion regarding the length of time required for the dissemination of such information? How long will it take to sufficiently satisfy

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us that the average voter will know his rights and know how to vote?

General DEAN: Any answer on that would be relative because, naturally, the more time you have the better education you can give. I feel that sixty days would be the time, and when I say sixty days I take into account the fact that that education started before the United Nations Commission came over here.

This dissemination was stopped because it was based on the SKIG law entirely, and I felt that it would be very confusing if the United Nations Commission came in with a document and said "This is the electoral law we will have at this time".

CHAIRMAN: As a matter of fact, I do not think this will ever be done by the United Nations, because the terms of reference of the United Nations Temporary Commission on Korea is to observe the elections and to make recommendations, so that whatever the Commission does would only amount to the formulation of some recommendations regarding the laws you are going to apply, or that the Koreans envisage applying.

General DEAN: I agree with that thoroughly. I was under the impression that the United Nations had come over to observe an election for North Korea and South Korea, and I could not see how the law passed by the Interim Assembly of South Korea could be applicable to North Korea. That is why I stopped the dissemination of that information.

Mr. WANG (China): In the light of the present circumstances, would you prefer to hear from this Commission specific recommendations we would like to make with regard to the electoral laws, so that you might embody them in the dissemination of your views.

General DEAN: My view is that if we were going to have an election here in South Korea, I should welcome suggestions from

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the United Nations covering these particular points I have mentioned. The reason I should want these suggestions is because the law, as it has now been passed, was signed by the Military Governor, General Lerch, before he died, and I feel that in the eyes of the Koreans it would be more fitting, and they would accept it more gracefully and with less ill-feeling, if these changes came as suggestions from the United Nations Commission rather than, as Military Governor, I should put out an executive order and say "I am changing your law".

Mr. PATTERSON (Canada): Another of our Sub-Committees - Sub-Committee 3 - is dealing with that very problem, and this morning they were dealing with various suggestions that General Helmick had made.

General DEAN: These are the same ones, and they still stand. I have a couple of others.

Mr. PATTERSON (Canada): We went a little further, and such recommendations will come from the Commission if this plan goes through for participation in elections in South Korea alone.

General DEAN: I should welcome them, and I do feel they would add immeasurably to the democracy of the vehicle.

Mr. PATTERSON (Canada): You have not met with the Secretariat in connection with the study of the laws themselves. They have been meeting with your experts and also with the Government, and they reported to the Sub-Committee this morning for the first time.

Mr. MUGHER (Syria): You are well aware of the fact that there are certain youth organizations in the South of a more or less military character. Do you think that such organizations might upset, to a little extent, the free atmosphere for elections?

General DEAN: I feel that these youth organizations will have to be watched; decidedly so. They may have the same effect as the Young Tammanyites or the Young Republicans have in my

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own country, where they have used strong-arm methods to keep people from going to the polls. That is a danger.

Mr. MUGHIR (Syria): Do you propose that such organizations should be dissolved?

General DEAN: I have considered the matter of the dissolution of these youth organizations, and I feel that, with the conditions such as they are here, it is better to attempt to control them through their leaders rather than dissolve them. They have improved. The number of acts of violence of their part has been decreasing month by month. I do not think that their dissolution by decree is the answer.

CHAIRMAN: If an election is held, do you think that it could be properly controlled and supervised if it were held in the whole territory at the same time; or do you think that it might be possible to divide the territory up and hold successive elections in different parts of the country? Of course, I am fully aware of the difficulty of not announcing the results and of keeping the results secret for some time, but I should like to have your opinion on this particular point. Such an election would be only for practical reasons, and, of course, there are no theoretical reasons in favour of it.

General DEAN: That is a question to which I have given a great deal of thought. When we speak of the observation and conduct of an election, the question arises as to how far down we are to have observers. The question also arises as to what would be the reaction throughout the world - especially the Soviet Union, whom everyone seems to be attempting to appease - if American occupational troops acted as observers at each polling booth.

CHAIRMAN: That is not what I had in mind; the observation is for us to carry out. I wanted your opinion in general: Do you think it advisable or possible to hold successive elections on exactly the same terms, during a period of time of, say,

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ten days? To my knowledge, it has not been done in any country, but perhaps I am not fully aware of the position in other countries. If we are to observe the election it might not be too easy for us.

General DEAN: Is it going to be difficult.

CHAIRMAN: Considering that transportation is so very difficult - I have had some experience of this on hunting trips - I just wanted your opinion.

General DEAN: As I say, that is a question to which I have given a great deal of attention, and the advantages and disadvantages are several for each line of action. If the elections could be held simultaneously all over South Korea, there is less opportunity for dishonesty and more chance for fair elections in every place. If elections were not held simultaneously word might get down from one province to another how things were going, and there would be the desire to put on the pressure that we are trying to circumvent. The news might be wrong, but that would not make any difference. It would be much better if we could have the elections simultaneously throughout South Korea. On the other hand, it might be necessary, if it is desired to give a complete coverage to your observation, to have elections in one or two provinces at a time, but, even then, I think you are sanguine if you contemplate having elections every ten days, because just moving about from one place to another is going to take time.

Mr. WANG (China): My next question is based upon the hypothesis that the authorities here will hold an election and leave the problem of observation to the United Nations. Do you think that the facilities are sufficient to hold an election simultaneously in South Korea?

General DEAN: We feel that we could do that. I think that the making of the ballot boxes is pretty well completed

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now; the contract was put out sometime ago. Our difficulties will really begin with the counting of the votes, when we shall have to see that the ballot boxes are not trifled with. I have been stationed in a great many part of my own country, and it seems to me someone is always stealing an election box at the wrong time.

CHAIRMAN: What sort of provisions have you in mind for the casting of the ballots, so that it is done in secrecy?

General DEAN: We have voting booths.

CHAIRMAN: And the ballots themselves would be picked up by the voters.

General DEAN: They would be handed to the voter by the register.

CHAIRMAN: He would put in the name of each candidate himself, as it is not printed in advance and they do not have several ballots and each bearing the name of the candidate?

General DEAN: That is getting down to details; I do not know.

Mr. PATTERSON (Canada): I think actually that they are considering several methods, one being the printing of the names, so the man can put a cross opposite the man he votes for. Another method is a blank ballot on which the voter writes the name of the candidate he wishes to vote for. A third variation has been suggested and that is that they put the picture of the candidates or some kind of identification on the ballot and then opposite the name of that same identification, mark it so that illiterate people can identify quickly the candidates they want to vote for. It has been suggested - and General Weckerling seems to think it would be feasible - to put the photographs of the candidates on the ballots. He said that he thought it might be done. The first plan that has been discussed refers to a blank ballot on which the voter writes in the name he desires.

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General DEAN: Under the present law, without any modification, that would not work because of the literacy test, I would recommend that attention be paid to that because I feel that we should not disenfranchise all the people that cannot write. Not only that, I do not feel that you will get as free an expression of the will of the people because I know that certain political parties have collected money, and, when they collect money, in return they teach the person how to write their candidate's name. That is the consideration for giving one hundred yen or more; they teach the man how to write the leader's name.

CHAIRMAN: I want to tell you from my own experience in France that when the ballots are printed in advance, that is to say, each candidate has a special ballot with his name on it, those ballots - whatever you call them - are on a table; then the voter enters the polling place and just picks up one -

General DEAN: You are voting a straight ticket then?

CHAIRMAN: Yes, so that those who do not want others to know whom they are voting for usually take one of each. However, in small villages and in other small places, it may happen, just by mere coincidence of course, that there is only one place on the ballot with the name of the candidate they want the people to vote for. If the people are too shy, they do not dare to ask for other ballots; that is, of course, very general.

Mr. PATTERSON (Canada): How do you control it so that one voter uses just one vote? In our country, the returning officer hands the man the ballot.

CHAIRMAN: In secrecy the voter himself puts the ballot in a blank envelope without adding anything, without making any mark on it, and when he comes out of the booth, he passes in front of the ballot box and behind that ballot box there is the Electoral Committee which is composed of a representative of each party so that the name is checked on the electoral lists.

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He gives his name and shows his identity card. They check his name on the list, put a mark on it, and the voter puts his ballot in the box in front of everybody. Then they close the box.

Mr. PATTERSON (Canada): The envelope is the control. If there is more than one ballot in the envelope, then it is spoiled?

CHAIRMAN: Yes.

General DEAN: The great difficulty we have found in our own country of having two or three names on a ballot is that the first position on the ballot is the one most highly prized. Some countries do it alphabetically; others do it by giving the incumbent the first choice. I think that in most of the states in the United States the incumbent has the first choice. However, that is another problem that is introduced when you have several names on the ballot.

Mr. PATTERSON (Canada): We use the alphabetical system.

General DEAN: I think they do in Australia, too. There are a great many technical difficulties that are going to be encountered in the actual mechanics of the voting, and I am certain that there are going to be a great many ballots that will be invalidated just by improper marking. That occurs in a great many countries even when they have been voting for years.

Mr. PATTERSON (Canada): Mr. Ssuto just went through an election in China; he was elected to the Assembly in China just recently. Mr. Ssuto, have you any suggestions on the kind of ballots which should be used so that people who are not familiar with the system will make the smallest possible number of errors?

Mr. SSUTO (Alternate representative of China): As I told Sub-Committee 3 this morning, we have the names of the candidates printed in advance.

General DEAN: All on one ballot?

Mr. SSUTO (alternate representative of China*): Yes, on one ballot, and the voter just puts a mark on it. If the constituency should put up four members, then the voter can only mark one name from the four names on the ballot. Those who are illiterate, and do not know what the names stand for, can be helped in the polling booth by someone else.

Mr. PATTERSON (Canada): They can read the names off to them?

Mr. SSUTO (Alternate representative of China): Yes. Of course, there are mistakes.

Mr. PATTERSON (Canada): You cannot have very many names then?

Mr. SSUTO (Alternate representative of China): This time the political parties nominated their candidates so there was a rather limited number of names.

General DEAN: My suggestion on this point is that rather than let anyone in the polling booth or the Electoral Committee assist the voter, you permit a voter to take a member of his immediate family with him to assist him and then have a definition of what "immediate family" means because you will find that although these elders control the votes in a village, that elder may not be able to read or write, yet his son or grandson is literate. I feel that his son or his grandson should be able to go with him, and we should permit him to vote as long as there is just one ballot in the booth with him and as long as the other person is always an immediate member of the family. You would always have the possibility, perhaps, of one person belonging to too many families.

CHAIRMAN: I think it is quite a common procedure to allow anybody to accompany the voter as long as it is not at that moment when he puts his ballot in the box, but up to that very moment, that is to say, in the booth, it is quite normal for anybody to go with the voter and assist him./

Mr. PATTERSON (Canada): That point was discussed by Sub-Committee 3 also, and the representative of El Salvador said that while this kind of safeguard might be considered, the voter himself wanted somebody to come in and help him. When you have millions of people involved, it is a practice that lends itself to a great deal of exploitation. They rather favour some other system by which a person can identify the name on the ballot so he can mark it for himself. There were quite a large number of people involved before the liberation, 80%, who were illiterate. Of that number, 50% have been made literate in the meantime, so that 40% are still illiterate.

General DEAN: The adult education programme has been making rapid strides in the last year especially, and I think two of the most important things in the educational programme here are primary schools and adult education; much depends on those two phases of education.

CHAIRMAN: Mr. Engers, a member of the Secretariat, has done a great deal of work for this Sub-Committee, and he would like to ask you some technical questions.

Mr. ENGERS (Secretary): I have a few general questions to ask. I think that most of the members of this Sub-Committee are very much pleased and relieved by your earlier statement that you have an ordinance under consideration which has a number of provisions bearing on the freedom of elections.

General DEAN: I want to make that clear; that was not devised for the elections.

Mr. ENGERS (Secretary): That will be in force before and during the elections and will have a bearing on the atmosphere?

General DEAN: Yes, indeed.

Mr. ENGERS (Secretary): That ordinance, of course, looks towards the future, but I also know that a number of members of the Sub-Committee are interested in the past, and they have, on an earlier occasion, expressed a desire to visit prisons and to

talk to so-called political prisoners. At our last meeting, General Weckerling, in a general way, said that that could be done, but yours was the final decision.

CHAIRMAN: May I interrupt to point out that it was not our purpose to visit prisons or to interview so-called political prisoners. The idea was that anybody, even people in jail, could make statements before this Sub-Committee; that is slightly different.

Mr. ENGERS (Secretary): Of course, that would be done without the person being taken from the jail. One member of the Sub-Committee or members of the Sub-Committee would go to the jail.

CHAIRMAN: If it was not possible to bring him here or if we chose to go to the jail, but it is not an investigation of the prisons.

Mr. ENGERS (Secretary): No, it is not an investigation of the prison system and also it is not, in general, a desire to get a number of people out of jail for a few days; it is for the purpose of hearing them. Of course, we will indicate those people to you and, of course, you will decide. In a general way, would that be possible for the Commission to do?

General DEAN: Surely, There is no prisoner in any of the jails of South Korea that is not available to come here.

I am trying to find out the definition of what a political prisoner is. I have been making a survey of all the prisoners we have, and a great many of them have not been properly catalogued; they have been convicted for illegal assembly, but in reading the full particulars of those cases, we find that that illegal assembly consisted of plotting to actually assassinate someone. It is the plotting they should be charged with rather than illegal assembly. In other cases, it would be called illegal assembly when the accused would throw brickbats, and they sometimes threw them at a police station without any prior

provocation; there have also been attacks on post office and food stores, and these offences may have been called illegal assembly. It is a very unfortunate nomenclature, in regard to political prisoners, was calling someone a political prisoner who created disorders or riots. He was a prisoner under Ordinance No. 2; that is the ordinance regarding the danger to the safety of the American Occupation Forces. I have yet to find a man in jail because his ideology is different than anyone else's. His ideology may be what it is as long as he does not take an active part in trying to overthrow constituted authority. Your question was, can you see any prisoner in our prisons. You can see all of them or any of them that are under guard at any time, and the guard will step outside if you will take the responsibility for the custody of the prisoner while he is conferring with you. Their being called by you will not be used against them in anyway.

Mr. ENGERS (Secretary): I will go back now to the elections themselves. Do you think that the candidates will campaign under a party label or under their own names only?

General DEAN: It would be only my own idea, and I don't know, but I think it would vary with the individual. If the individual has a great following because of his name, I think that individual would be campaigning under his own name. When he is a man of smaller stature and does not have a personal following, I believe that you will find him under the party's name, so that he may receive the added prestige, to a greater degree, of that party. That is what I think, but I don't have anything to base it on.

Mr. ENGERS (Secretary): The situation is such that there are a number of voters who will not vote because they think there is no freedom of elections or because they have other reasons for not participating in the voting. That, of course,

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we all know. Taking that for granted, what is your guess as to how many parties will participate in the voting, and how many of those participating parties will be able to elect at least one representative?

General DEAN: Anything I would say would be the wildest guess in the world, and I would not have a thing to base it on because these parties are coalescing and splitting apart from day to day. I find that one group which I think belongs to this party belongs, the next day, to the other side. My guess would not even be an educated guess. I think your guess would be as good as mine. I do not like to give you an answer like that, but I just do not have any idea on it.

Mr. ENGERS (Secretary): The reason I asked that question is because world opinion will judge the elections by the results and not by the free atmosphere.

General DEAN: When you say "world opinion", do you mean "world opinion" or do you mean Soviet Union opinion? Are we just appeasing the Soviet Union in the General Assembly of the United Nations? The reason I say that is because I feel certain that the extreme leftists will not participate under orders from Moscow. The so-called election they had before - I think it was done on the head-man count - as I understand it, was not universal suffrage. Those instructions were sent down at that time, but they did not get their instructions at Chejudo Island, and they elected two representatives there. When these two representatives got to Seoul, one of them was kidnapped by party members who had gotten their instructions from above. The other one resigned, and his resignation was not forced upon him by the rightists or by the Military Government because the Military Government, as you know, appointed a great many members to give a better balance to the Legislature. General Hodge was called a Communist in all the papers of Korea because, to give a better balance to the Interim Assembly, he appointed members

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who were extreme leftists in several cases. Many middle-of-the-roaders and extreme rightists will tell you that anybody is a communist except an extreme rightist. The extreme leftists will not participate in the election, I am convinced, and so no matter how you hold the elections down here and what care is taken, we are going to be subjected to the criticism that here we have an Assembly with no Communists in it.

Mr. ENGERS (Secretary): That is not what I meant. I prefaced my statement by saying that there is one group that would not participate whatever you do.

General DEAN: That is right.

Mr. ENGERS (Secretary): Having said that, I was wondering whether there were at least three groups.

General DEAN: I think you will get groups, yes indeed. I think you will get other groups; you will get a showing in all groups. That is my belief. I may be made a terrific liar by the results, but my belief is that you will get representatives of these groups except those that do not participate and about which we are both thinking, the extreme leftists.

In view of the recent amalgamation of the forces of Kim Koo and Kim Kyu Sic, I think that would have a great bearing on the case because Kim Kyu Sic has been called everything from a communist to a middle-of-the-roader, and he is constantly being charged with being a tool of the United States. I do not suppose that there is any Korean who, in his heart, has greater dislike for Americans. That is just my own observation; it is just the way I feel.

There is one point that I would like to re-emphasize, and that is the importance of announcing the election immediately, if there is going to be an election, so that we can start those educational processes that you have all indicated are so necessary, so that the people can be informed and so that we can start to work with the press, the radio, air-drops, and speakers

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going out to the provinces.

Mr. PATTERSON (Canada): That does suggest one point to me. It does not have too direct a bearing on this problem of freedom, but it is a matter of general interest. Is it a matter of some advantage to have the announcement before the first of March?

General DEAN: Yes. I had not thought of the first of March in that light. It would be a great advantage to have it before the first of March.

CHAIRMAN: That is beyond our provinces for the time being.

Thank you, General, very much.

The meeting rose at 4.40 p.m.
