

HEADQUARTERS
UNITED STATES ARMY FORCES IN KOREA
Office of the Commanding General
Seoul, Korea

24 March 1948

M. Jean-Louis Paul-Boncour
Chairman, United Nations Temporary Commission on Korea
Seoul, Korea

Dear M. Paul-Boncour:

I acknowledge receipt of letter 17 March 1948 from the United Nations Temporary Commission on Korea signed by Mr. Menon as Chairman, containing recommendations from the United Nations Temporary Commission on Korea in connection with the conduct of the elections in South Korea with particular reference to the questions of law, enforcement, freedom of information and political prisoners.

Permit me to make appropriate comments on the recommendations by paragraph to inform you of steps that have been taken, are being taken or will be taken to carry out the recommendations of the Commission. References are to numbered paragraphs of the Chairman's letter.

With reference to paragraphs 1 and 3, tabulations are being made and will shortly be furnished to the Commission covering laws, regulations and operation of government pertaining to democratic rights. In this connection, however, allow me to emphasize again that the regime in South Korea has been that of a Military Government under an occupation temporarily replacing Japanese government in Korea until a Korean government can be established and not that of a constitutional and sovereign government of Koreans. Because of the international agreements predicated on an early establishment of Korean independence this government was operated on a month to month basis, in order to allow for ready amalgamation of Korea under rule of its own choice. Of necessity such an occupational government is in effect a government of application to meet existing transitional conditions rather than government based on constitutional law.

In the application and operation of Military Government in South Korea, the United States Command has made every effort to apply democratic freedoms as generally understood, and to educate the Korean people as to their own responsibility thereunder. It is my opinion that when the Commission studies the compilations of directives, regulations and public policy statements having the effect of regulations, you will see that considerable freedom has been allowed the Korean people even in face of the continuing warfare waged against law and order by the powerful Communist elements in South Korea, with strong aid and direction from outside the United States zone.

In connection with paragraph 2, the Military Governor has already signed and promulgated a codifying ordinance that has been under preparation for more than one year entitled "Changes in Criminal Procedure" which defines specific regulations covering the assurance of civil liberties. This ordinance is in effect the activating instrument for a general summarising and publicizing proclamation by the U.S. Command on this subject which is

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now being drafted and will soon be issued. Copies will be furnished to the Commission.

With reference to paragraph 4 on the subject of the right to vote or not to vote and to advocate either point of view by peaceful and legal means, I discussed this matter with members of the Commission to some extent on 3 March. However, in facing realities and actualities in this respect I feel that for clear and mutual understanding as to what the members of the Commission expect as to the extent such action shall be allowed to sabotage the elections, and for recognition by the Commission of the actual rather than theoretical problems surrounding this matter, there is need for an additional conference between the Commander and the Commissioners on the subject. With current local developments as a result of publicized divided opinions among members of the Commission I can foresee a definite possibility or even probability that the freedom to oppose any and all elections, if carried to the point of license by organized pressure and terrorism now developing, may act to nullify completely the effort to hold any effective elections, free or otherwise.

With reference to paragraphs 5, 6, and 7, every effort is being made and will be made to exercise proper control over and direct the activities of the police toward free elections. I have already met with the police heads, provincial governors and key American personnel on this subject and instructed them as per my statement on 12 March. Under the present circumstances of realistic operation I see no other course than to continue the police force as a strong centralized element of government and use it under careful guidance without disrupting it, since it is the one effective agency I have for law enforcement and for maintenance of law and order that are so essential to keep any vestige of a free atmosphere for elections.

With reference to paragraphs 8, 9 and 10, I am fully cognizant of the importance of the attitude and actions of youth organizations in the election picture. Current regulations require that all groups of this kind be registered. A follow-up is being made to insure that this has been carried out, particularly in the case of some of the newer groups. The Military Governor and the head of the Police Department have already held meetings with various youth group leaders and have received pledges from them concerning their activities during this critical period. These have also been informed that they will be under scrutiny of the UN Commission and that their attitude will be an important factor in the report the Commission will make to the General Assembly concerning Korean elections. The police will be required to prevent youth organizations from congregating in the vicinity of the polling places.

With reference to paragraph 13, I have directed the Chief of the Office of Civil Information to present to the Commission through my liaison officer the latest revised plans for the dissemination of information about the elections. It is planned that all possible aids for dissemination of information will be used to the fullest. I will welcome any assistance or suggestions from members of the Commission in this line.

With reference to paragraph 14, every effort will be made to insure that any newsprint that may become available will be distributed on an equitable basis. In this connection, however,

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it must be recognized that at present, newsprint under control of the governmental authorities is no more than that needed for the official dissemination of information and official uses in connection with the elections. It is pointed out that under the current economic system there is sore newsprint in the free market over which I have no control since we have not destroyed a free market in South Korea. In view of past performance and the fact that they have vast sums of money available following the North Korean currency conversion, it may be expected that much if not most of this will be purchased and used by the Communists in their campaign to oppose the elections and discredit the UN Commission.

With reference to paragraph 15, I have directed that any time on the radio that is to be made available to political candidates and parties will be equitably divided among various political groups.

With reference to paragraphs 16, 17, 18 and 19 there is a survey under way now in the Department of Justice, taking up by individual case the cases of all prisoners who might by any stretch of the imagination be considered as political prisoners. The approach under which this survey is being made is with a view to release of the maximum number of prisoners that can be made without endangering public safety. In this connection I will be only too happy to discuss further with the Commission the entire matter of political prisoners in an effort to arrive at a mutual definition of such prisoners that is so clearly stated that no misunderstandings will arise.

I note with regret that the United Nations Temporary Commission on Korea in subject letter has chosen completely to ignore any recognition of or make recommendations pertaining to the most dangerous element to the holding of free elections in South Korea. This element is the Kremlin directed Communist effort to force the UN Commission out of Korea and to destroy all chance of holding elections or maintaining any other democratic processes in South Korea. In view of the fact that the degree of success of the already announced Communist intent will be in direct proportion to the extent to which abuses of civil liberties are allowed, I feel it essential that the Commission recognize the true situation in connection with communist effort in South Korea and take this into consideration in their expectations, their observation of elections and their recommendations to the General Assembly. I feel it incumbent upon me as the responsible commander in this zone to suggest to the Commission now and for the record that in their private and public statements it is essential that they recognize the grave danger of communist activity, the aims of which have already been clearly outlined and announced by the communist press, radio, wall posters and hand bills and to avoid giving this subversive group and their fellow travelers any additional ammunition with which to sabotage the minds of an already badly confused Korean electorate.

In closing, I wish to reiterate my often-stated attitude that I stand ready to do everything in my power to meet the required standards of the United Nations Temporary Commission on Korea for the conduct of the elections, as well as to assist further in acquainting them with local conditions.

Sincerely yours,

/s/ John R. Hodge
JOHN R. HODGE
Lieutenant General, U. S. Army
Commanding

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