

ception of? While some of our farmed areas are being utterly exhausted by years of cropping, always the same crop, producing harvests hardly worth the reaping, vast territories are still idle wilderness, spoiling for the will and labor and the implements of pioneers. With great wealth hidden in our lands and forests and mountains and seas, millions of our people hardly get enough to eat, and thousands are unemployed and hundreds of thousands only half-employed.

But some of our so-called leaders argue passionately, but emptily, about who is to be allowed to do anything. Ranting about the protection of the patrimony, it is being wasted and lost. The living generation can have but little hope for a better future unless capital is enlisted and work is undertaken, no matter by whom.

According to a recent Associated Press dispatch from Washington, the chances that President Truman will ask Congress to provide additional funds to the Philippine War Damage Commission to be used for larger payments for private and public war claims, appear to be slight, although it was emphasized, too, that the President still has the matter under consideration.

We hope that the President and members of Congress will realize that the War Damage Commission has been able to pay only approximately 30% of damage payments approved, and that the amounts approved are themselves admittedly way below present replacement costs, valuations being calculated on pre-war costs *less depreciation*, there being, furthermore, broad classifications of losses which, under the law, *may not be paid for at all*. The result has been that many claimants have received damage-payments so small in proportion to their losses that it has been impossible for them to re-establish their war-destroyed enterprises.

The foregoing is true only on the medium and large-scale enterprises,—small losses (under ₱1000) have been or are, under the law, being paid in full, but these are just the type of payments which, though important enough to the individuals receiving them, do not figure greatly in the rehabilitation of Philippine industry.

We have been informed that if another ₱100,000,000 or so were made available, the 30% payments to the larger losers could be increased to around 75%, and this would make a more than proportionately great difference to the industries and enterprises affected.

We hope that this will be understood in Washington.

The memorandum on Philippine investment problems, submitted to President Quirino at his request by an American Chamber of Commerce committee and published in substance elsewhere in this issue

Excessive Taxation by Local Government of the Journal, made no direct reference to the increased taxing powers of the Manila City Government under the new Charter, and we are pleased, therefore, to publish the following suggestive statement on the subject received from a member of the Chamber:

One of the drawbacks to both foreign and domestic investments in economic development projects is the fear of excessive taxation by local governments. Even with the limited taxing power vested in municipalities, they still have the power to make or break a business enterprise. The recent amplification of the taxing power of the City of Manila highlights the fear felt in some investment circles.

We do not assume that a local government will abuse its taxing power. We have too much faith in the principle of local autonomy to entertain such an assumption. Yet Philippine history records some examples of the killing of the goose that laid the golden egg.

Dependent as local governments are on hand-outs from the central government, there is steady pressure to raise more taxes. Once a large enterprise has already made a heavy capital investment, has given employment to hundreds or thousands of local citizens, and seems to be prospering, it becomes a tempting target for local revenue-raising ordinances. The local officials are quite aware of the fact that a fixed plant cannot afford to move to a more tax-favored locality, so little by little the impositions tend to grow. Inspection fees, license fees, and municipal taxes are all resorted to, to help the local government balance its budget.

To the American investor, particularly, this attitude is disconcerting, because it is so different from what he has experienced. The dispersion of industry to small communities in the United States during the past century has been largely the result of inducements offered by the local communities. Local officials join with civic and business leaders to "lure" industries to their town. Generally a free site is offered. Tax guarantees are made and observed. As a result, employment increases, retail trade expands, land values increase, and every element of the community enjoys greater prosperity. Hence, too, the revenues of the town from all sources increase, without the need to bleed the enterprise which has brought this increased prosperity and tax revenue.

Perhaps if local governments were granted authority to make "tax treaties" with industries they wish established in their midst, there would be greater incentive to private investment in industry, and with it a healthier geographical distribution of industrial equipment.

Welcome to many Americans in Manila who were interned by the Japanese during the war, was the announcement that on July 29,

Appointment of the War Claims Commission President Truman had nominated the members of the War Claims Commission authorized by the War Claims Act, approved July 3, 1948,—more than a year before.

The persons nominated are: Daniel J. Cleary, of Illinois; Mrs. Georgia L. Lusk, of New Mexico; and David N. Lewis, of New York. Both men are lawyers and Air Force veterans. Mrs. Lusk, a former Congresswoman, lost a son in the war.

Rumors which circulated in the Santo Tomas Camp were that President Roosevelt had been heard to promise over the radio that internees would be given a per diem of \$10, payable immediately after liberation, but in addition to the fact that the aid is being so long delayed, is the fact that the "detention

benefit" authorized is only \$60 per month of detention (or hiding to escape internment) for persons over eighteen years of age and \$25 for persons under that age. However, also authorized are "injury, disability, or death benefits," the latter payable to certain heirs, which are to be based on the assumption that earnings would have been \$37.50 a week, with a total maximum payment of \$7,500.

Under the Act, prisoners of war and employees of contractors with the United States Government are entitled to certain benefits, and religious organizations may also be reimbursed for expenditures incurred in assisting members of the armed forces of the United States and civilian American citizens.

The benefits, especially for the civilian internees, might well have been larger, all the more so as the payments are to be made from a fund to come from liquidated enemy assets in possession of the Office of Alien Property. However, any assistance at all will be a godsend to many of the people affected, especially to those who for reasons of advanced age or broken health have not been as successful as some of the others in rehabilitating themselves.

The unfortunate thing is that there may still be further delay. At this writing, the Senate has not even as yet confirmed the President's appointments.

But there is a limit to delay. According to Section 2(c) of the War Claims Act of 1948—

"...The time limit within which claims may be filed with the Commission shall in no event be later than two years after the date of enactment of this Act."

And according to paragraph (d) of the same Section,—

"The Commission shall wind up its affairs at the earliest practicable time after the expiration of the time for filing claims, but in no event later than three years after the expiration of such time."

Two years after July 3, 1948, will be July 3, 1950, and three years after that is July 3, 1953, a total of eight years from the time of liberation.

Though many died in the Camp and many more have died since liberation, let us hope that most of the rest of the ex-internees will live that long at least. Let us hope also that the President's appointments will soon be confirmed and that the Commission will then take hold and act promptly to make up for the already too, too long deferment.

The delay would have been even greater if it had not been for the American Internees Committee in the United States which has done all it could to bring the plight of the former internees as a group to the attention of the American Government. Thanks are due especially to Mr. Frank Wilson, the Chairman of the Committee.

The Board of Directors of the American Internees Committee in Manila is at present composed of Alva J. Hill, President, Mrs. Louise M. Smith, Secretary, and Fay Bailey, Treasurer, with John Canson, Mrs. Ward B. Gregg, Donald Gunn, Stanley Lehman, and Julian A. Wolfson as the other members. Mrs. Germain Newman is the Executive Secretary. The Committee has asked all American civilian ex-internees to send their names and addresses to Mrs. Newman, P.O. Box 2418, Manila.

A prominent American businessman in Manila has asked how the Philippine Government can square the Krivenko Case decision of the Supreme Court and such legislation as the Tañada Bill, with its acceptance of the Universal Declaration of Human Rights passed and proclaimed by the General Assembly of the United Nations on December 10, 1948.

The Supreme Court in the decision referred to in effect interpreted certain parts of the Philippine Constitution to mean that foreigners may not acquire ownership of any land here, even a residential lot. The correctness of this decision has been questioned and it is believed in some legal quarters that it did not definitely settle the constitutional question because it was not concurred in by a sufficient number of the members of the Court. The Tañada Bill, — not passed, or not as yet, would provide for the forced sale of lands "illegally" held by foreigners.

Article 17 of the Declaration of Human Rights runs:

"(1) Everyone has the right to own property alone as well as in association with others.

"(2) No one shall be arbitrarily deprived of his property."

Article 12 runs in part:

"No one shall be subjected to arbitrary interference with his privacy, family, home, or correspondence..."

Article 13 states in part:

"(1) Everyone has the right to freedom of movement and residence within the borders of each state..."

Article 22 states:

"Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality."

Article 7 states:

"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."

Article 2 declares:

"(1) Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or status.

"(2) Furthermore, no distinction shall be made on the basis of the political, jurisdictional, or international status of the country or territory to which a person belongs, whether this territory be an independent, Trust, Non-self-governing territory, or under any other limitation of sovereignty."

It is to be noted that the rights proclaimed are for "all," for "everyone." They are not limited to citizens as distinguished from other inhabitants of a country.

Those who wish to follow discriminatory nationalistic policies may point out that the Declaration is not binding law, that the Preamble says that Member States are only pledged to "achieve, in co-operation with the United Nations, the promotion of universal respect for and observation of human rights