

JAPANESE PEACE TREATY AND OTHER
TREATIES RELATING TO SECURITY IN
THE PACIFIC

HEARINGS
BEFORE THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
EIGHTY-SECOND CONGRESS
SECOND SESSION
ON
JAPANESE PEACE TREATY AND OTHER TREATIES
RELATING TO SECURITY IN THE PACIFIC

JANUARY 21, 22, 23, AND 25, 1952

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RELATING TO SECURITY IN THE PACIFIC

MONDAY, JANUARY 21, 1952

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The committee met at 10:30 a. m., pursuant to adjournment, in the caucus room, 318 Senate Office Building, Washington, D. C., Senator Walter F. George presiding.

Present: Senators George, Green, Fulbright, Sparkman, Gillette, Wiley, Tobey.

Present of committee staff: Dr. Wilcox, Dr. Kalijarvi, Mr. Marcy, Mr. O'Day, and Mr. Holt.

Senator GEORGE. The committee will be in order.

The hearing this morning is on the Japanese Peace Treaty and the security pacts in the Pacific. We will hear first from the Secretary of State, the Honorable Dean Acheson.

STATEMENT OF HON. DEAN ACHESON, SECRETARY OF STATE

Secretary ACHESON. Thank you, Mr. Chairman.

Mr. Chairman, and members of the committee, it is with deep awareness of the historical significance of this occasion that I come before you today for the purpose of presenting to the United States Senate for its advice and consent four treaties—the Treaty of Peace with Japan, the Mutual Defense Treaty with the Philippines, the Security Treaty with Australia and New Zealand, and the Security Treaty with Japan—the ratification of which will lay a strong foundation for our policy in the Pacific and profoundly strengthen the community of freedom-loving nations.

UNITED STATES INTEREST IN ASIA IS HISTORIC

The interest of the United States in Asia is historic. Intercourse between the two continents extends back to the infant days of the American Republic, when sailing ships navigated the Horn to trade with China and the East Indies. Our ties with Japan date back to 1853 when Commodore Perry first sailed into Tokyo Bay, ties which over the years were strengthened by extensive trade and cultural interchange. Our relationship to the Philippines was for over 40 years that of a guardian, a relationship which by mutual desire and agreement prepared them for self-government and culminated in their independence. Our ties with Australia and New Zealand are based on common language and institutions and the comradeship growing out of our association during two world wars.

The treaties with Japan which are before you are based on a spirit of reconciliation and mutual confidence and trust. As early as 1943, in the midst of war, the United States Government began its planning for the occupation of Japan, an occupation based not on retribution, but on altruistic principles directed solely toward the purpose of rebuilding a peaceful Japan which could assume its full responsibilities as a member of the community of nations.

ESSENTIAL FEATURES OF REFORM MEASURES OF OCCUPATION

The reforms carried out by Japan under the guidance of General MacArthur and General Ridgway have been far-reaching; militaristic influences have been eradicated; a forward-looking program of land reform has been enacted—a program which stands in marked contrast to the so-called land reforms of Communist-dominated countries; free labor unions have been fostered; women's rights have been guaranteed; and a government under civil control and responsible to the wishes of all the people has been established. These reforms evoke a sincere response from the Japanese people and were carried out in a spirit of close cooperation and understanding. The strong and continuing support which these measures have received from a majority of the Japanese is indicative of the increasing identity of interest which has been created between the democracies and Japan.

BASES OF OUR POLICY TOWARD JAPAN

While Mr. John Foster Dulles, the special representative of the President, will explain in further detail the bases of our policy toward Japan and will reply to any questions which you desire to put to him, I would like to state at this time that the Treaty of Peace with Japan not only reestablishes Japan as a sovereign, independent nation but also does justice to the countries ravaged by Japanese aggression. An integral part of the treaty is Japan's declaration of its intention to apply for membership in the United Nations and in all circumstances to conform to the principles of the Charter of the United Nations; and in public and private trade and commerce to conform to internationally accepted fair practices. The treaty confirms the provisions of the Potsdam declaration that Japan's territory shall be limited to the four main islands and some minor islands and that Japanese prisoners of war shall be repatriated. The treaty recognizes that Japan has to pay reparations to the Allied Powers for the damage and suffering caused by it during the war. It also recognizes that in view of Japan's scarcity of resources, these arrangements shall impose neither additional liabilities on other Allied Powers nor a foreign exchange burden on Japan. The provisions of this treaty provide a basis of Japan to take its place in the community of peaceful and law-abiding nations—a basis clearly confirming to Japan not only its rights but also its responsibilities.

ASIA'S INDEPENDENCE BASED ON COLLECTIVE SECURITY

However, Japan cannot defend her new-found freedom alone, nor can any other free nation of Asia stand alone against the ruthless forces of Soviet imperialism threatening the peace of the world today.

The continued independence of these countries depends on their achieving a unity based on principles of collective security which will deter any would-be aggressor, and it is to this end that the Government of the United States has negotiated the three security treaties now presented to you.

In mutual recognition by the United States and Japan of the power vacuum that would be created in Japan upon the removal of the forces of the occupation, the United States in the security treaty with Japan expresses its present willingness to maintain certain of its Armed Forces in and about Japan, in the expectation, however, that Japan will itself increasingly assume responsibility for its own defense against direct or indirect aggression.

ESSENCE OF SECURITY TREATIES

Furthermore, in order to foster conditions leading to peace and security in the western Pacific and to relieve the states therein of fears of any possible revival of Japanese militarism the United States negotiated with the governments of Australia and New Zealand a security agreement and confirmed its historical relationship with the Republic of the Philippines through a treaty of mutual defense. The essence of the treaties lies in the recognition by each party that an armed attack in the Pacific area upon one of its partners in the treaty would be dangerous to its peace and safety. Accordingly, each declares that it would act to meet the common danger in accordance with its constitutional processes.

TREATIES AS NUCLEUS OF PACIFIC REGIONAL SECURITY SYSTEM

The ratification of these treaties will give courage and hope to millions of people in the Pacific area, whose primary desire is to live at peace with their neighbors. It is our hope that these treaties will serve as a point of departure for the development of an effective system of regional security in the Pacific.

As Americans, we can be proud of the leadership which we have taken in negotiating these treaties which reaffirm our historic interest in the maintenance of the integrity and independence of the countries of the Far East.

JAPAN'S PEACEFUL INTENTS

It was a hundred years ago this year that Commodore Perry sailed from the United States to the Far East, an event which was to result in the end of Japan's isolation and feudalism and in her emergence as a modern state. During the past century, in the course of her coming of age, Japan has made mistakes—mistakes which finally brought her to the brink of disaster. I believe that she has come to a clear realization of the fallacies of her past actions and that she is now prepared to assume her full share of responsibility in the cause of international cooperation and peace.

The four treaties which are before you will open the way for a new era in the Pacific.

Mr. Chairman, that is a brief statement which I wanted to make before the committee this morning in introducing these treaties.

TREATIES NEGOTIATED BY JOHN FOSTER DULLES

As you know, these treaties have been negotiated by Mr. John Foster Dulles. The instruction which he got from the President was dated, to the day, exactly a year before the date of the Japanese Treaty in San Francisco. During that year he has worked with the greatest skill, greatest persistence, greatest tact in negotiating these four important treaties. The President and I have given him all the assistance which we could possibly give him but the great burden of the work has fallen upon him. He has been working closely with the subcommittee of this committee and with the subcommittee of the House committee keeping all of you, in both Houses of the Congress, fully informed as to each stage of the work.

With your permission, Mr. Chairman, at this point I shall ask that Mr. Dulles should take over the presentation of the four treaties.

Senator GEORGE. Very well, Mr. Secretary. We shall be glad to hear from Mr. Dulles.

Mr. Dulles, would it be quite agreeable with you to have General Bradley make a statement before you proceed, or would you rather proceed in this order?

General BRADLEY. Whatever you wish, Mr. Chairman. I have no prepared statement. I thought there might be some questions with regard to the defense treaty which I might be able to answer. But I have no prepared statement.

Senator GEORGE. In that case we will hear from Mr. Dulles.

LETTER FROM SECRETARY OF DEFENSE LOVETT

General BRADLEY. Mr. Lovett has sent up a letter in case it is needed.

Senator GEORGE. The letter from the Secretary of Defense will of course be entered into the record.

Hon. TOM CONNALLY,
Chairman, Committee on Foreign Relations, United States Senate.

DEAR SENATOR CONNALLY: My purpose in writing you today is to endorse the four treaties, regarding peace and security in the Pacific, which the President submitted to the Senate last week. Taken together, they will strengthen the foundation for United States security in the Pacific. They will furnish a strong shield for the free nations of the Pacific to ward off Communist imperialism. All four treaties will benefit the United States in carrying out its extensive responsibilities in the Pacific.

By many tests, the Japanese people are now entitled to the return of their sovereignty and independence provided for by the treaty of peace. Their cooperation with the objectives of the occupation has been outstanding. They proved their dependability during the critical months of 1950 when the bulk of the military occupation forces were stripped from Japan to meet the necessities of Korea. Although not a member of the United Nations, Japan has contributed much to the execution of the mission of the United Nations in Korea. It is, therefore, fully in keeping with the objectives of the United States that the spirit and terms of the treaty of peace should seek to inspire reconciliation, friendship, and cooperation among Japan and the free nations of Asia. Friendly cooperation between Japan and the United States will greatly enhance the possibility of maintaining peace in the Pacific, and thereby enhance also the security of the United States.

More specifically, the security provisions in articles 5 and 6 of the peace treaty will clear the way for Japan's emergence as a self-reliant nation and helpful partner in contributing to the security of the free nations in the Pacific in accordance with the United Nations Charter. The provisions in the treaty, and the exchange of notes between the Secretary of State and the Prime Minister of Japan on September 8, 1951, on Japan's support for United Nations action in the Far East, will augment the resources of collective security. At the same time, it is well that the

treaty of peace obligates Japan to abide by the peaceful principles enunciated in the United Nations Charter. Although there may be some risks for the United States in putting this treaty of peace with Japan into effect, the many advantages of restoring Japan's freedom and sovereignty are overriding.

Extending for over a thousand miles close to hostile forces on the North Asian continent, Japan is vulnerable to sudden attacks and now is virtually devoid of effective means to deter or meet them. The United States-Japanese Security Treaty is of fundamental importance for it permits the United States to be in a position to make a provisional military contribution toward deterring or meeting such threats to Japan and thereby contribute to the peace and security of the Far East. It will consequently directly benefit the security of the United States. The specific arrangements called for in article III on disposing United States Armed Forces in and about Japan are essential to carry out the purposes of article I. These arrangements will be contained in an administrative agreement which is now in process for negotiations with the Japanese Government. The Joint Chiefs of Staff have advised me that from the military point of view the United States-Japanese Security Treaty and the administrative agreement are mutually interdependent and should therefore come into effect simultaneously. I concur in these views and I hope it may be possible for the Senate to give full consideration to this factor of interdependence in connection with its action on the United States-Japanese Security Treaty.

The Philippines, Australia, and New Zealand are also essential parts of the shield of security in the Pacific. They served valiantly beside us in World War II; they are now our partners in the search for peace in the Pacific. The mutual defense treaty between the United States and the Philippines, and the security treaty with Australia and New Zealand bring elements of mutual security to the search for protection against aggression or hostile attack in the Pacific.

Acceptance of these four treaties will add to the total collective strength of the free world. It is appropriate for the United States to join in ratifying them I respectfully recommend their adoption.

Sincerely yours,

ROBERT A. LOVETT.

Mr. Dulles, we are quite familiar with your work, particularly the subcommittee with which you have conferred from time to time, but we should be very glad to hear from you at this time, and no doubt there will be questions which the committee would like to ask you.

STATEMENT OF AMBASSADOR JOHN FOSTER DULLES, PERSONAL REPRESENTATIVE OF THE PRESIDENT ON THE JAPANESE PEACE TREATY

MR. DULLES. Thank you, Mr. Chairman.

As Secretary Acheson has said, your committee is very familiar with these treaties, particularly the Far Eastern Subcommittee. Indeed, it can properly be said that you have helped write these treaties. Under those circumstances, and because the letter of transmittal from the President contains a rather detailed article-by-article summary of the treaty, with your permission, I would like to make a rather general statement, and then supplement it by answers to questions that I am sure your committee will want to put.

BASIC PROPOSITION UNDERLYING NEGOTIATIONS

However, there are certain basic propositions that should be kept clearly in mind, because those basic propositions are controlling, I think, as to the general course we take in this matter.

1. *Community of free nations needs Japan*

The first proposition I have to submit is this: The community of free nations needs Japan. Japan is not just a spot on the map that we see. Japan is a living community which can contribute largely to the happiness and well-being of others.

Japan's culture, both ancient and modern culture, commands worldwide appreciation and acclaim. The Japanese, I think, more than any other people in the world, know how to get happiness out of beauty. Their craftsmanship is of a very high order. They are highly literate and industrious and they are brave, as you well know. They know the west better than most eastern countries, and for that reason, they are peculiarly qualified to help in the very important task of bringing about better understanding between the east and the west.

Japan is the only important industrial Nation of Asia. Its existing plants, at full capacity, can produce 10 million tons of crude steel each year and they can launch at full capacity 800,000 tons of ships each year. Japan, through its skills, industry, and its trade, cannot only achieve for itself a good measure of well-being, but can do so in ways which are going to help the other underdeveloped countries, particularly in Asia, themselves to develop better their resources and achieve for themselves a better well-being and a greater industrial capacity for themselves.

That is one side of the picture. When we look at the other side, we can see that if perchance Japan, instead of being one of the free nations, should become a captive Soviet country, that would involve a major shift in the present power position in the world today. Japan's capabilities could be exploited to give long-range overseas striking power to the vast human and natural resources which the Soviet Communists already control in Asia. Stalin, whose views on these matters certainly are not negligible, has said that with Japan, the Soviet Union would be invincible.

The Soviet leaders do not disguise the fact that they seek, above all, to get control of the industrial capabilities of Germany and Japan. Those are the two key spots that they are working for. If they came into control of both these countries, and perhaps if they came into control of either of these countries, the stage would be set for a climactic struggle, the outcome of which would be doubtful.

The community of free nations needs to deny to the Soviet Union the chance to use Japan for evil and it needs for itself Japan's great capability for good.

2. Japan needs community of free nations

Now my second proposition is this: If the community of free nations needs Japan, so equally Japan needs the free world community.

Czarist Russia has been the historic enemy of Japan, and the Soviet Communists have enthusiastically taken over that role.

They have closed in on Japan, seizing its northern islands and their effort to conquer Korea has obviously been for the purpose of completing the encirclement of Japan. They have refused to repatriate the Japanese prisoners that they took. At the San Francisco conference, which several of you attended, we saw the Soviet Union give a preview of its real intentions as regards Japan, when it demanded that the peace treaty should give the Soviet Union in perpetuity the exclusive right to patrol the straits which surround Japan and even the home waters which divide the home islands of Japan.

The Japanese, now wholly disarmed, need collective security as is envisaged by the United Nations Charter. Without that, Japanese

sovereignty would vanish in a matter of hours, and the new hopes and worthy ambitions which now inspire the Japanese people would be ruthlessly extinguished.

3. Peace and freedom essential to Japan

My third proposition is this: The mutual goals of Japan and the free community can be obtained only if Japan gets peace and freedom.

The Japanese are a proud and sensitive people. They have demonstrated the capacity to be a great people, although at times they have misunderstood the nature of true greatness.

They accepted, in defeat, the Potsdam surrender terms which were severe and they have scrupulously and honorably carried them out, and have lived up to every particle of those surrender terms. They expect, and rightfully expect, that their victors will be equally honorable and equally scrupulous.

The Japanese people would deeply and justifiably resent being kept in subjection for reasons which are unrelated to the surrender terms.

GENERAL MACARTHUR'S ENUNCIATION OF JAPANESE RIGHTS

General MacArthur who for 5½ years administered the surrender terms as Supreme Commander for the Allied Powers was uniquely in a position to judge whether and when Japan was entitled to liberation.

In June 1950 he had this to say:

The Japanese people have faithfully fulfilled the obligations they assumed under the instrument of surrender and have every moral and legal right to the restoration of peace. On this point all of the Allied Powers concerned are in full accord and publicly committed and their failure to protect Japan in this right would be a foul blemish upon modern civilization. We should not allow ourselves to be deterred from moving invincibly forward along a course which we ourselves and the entire world recognize to be morally and legally right.

He went on to say that failure to satisfy Japan's moral and legal right to restoration of peace and complete sovereignty would, in fact, be looked upon in Japan and throughout Asia as colonization, and limitations upon Japan's sovereignty, even if we could get them to be legally conceded by Japan, would be of little practical value because their effectiveness would in turn, as he put it—

be limited by the bitterness and resentment which would thereafter dominate the Japanese mind.

These statements were made by General MacArthur approximately a year and a half ago and they inspired the Japanese Peace Treaty and the security treaties now before you. I have seen General MacArthur within the last fortnight and he has told me he holds to the same views I have told you about.

4. Japan a reliable member of community of free nations

My fourth proposition is this: Japan can be relied upon to be a dependable member of the community of free nations.

The Japanese are an intensely patriotic people who love their country and their distinctive culture and their civilization. They respect and revere their Emperor and the stability and unity of the nation which he symbolizes.

The Japanese people, with their new privileges and dignities, and the industrial workers with their new bargaining powers, and the farmers who have now largely become owners instead of tenants,

cherish the new rights and new opportunities which have come to them under the wise policies of the occupation and which are reflected in the new Japanese Constitution and postsurrender legislation. All the Japanese people long fervently for lasting peace which will erase the awful horror of the last war.

IDENTIFICATION OF JAPAN WITH RESISTANCE AGAINST KOREAN AGGRESSION

One of the most striking things of recent months has been the intense voluntary identification of the Japanese people with the resistance of the United Nations to aggression in Korea. They have done so in ways that have been dramatic and which, incidentally, have incurred the outspoken wrath of the Soviet Union and Communist China.

To illustrate that I would mention that the Japanese have enforced in the strictest possible manner the United Nations' recommendation with respect to embargoing trade with the Red China and North Korea. They facilitated the passage of United Nations troops and supplies over the overburdened transportation system of Japan by giving them the highest priority.

They have turned over their best hospitals and their resort hotels to the invalided persons of the UN who have been evacuated from Korea. They have manufactured and shipped gratis to the civilian population of Korea 2½ million yards of cotton cloth. They have offered blood donations to a degree which has far exceeded the quotas which were suggested by the United Nations.

Most significant of all perhaps is the fact that when the United States Armed Forces withdrew from Japan for use in Korea, so that there was a considerable period when there was not a single United States combat soldier in all of Japan, there was, during that period, not a single instance of Japanese insubordination to the occupation and in effect the Japanese took over the policing job themselves and their own employees became the effective guardians of our own installations in Japan.

INEFFECTIVENESS OF COMMUNIST PROPAGANDA IN JAPAN

Now, of course, in Japan, as in every country of the world, there are some confused and misled people, and Communist propaganda is working very intensively in Japan to multiply their number. In that connection you probably saw the new year's message which Stalin sent to the Japanese people. But this propaganda does not have any great effect in Japan because the overwhelming majority of the Japanese people know full well where their mortal enemy is and who it is and they are able to identify him.

They know that if they fell under the Soviet Communist domination, that would mean an end to the national independence of Japan; it would mean that the Emperor would be liquidated as a so-called war criminal. They know that all their newly won human rights, and their dignities would vanish, and that instead of having peace the Japanese people, like the unfortunate peoples of North Korea and of communistic China, would be compelled to pour out their lifeblood to serve the ambitions of their foreign masters.

In this connection I would like to call attention to the statement of the Japanese Prime Minister in his letter written to me on December 24, which I received earlier this year by pouch.

PREMIER YOSHIDA'S WISH TO ESTABLISH TREATY RELATIONS WITH NATIONALIST CHINA

In that letter the Prime Minister declares his government's intention and desire to establish treaty relations with the National Government of China. In that letter the Prime Minister sets forth the various acts of hostility against Japan for which the Communist regime in China is responsible and which, in the judgment of the Prime Minister, preclude the Japanese from having treaty relations with that regime. The Japanese Government in this matter shows insight and courage which I think cannot but command our respect and our admiration.

I would like in due course to introduce into the record, Mr. Chairman, a copy of that letter from the Prime Minister.

Senator GEORGE. I would be glad to have you do so.
(The letter is as follows:)

DEPARTMENT OF STATE,
January 16, 1952.

For the press.

Following is the text of a letter from Shigeru Yoshida, Prime Minister of Japan, to John Foster Dulles which was made public by the Prime Minister last night (January 16 Tokyo time):

THE GAIMUSHO,
December 24, 1951.

No. 37.

His Excellency JOHN FOSTER DULLES,
The Department of State, Washington, D. C.

DEAR AMBASSADOR DULLES: While the Japanese Peace Treaty and the United States Japan Security Treaty were being debated in the House of Representatives and the House of Councillors of the Diet, a number of questions were put and statements made relative to Japan's future policy toward China. Some of the statements, separated from their context and background, gave rise to misapprehensions which I should like to clear up.

The Japanese Government desires ultimately to have a full measure of political peace and commercial intercourse with China which is Japan's close neighbor.

At the present time it is, we hope, possible to develop that kind of relationship with the National Government of the Republic of China, which has the seat, voice and vote of China in the United Nations, which exercises actual governmental authority over certain territory, and which maintains diplomatic relations with most of the members of the United Nations. To that end my Government on November 17, 1951, established a Japanese Government Overseas Agency in Formosa, with the consent of the National Government of China. This is the highest form of relationship with other countries which is now permitted to Japan, pending the coming into force of the multilateral treaty of peace. The Japanese Government Overseas Agency in Formosa is important in its personnel, reflecting the importance which my Government attaches to relations with the National Government of the Republic of China. My Government is prepared as soon as legally possible to conclude with the National Government of China, if that Government so desires, a treaty which will reestablish normal relations between the two Governments in conformity with the principles set out in the multilateral treaty of peace. The terms of such bilateral treaty shall, in respect of the Republic of China, be applicable to all territories which are now, or which may hereafter be, under the control of the National Government of the Republic of China. We will promptly explore this subject with the National Government of China.

As regards the Chinese Communist regime, that regime stands actually condemned by the United Nations of being an aggressor and in consequence, the

United Nations has recommended certain measures against that regime, in which Japan is now concurring and expects to continue to concur when the multilateral treaty of peace comes into force pursuant to the provisions of article 5 (a) (iii), whereby Japan has undertaken "to give the United Nations every assistance in any action it takes in accordance with the Charter and to refrain from giving assistance to any state against which the United Nations may take preventive or enforcement action". Furthermore, the Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance concluded in Moscow in 1950 is virtually a military alliance aimed against Japan. In fact there are many reasons to believe that the Communist regime in China is backing the Japan Communist Party in its program of seeking violently to overthrow the constitutional system and the present Government of Japan. In view of these considerations, I can assure you that the Japanese Government has no intention to conclude a bilateral treaty with the Communist regime of China.

Yours sincerely,

SHIGERU YOSHIDA.

COMMUNIST BAIT TO JAPAN

Mr. DULLES. Now I do not deny, or try in any way to evade the fact, that the Communist mainland has raw materials and markets which the Japanese could use to advantage. The Communists can offer what looks like attractive economic bait to the Japanese people. But I feel completely confident that the Japanese people, before they bite on that bait will be wary, knowing that this bait may be on a hook and that the hook may be on a line and that the line may run to Moscow.

JAPANESE AWARENESS OF SOVIET BAIT

The Japanese see the Soviet and the Chinese menace for what it is, and they can be trusted to resist that menace to the limit of their ability. Also their ability in these matters is considerable because the Japanese have had a long experience in dealing with Russian and Oriental ways. The Russian menace to Japan is not something new. The Japanese idea as to how to deal with this may not always be exactly identical with our own, but that fact will not automatically mean that the Japanese views are wrong or that they are disloyal to our common cause.

I do not ignore the fact that unless the 84 million people of Japan find a way of decent survival in freedom they may eventually fall into the so-called security of captivity. But given reasonable access to free world markets and sources of raw materials Japan can prosper without any major dependence on Russia or Communist China.

That fact I think is convincingly demonstrated by what has actually happened over the last few years.

JAPAN'S COOPERATION WITH EMBARGO ON SOVIET STRATEGIC GOODS

Even before the enactment of our last Congress, the last session in this Congress, the Mutual Defense Assistance Control Act of 1951, the so-called Battle Act, the Japanese had been wholeheartedly co-operating with the United States policy to prevent the export to the Soviet bloc of any goods of strategic significance.

Within the last few days, in fact, on January 17, we have received the Japanese certification under the Battle Act that they have imposed not only a total embargo upon the shipment to the Soviet Union and countries under its domination—the language of the Battle Act—of items deemed by us to be of strategic importance, but that Japan is

also controlling the export to the Soviet bloc of additional items not subject to embargo under title I of the act but subject to control under title II of that act.

But this recent action by the Japanese Government under the terms of the Battle Act is merely a reflection of what has already been going on.

NEGLIGIBLE TRADE BETWEEN JAPAN AND COMMUNIST MAINLAND

Trade between Japan and the Communist mainland for some time has been negligible. I call your attention to the fact that during the first 9 months of 1951 the trade of Japan with the Communist mainland of China has amounted to less than 1 percent of Japan's imports and less than 1 percent of Japan's exports.

As Prime Minister Yoshida said at the San Francisco Conference: the role of China trade in Japanese economy, important as it is, has often been exaggerated, as proven by our experience in the past 6 years.

JAPAN'S SUBSTANTIAL RECOVERY FROM WORLD WAR II

Now let us look at the experience of that past 6 years. During those 6 years, without any large trade with Russia or China, Japan's economy has been substantially rebuilt and her living standards, except for housing, have been restored approximately to those of pre-war. It is true that this has involved a substantial amount of economic help from the United States, averaging about \$400,000,000 a year for the first 5 years of this 6-year period.

On the other hand, these first 5 years were abnormal years for Japan, involving as they did, the rehabilitation of her industry from the dislocations of war. To illustrate how great that rehabilitation has been, I point out to you that in 1946 Japan's industrial output was 33 percent only of the prewar average, and by 1951 it had come to be 140 percent of the prewar average.

Exports in 1946 averaged about only \$6½ million per month, whereas the current rate of export is about \$125 million per month.

During the past year Japan has more than earned its own way in the world without any grants from the United States but with, of course, the help of receipts from economic services rendered in Japan for account of the United Nations action in Korea and other expenditures by United States forces in Japan. But this is a source of dollar revenue which Japan will continue for some time to earn in consequence of United States and United Nations expenditures in the area for security and economic purposes.

JAPAN'S PRIMARY NEED FOR ACCESS TO WORLD MARKETS

Concededly Japan's economic future involves uncertainties as indeed does the economic future of almost any country. But unless the free nations become irresponsible in their attitudes Japan will not be forced by economic conditions to align itself with the Communist mainland area or be forced to strengthen the Communist military potential by its exports.

Japan will need what the Potsdam surrender terms promised, namely, "access to raw materials" and "participations in world trade

relations." She will need to modernize her industrial plant which is now somewhat obsolete and develop further her large natural sources of hydroelectric power. Such needs will call for technological help which the United States can supply, and indeed now is supplying, and it perhaps calls for foreign investments from public or private sources.

As a long-range proposition, looking ahead over many years, it can be said that it is obviously abnormal that Japan should be permanently divorced from the raw materials and the markets which are close at hand. But even accepting that fact we do not need to conclude from it that Japan must eventually become a Communist satellite. There is another assumption, and a sound assumption, and that is that the present situation on the mainland must be changed, so that China's national interests and her peoples' true aspirations will not continue to be sacrificed to the alien imperial designs of Moscow. In other words, we must and can assume that there will be a change from the present China situation which now compels the free nations temporarily to restrict closely their economic relations with the mainland of China.

COMMUNISM IN CHINA ONLY TEMPORARY

I can say to you with complete assurance that the best informed Japanese are totally convinced, as I think we are, that the alien doctrine of communism cannot permanently conquer the Chinese spirit or liquidate the innate individualism of the Chinese race. The Chinese nation will not permanently suffer the imposition of a tyranny which places it in the service of alien masters.

There will be an end to a tyranny which the Chinese themselves will come more and more to hate. We should assume the impermanence, not the permanence, of the present Moscow oriented rule of China.

We cannot expect that this change in China will take place automatically.

NECESSITY OF PROMOTING FREEDOM AND INDEPENDENCE IN ASIA

To realize that change will require something besides negative and purely defensive policies in Asia on the part of the free world, notably the United States. It will require a determination to promote freedom and independence in Asia and action consistent with that determination as opportunities arise.

The mood of the people of Japan, like the mood of other free peoples who are close neighbors of Asian communism will, in the long run, largely depend on the attitude and action of the other free nations. If they persevere in positive policies in support of real national independence in Asia, Japan will be a dependable and able coadjutor.

5. Faith in freedom

My fifth proposition is this: We can and should have faith in freedom.

It is not possible to predict with absolute certainty what the future will be in Asia, and in a sense the Japanese Peace Treaty is an act of faith—faith that the best weapon against despotism is not more despotism, but more freedom. It was because the peace treaty was

infused with that spirit that it attracted unprecedented support throughout the free world.

At the San Francisco Conference I had the honor to make the opening statement on behalf of the United States delegation. I used certain words there which will perhaps bear repetition here. Those words are these:

There are, in Japan, new-born institutions of freedom. But they will not flourish if military rule continues indefinitely to be supreme.

Dignity cannot be developed by those who are subject to alien control, however benign.

Self-respect is not felt by those who have no rights of their own in the world, who live on charity and who trade on sufferance.

Regard for justice rarely animates those who are subjected to such grave injustice as would be the denial of present peace.

Fellowship is not the mood of peoples who are denied fellowship.

Those sentiments, Mr. Chairman, became—as those of you who were there will recall—the central theme of the entire Conference as delegate after delegate of other countries responded to that note. The Foreign Minister of Pakistan said of those words that they would "resound around the globe." The chief delegate of Ceylon, the brilliant Minister of Finance, reminded us that the peoples of Asia had always had a special admiration for Japan because Japan had been able to resist western colonialism to which most of Asia had been subjected, and he said that failure to restore Japan's freedom, would be bitterly resented throughout Asia.

JAPANESE PEACE TREATY AN ACT OF FREEDOM

What the United States proposed by this treaty caught the imagination and won the good will of the free nations assembled at San Francisco because, at a critical time and at a critical place, the United States again demonstrated its faith in freedom and its faith that men in freedom are more to be depended upon than men in bondage.

The treaty was an act of faith in freedom. That is why 48 free nations of the world joined in a dramatic unity of peacemaking, the like of which the world has never seen before. That is why the Soviet delegation went down to its most ignominious defeat in conference history, as it became clear to all that were assembled there that the words of the Soviet delegates actually masked an intention to hold the Japanese people in bondage.

FEAR OF UNITED STATES AS A WORLD POWER

In recent years, Mr. Chairman, our Nation has become for the first time in its history very powerful in an economic way and in a military way. That always brings with it a certain temptation to seek certainty through coercion and through imposed contracts rather than to put trust in freedom. There are some people in other countries who fear that the United States, which they knew and loved, may succumb to that temptation, the temptation of its new power, and in consequence, some of them now shun an intimacy with the United States which, in earlier days, they would have sought.

Those who seek certainty through impositions which deny freedom are taking a stupid course. Because though initially they may get an

illusion of certainty, it is an illusion which is sure to be quickly shattered by rebellious conduct.

This Nation found its true greatness in its dedication to human liberty and throughout our history we have found strength and security in the good will of men everywhere who loved freedom and who looked upon us as the champion of freedom.

I feel confident that it is the overwhelming desire of the American people that their foreign affairs should be conducted in accordance with that great tradition. We have sought to do so in this matter. The Japanese Peace Treaty is essentially an act of liberation, and I feel confident that this Senate will voice its approval of that act.

6. Need for spelling out United States position toward Pacific area

My sixth proposition is this: The United States should make clear its concern, not merely with Japan, but also with our former allies in the Pacific—namely, the Philippines, Australia, and New Zealand.

There is really no doubt in any quarter that an armed attack upon Australia, New Zealand, or the Philippines would in fact, involve the United States. The peoples and the governments of these countries, however, feel understandably that our position in this respect could usefully be formalized, particularly in view of the new relationship which we will be formally assuming toward Japan by virtue of the peace treaty and the United States-Japanese Security Treaty.

Indeed, the interest of the United States also will be served by making it unmistakably clear in Monroe Doctrine language our sense of common destiny with the brave Pacific peoples who were with us in the great Pacific war. It is highly appropriate that not only our friends but our potential enemies should learn that our concern with Europe, evidenced by the North Atlantic Treaty, and our concern with Japan in no sense implies any lack of concern for our Pacific allies of World War II or any lack of desire to preserve and deepen our solidarity with them for security.

The security treaties with these three countries is a logical part of the effort not merely to liquidate the old war, but to strengthen the fabric of peace in the Pacific as against the hazard of a new war.

UNITED STATES INTEREST IN COUNTRIES NOT PARTIES TO SECURITY PACTS

And in conclusion, Mr. Chairman, I would say that of course these four treaties before you do not mark the outer bounds of our concern in Asia and the Pacific. The United States has a deep interest in the peace, security, and welfare of many Asian nations who are not parties to the security treaties now before you.

Indeed, even as regards the four Pacific nations which now join with us in these security arrangements, it may be that the present separate arrangements are not the last best word. You will note, in the reading of these treaties, that each one of them indicates the expectation of the parties that there will be further development of security in the Pacific area.

These steps for peace and security which we are now taking are only a beginning. There will be continuing need for the United States, in cooperation with other free nations, to sustain an ever-mounting initiative in Asia and to develop an ever-growing relationship of fellowship with the peoples of Asia who would be free. It is, however,

necessary to consolidate our present position before we move on, and that consolidation involves the ratification of these treaties.

Thank you, Mr. Chairman.

Senator GEORGE. Thank you very much, Mr. Dulles. Before proceeding with questions, is it agreeable to hear from General Bradley? General, I believe you said you had no formal statement?

STATEMENT OF GEN. OMAR N. BRADLEY, CHAIRMAN OF THE JOINT CHIEFS OF STAFF

General BRADLEY. No, sir. I have no written statement.

The Defense Department is in full accord with these treaties. We have only one concern, Mr. Chairman, and that is the question of timing. That is, that we would hope the peace treaty would not take effect until the administrative agreement with Japan is arranged and that it go into effect at the same time.

Senator GEORGE. You may have a seat, General. We may wish to ask you questions on that point.

Before asking any questions, I would like to say the distinguished chairman of this committee has been detained this morning and probably will not be able to take over in this matter until a later session of the committee, today or tomorrow. We regret his absence.

POSSIBLE INTERFERENCE OF PEACE TREATY WITH MILITARY OPERATIONS IN KOREA

General, I would like to ask you one question. I think you have indicated it already in your brief statement. It is a question to which the Secretary or Mr. Dulles would like to address themselves later on. Will the conclusion of the peace treaty with Japan interfere with practical military operations in Korea assuming that a cease-fire and end to hostilities is not reached?

DESIRABILITY OF WITHHOLDING ACTION ON TREATIES UNTIL ADMINISTRATIVE AGREEMENT BECOMES OPERATIVE

General BRADLEY. In our opinion, the treaty itself might interfere with these operations unless the administrative agreement goes into effect at the same time. I believe that the provisions of the administrative agreement should cover that point, and if they are covered in the administrative agreement, then any interference would be at a minimum.

Senator GEORGE. General Bradley, you may now answer such questions as other members of the committee may wish to ask you.

Senator GREEN. I would like to ask, what is the present status of the proposed administrative agreement?

General BRADLEY. The different Government agencies here in Washington have been working on a proposal that they wish to propose to the Japanese Government. That draft has just about been completed. There will be a team headed by Mr. Rusk, which I believe plans to leave on Wednesday to go to Japan to discuss this administrative agreement with the Japanese authorities. So I would say, the status is that our own Government is just about ready to start discussions with the Japanese on this draft.

Senator GREEN. Would it be your advice not to take action on these treaties until that agreement is completed?

General BRADLEY. From a military point of view, that would be desirable, sir, because I think that we might have considerable difficulties if the treaty became effective before the administrative agreement was signed.

Senator GREEN. Thank you.

Senator GEORGE. Senator Tobey?

Senator TOBEY. I have no questions, only of Mr. Dulles.

Senator GEORGE. We will ask Mr. Dulles to come back at this time.

Senator TOBEY. Mr. Dulles, before asking this series of questions, I would state that these questions are not my own, but they are the questions of Senator A. V. Watkins who asked Mr. Wiley to ask them of you. Mr. Wiley went out so I will ask them of you.

Mr. DULLES. Excuse me a moment. Could I supplement with one word what General Bradley said about this?

Senator GEORGE. Yes, of course.

Mr. DULLES. I would like to point out that the coming into force of the treaty depends, for a period of 9 months, upon the concurrent action of several other countries. It is not likely that the treaty could come into force for a period of several months. Under the provision of the treaty, for 9 months it cannot be brought into force except as there is a deposit of ratification by 6 countries of the 11 who are named in the treaty. So far, only one of those countries has ratified the treaty, and that is the United Kingdom. There is likely to be a very considerable period of time before the treaty comes into force, and it is fully the expectation of the Department of State, I understand, as well as the Defense Department, that the administrative agreement will, in fact, be concluded before the treaty comes into force. There is no difference of opinion between us on that point.

Senator TOBEY. I would like to say to you and to Secretary Acheson that I have listened to each of your presentations this morning with a great deal of pride and satisfaction that I am an American.

I want to compliment you both for what you have done. It is inconceivable to me that any Member of the Senate could cast a vote against the ratification of these treaties. I would be surprised if any of them voted against them. I would like to say that these statements are not only the product of your head, but also of your heart, as I see it—an understanding heart.

QUESTION FROM SENATOR WATKINS TO MR. DULLES

Now, sir, I have a series of questions from Arthur Watkins. I will read them slowly. They are 12 in number, not mine, but his.

No. 1 [reading]:

In regard to Prime Minister Yoshida's letter to you under date of December 24, 1951, which was just released to the press: Does this letter have any status as an agreement between nations or is it merely an exchange of letters between Mr. Yoshida and John Foster Dulles?

Mr. DULLES. The letter, of course, does not constitute a binding international agreement because such binding international agreements, under the Constitution of Japan and the Constitution of the United States, require ratification by the Diet of Japan and by the Senate of the United States.

Senator TOBEY. A meeting of minds.

PREMIER YOSHIDA'S LETTER A DECLARATION OF INTENTION

Mr. DULLES. It is a declaration of intention which I am confident we can take at its face value. I am sure it is written in good faith. My confidence in that is not only because I have complete confidence in the good faith of Mr. Yoshida which has been tested on many occasions and which has been proved to be totally reliable, but also I have complete confidence in it because it reflects the natural wishes and desires of the Japanese nation and the Japanese people. In other words, we do not have to rely even upon the present Prime Minister. If there should be a change in the Government of Japan, I am quite confident any successor government would feel toward this China Communist matter the same way as expressed in that letter.

Senator TOBEY. No. 2 [reading]:

Does this letter firmly commit the Government of Japan or is it merely an exchange of assurances between two officials who were instrumental in negotiating a treaty?

Mr. DULLES. I believe that is covered.

Senator TOBEY (reading):

In the event of a change in government in Japan with the consequent loss of office by Mr. Yoshida, what will be the status of the Yoshida-Dulles letter?

Mr. DULLES. I think I covered that, also.

YOSHIDA'S LETTER ADDRESSED TO DULLES AS PRESIDENT'S REPRESENTATIVE

Senator TOBEY (reading):

In your opinion is it sound international diplomacy for the United States to quiet its apprehensions in regard to future Russo-Japanese relations on the basis of a letter from the present Prime Minister of Japan to a subordinate official in the United States Department of State?

That is not my question, understand.

Mr. DULLES. The negotiations have throughout been conducted by me as a special representative of the President, and I take it to be natural in this matter as in other matters relating to the treaty, that the Prime Minister communicated with me.

Senator TOBEY (reading):

Do the territorial provisions of the proposed Japanese Peace Treaty, especially those in regard to the Kuriles and South Sakhalin, meet the Department of State's concept of the security requirements of the United States in the Pacific Ocean area?

Mr. DULLES. I did not quite get it.

Senator TOBEY. I will read it again:

Do the territorial provisions of the proposed Japanese Peace Treaty, especially those in regard to the Kuriles and South Sakhalin, meet the Department of State's concept of the security requirements of the United States in the Pacific Ocean area?

JOINT CHIEFS OF STAFF POSITION ON PEACE TREATY

Mr. DULLES. As far as the security aspect of the matter is concerned I would, with General Bradley's permission, call attention to a letter which you, General Bradley, wrote to Senator Watkins on that score. Do you have a copy of it with you?

General BRADLEY. No.

Mr. DULLES. Here it is. It is a letter dated September 21, 1951. It concludes [reading]:

The Joint Chiefs of Staff are of the opinion that this treaty, along with the proposed United States-Japanese Security Treaty, should come into force simultaneously, and will provide the United States the maximum security obtainable in the Far East at this time.

HABOMAI ISLANDS

Senator TOBEY. No. 6 [reading]:

In regard to the Habomai Islands, why is it that the treaty remains silent? Does not Russian possession off these islands constitute a sore in Russo-Japanese relations which can be conveniently prodded at any time in the future to agitate and threaten Japan?

Do you recognize these islands?

Mr. DULLES. Yes, I know those islands. Those islands are a small group of islands which are to the north of Japan. If there is a map— we have no map of sufficient scale.

Senator TOBEY. He suggested maybe a burr under the saddle.

Mr. DULLES. Yes. Have you a pointer here? My arm is not that long.

General BRADLEY. You might point it out on a smaller map we have over here.

Senator GREEN. May I suggest that the pointer will not help the record any?

General BRADLEY. Perhaps you can point it out to them on this.

Senator GEORGE. We have a smaller map here.

Mr. DULLES. For the information of the committee, the Hobomai Islands are these islands here, and then there is Shikotay which is probably in the same status. The Russians are in occupation of that, although it is our opinion, as I expressed at the Japanese Peace Conference at San Francisco, that those islands are properly a part of Hokkaido, and that Japanese sovereignty remains over those islands.

Senator TOBEY. He suggests Russian possession of these islands constitutes a sore in Russo-Japanese relations—"threatens Japan."

Mr. DULLES. There are a multiplicity of sores in Japanese-Soviet relations, and it is not possible by any treaty or formal words to eliminate those. I cannot think of anything that we could have written into the peace treaty which would have accomplished the very desirable objective of getting those islands back into effective Japanese sovereignty. The willingness of the Soviet Union to relinquish those islands would depend either upon a change of heart by them, or upon the use of force, which we do not want to contemplate at this time.

JAPANESE FISHERY RIGHTS INFRINGED BY RUSSIA

Senator TOBEY. There are lots of sores. [Continues reading:]

The Japanese are vitally dependent on deep-sea fishing for their subsistence. What, if anything, in these treaties gives Japan access to the deep-sea fishing areas of the North Pacific? Does not Russia, by reason of its occupation of the Kuriles, hold a valuable source of food which can be used for bargaining purposes in the effort to force Japan to jump through the Russian hoop?

Mr. DULLES. It is quite true that the Soviet Union is excluding the Japanese fishers from certain fishing areas which they used to fish in and which we would consider to be part of the open seas. Again that

is something I do not know that we can do anything about. Certainly nothing we can write into the peace treaty will end the Russian conduct in that respect.

JAPANESE FISHERY RIGHTS IN FORMER MANDATED ISLANDS

Senator TOBEY. No. 8 [reading]:

Does the United States contemplate opening the area of the former Japanese mandated islands, now a strategic trusteeship, to Japanese fishing operations?

Mr. DULLES. That will depend upon United States policy as trustee of the area, but is not a matter to be dealt with by the treaty.

I might say that since the negotiations began, the Japanese Government has taken a very forward-looking attitude toward the problem of fishing which has been one of the sore spots in the relations of Japan with other countries, particularly between the United States and Japan.

FISHING TREATY: UNITED STATES, CANADA, AND JAPAN

There has been negotiated within the last few weeks a fishing treaty between Japan, the United States, and Canada dealing with the whole area of the North Pacific. I am not familiar with that treaty in detail, but I know in general it reconciles the principle of the freedom of the seas with the proposition that where a country itself takes steps of a costly and sacrificial character to conserve fish, the country or countries that do that conserving are entitled to a certain priority in the use of the fishing and the fish which result from those acts of conservation.

I am told that this treaty is entirely satisfactory to our west coast fishing people, but it cannot come into force until the multilateral treaty comes into force and restores to Japan its full sovereignty.

But the treaty has been negotiated, has been initialed and merely awaits action on the main treaty to be formally concluded between our countries.

PROSPECTS FOR TRADE BETWEEN JAPAN AND ASIA MAINLAND

Senator TOBEY. No. 9 [reading]:

In view of the Japanese need for trade with the Asiatic mainland, is it your opinion that such trade will be resumed in the immediate future? Do you think there is a possibility that such trade will include strategic materials and manufactured implements of war which could be of use to the North Koreans, the Red Chinese, and to the anti-American elements in Asia?

Mr. DULLES. I think that question is answered by my main statement, but I would repeat here that there is no reason whatever to fear that that will be the case, because already the Japanese have taken steps to restrict that trade so that it is practically nonexistent today. They have already moved among the first of the other free nations, to certify compliance with the Battle Act which calls for a total embargo on all exports to the Soviet bloc of any goods which we list as of strategic value and a strict control of other goods, even though not of a strategic character. In other words, the Japanese have already formally committed themselves to compliance with the United States policy in that respect as laid down by the Congress of the United States.

Senator TOBEY. No. 10 is similar to that, namely, this [reading]:

It has been suggested that a reservation be included in the Resolution of Ratification in the Japanese Peace Treaty to provide for immediate abrogation by the United States of Japanese trading privileges with the United States in the event of Japanese trade with Communist nations in strategic war materials. What is your opinion as to the legality in point of international law of such a reservation? What is your opinion as to the practicality of such a reservation?

Mr. DULLES. It seems to me to be totally unnecessary for this reason: That the policy of the United States, is already established by the Control Act, so-called Battle Act to which I referred—it specifies that the United States shall not give any military assistance or economic assistance to any country which violates our policy as laid down under that act.

By accepting that, you have, in effect, an agreement with ample sanctions because Japan's security depends upon the presence there of the United States forces. Its economy, to a large extent, depends upon access to our markets. The Battle Act provides sanctions of a totally effective character viz-à-viz Japan and any reservation would be a duplication of the situation that already exists and is voluntarily and wholeheartedly accepted by Japan.

UNITED STATES AND BRITISH TRADE POLICIES IN ASIA

Senator TOBEY. No. 11 [reading]:

Have the trade policies of the United States and Great Britain been reconciled in the Asiatic area? What mutual promises in that respect have been made.

Mr. DULLES. Trade policies between England and the United States, or Japan?

Senator TOBEY. In reconciling the Asiatic area?

Mr. DULLES. Would you repeat the question again?

Senator TOBEY (reading):

Have the trade policies of the United States and Great Britain been reconciled in the Asiatic area? What mutual promises in that respect have been made?

Mr. DULLES. I do not quite get the purport of the question, and the bearing upon Japan. There is a question which might be put and which perhaps Senator Watkins had in mind—the access by Japan to the sterling currency area of southeast Asia. That is a problem, but that is apparently not the question put by him.

Senator TOBEY. You might say "irrelevant and immaterial" on this. No. 12, and the last one—

Mr. DULLES. Those are your words, not mine.

Senator TOBEY. I said you might say it.

DISPOSITION OF SOUTH SAKHALIN AND THE KURILES

No. 12, and the last one [reading]:

The original draft of the treaty proposes "the handing over" of South Sakhalin and the Kuriles to Soviet Russia. What were the reasons for the change in terminology in that respect which now provides merely that Japan renounce right, title, and claim to these areas? Does this latter provision have the effect of ratifying the Yalta and Potsdam agreements and in effect confirming Russia's military seizure and retention of these areas?

Mr. DULLES. The Yalta agreement contemplated the handing over of South Sakhalin and the Kurile Islands to the Soviet Union under the treaty of peace. The treaty of peace before you does not carry out that provision of the Yalta agreement.

SOVIET VIOLATION OF YALTA AGREEMENT

Now that is done deliberately because of the fact that the Soviet Union itself has been guilty of such violations under the Yalta agreement that we do not consider that the Soviet Union can come with clean hands and itself ask for the benefits of that agreement.

I call your attention not only to such violations as may have occurred with relation to Europe, but as regards Asia itself.

By the Yalta agreement the Soviet Union undertook to recognize and deal with the Nationalist Government of China. In pursuance of that it made a treaty with the Nationalist Government in August 1945 whereby it undertook to give aid and military supplies and moral support exclusively to the Nationalist Government as the Central Government of China. The ink was hardly dry on that undertaking before the Soviet Government turned over vast war supplies in Manchuria to the Communist regime.

That question was raised by me in the United Nations Assembly a year ago and no attempt was made by the Soviet Union to justify that flagrant violation of the Yalta agreement.

Under those circumstances it did not seem that the United States and the other free nations who were largely responsible for drafting this treaty had any obligation to give the Soviet Union title by this treaty to South Sakhalin and the Kuriles. The treaty does not do so. It provides indeed that no country which has not signed the treaty shall get any benefit at all under the treaty.

The Soviet Union, by not signing the treaty, has lost irrevocably its opportunity to sign the treaty, thereby depriving itself of any claim under the treaty to any title to South Sakhalin and the Kurile Islands.

I think that probably covers the position.

Senator TOBEY. Thank you, Mr. Dulles.

Now, may I say if I read your mind aright I see there this thought: In the words of Shakespeare, "For this relief, much thanks."

Senator GEORGE. Senator Fulbright?

Senator Smith who is not here today rather exacted a promise that you be here until he could interrogate you.

Mr. DULLES. I will be glad to be here tomorrow.

Senator FULBRIGHT. I have no questions of General Bradley.

Senator GEORGE. Any further questions?

Senator WILEY. I have some questions.

Senator GEORGE. I thought if we could finish with General Bradley, he might then be excused unless you wish to bring him back.

Senator WILEY. Mr. Chairman, I am very sorry I was called to Judiciary, and missed some of the interrogation. So all I am going to ask General Bradley is some questions that were submitted at the request of Senator Watkins. Being the ranking minority member of this committee I presume that is why they were submitted to me.

JOINT CHIEFS OF STAFF POSITION ON SOUTH SAKHALIN AND THE KURILES

So this is the first question [reading]:

Do the territorial provisions of the Japanese Peace Treaty, in particular those provisions regarding South Sakhalin and the Kurile Islands, meet the security requirements of the United States in the North Pacific area?

Then I might say he has a note on that question in which he says [reading]:

See copy of Bradley letter of September 21, 1951, to Senator Watkins in which General Bradley say: " * * * The Joint Chiefs of Staff are fully aware of the strategic importance of the areas in question and under present circumstances are not completely satisfied concerning its security. * * *"

Another note:

Original draft of Japanese Peace Treaty provided for "handing over" to Russia of Sakhalin and the Kuriles. Present draft merely requires that Japan renounce all right, title, and claim to these areas. Effect is the same inasmuch as Russia is in military occupation.

Now I would like to have your comments to that question and to his comments.

General BRADLEY. As I stated to Senator Watkins at that time, from a military point of view we are not completely happy with it.

It so happens that Russia is presently the sole occupying power of the islands, having acquired them at the close of World War II.

In view of the current world situation, it is believed that the interests of the United States are best served by leaving the permanent status of the area to be provided for at a future date when international tensions have been eased somewhat.

Senator GEORGE. General Bradley, would you like to offer for the record the letter to which reference has been made? If you would do so, you may do so and supply the committee, the clerk of the committee, with the letter.

General BRADLEY. I would leave that entirely to the committee. It has been quoted from twice and if it would help it might be well to put the whole letter in the record.

Senator GEORGE. It occurs to me it might be well to incorporate the whole letter.

(The letter, referred to, reads as follows:)

SEPTEMBER 21, 1951.

Hon. ARTHUR V. WATKINS,
United States Senate.

DEAR SENATOR WATKINS: It is a pleasure to give you my understanding of the views of the Joint Chiefs of Staff regarding the provisions of section (c) of article 2, chapter II of the proposed Japanese Peace Treaty. It should be noted that the provisions of chapter II of the proposed treaty are based generally on agreements reached with other governments at several conference dated back to 1943.

At the Cairo Conference, November 22-26, 1943, it was agreed between President Roosevelt, Generalissimo Chiang Kai-shek, and Prime Minister Churchill to force the unconditional surrender of Japan, and compel her to relinquish her sovereign rights to Pacific islands and other Asiatic territories seized, occupied, or acquired by her through violence and greed.

The Yalta agreement of February 11, 1945, between President Roosevelt, Prime Minister Churchill, and Premier Stalin, provided, in addition to other matters, for the Soviet Union's entry into the war against Japan within 2 or 3 months after Germany's surrender, and specified that southern Sakhalin, the islands adjacent thereto, and the Kurile islands shall be handed over to the Soviet Union.

The terms of the Allies surrender ultimatum to Japan, in addition to other provisions, specified categorically that, "The terms of the Cairo Declaration shall be carried out and Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku, and such adjacent minor islands as we [the parties to the surrender proclamation] determine." The terms of the ultimatum were agreed to by the President of the United States, the President of the Republic of China, and the Prime Minister of Great Britain at Potsdam, Germany, July 26, 1945. The Soviet Government joined in the above declaration on August 8, 1945, in the Soviet declaration of a state of war with Japan.

Chapter II of the proposed Japanese Peace Treaty, in general, provides for the renunciation by Japan of her sovereign rights to certain Pacific islands and Asiatic possessions in keeping with the terms of the Potsdam surrender ultimatum. Section (c), article 2 of chapter II provides for Japan's renunciation of her rights to southern Sakhalin, islands adjacent thereto, and the Kurile Islands. The treaty does not define the future status of these possessions.

Currently, Russia is the sole occupying power of the islands in question, having acquired them at the close of World War II. The Joint Chiefs of Staff are fully aware of the strategic importance of the area in question and under present circumstances are not completely satisfied concerning its security. However, in view of the current world situation, it is believed that the interests of the United States are best served by leaving the permanent status of the area to be determined at a future date when international tensions have been eased.

The Department of Defense and the Joint Chiefs of Staff were freely and constantly consulted during the preparation of the proposed peace treaty. Essentially, the treaty is drawn in terms which do not contain within themselves the seeds of another war. The Joint Chiefs of Staff are of the opinion that this treaty, along with the proposed United States-Japanese security treaty, which should come into force simultaneously, will provide the United States the maximum security obtainable in the Far East at this time.

Sincerely,

OMAR N. BRADLEY,

JOINT CHIEFS OF STAFF POSITION ON TREATY PROVISION FOR UNITED STATES TRUSTEESHIP AREAS

Senator WILEY. Question 2 [reading]:

Are the present provisions of the Japanese Peace Treaty in regard to Okinawa, the Bonins, etc. (art. 3) in accordance with the wishes of the Department of Defense? Is it necessary to the security of the United States that these islands be placed under United States trusteeship? Could not the United States get the necessary bases in these island areas without at the same time taking the islands and their populations under trusteeship?

About three questions there.

General BRADLEY. Yes, sir.

We believe, from the security viewpoint, this arrangement is better than any other. It would be very difficult for us to come before you and ask for funds to build security installations on Okinawa and other islands unless we had a rather clear-cut right to be there and to stay there for some time. I understand from the question that the idea is we might make some arrangement with Japan for fortifications there, even though the islands might be returned to Japan. We do not believe that would be as good an arrangement as this one.

JOINT CHIEFS OF STAFF POSITION ON SPECIFIED LIMITS IN RESOLUTION OF RATIFICATION

Senator WILEY. Question 3 [reading]:

Would the security of the United States suffer if a specification were included in the resolution of ratification to limit the term of United States trusteeship and to provide for an eventful plebiscite by the Okinawans in order that they themselves may determine by their own expression their future fate, as to independence or return to Japan?

General BRADLEY. No, sir. I do not believe that should be in this peace treaty. If later on, several years from now, we wanted to reconsider the matter, I think you could still do it. You would know then what your security arrangements had been and whether or not you would want to do it at the time. We do not believe, from a security point of view, that provision should be made now.

JOINT CHIEFS OF STAFF POSITION ON HABOMAI ISLANDS

Senator WILEY. No. 4 [reading]:

The treaty is silent in regard to the Habomai Islands just off the northeastern coast of Hokkaido. These islands are within 3 miles of Japan and within sight of the mainland. Are the Joint Chiefs of Staff satisfied with this aspect of the treaty? Russia is in occupation of these islands which are in reality a part of the Japanese home islands.

General BRADLEY. I believe my remarks on those islands would be the same as the Kuriles and the Sakhalin Islands. We are not too happy, but they are in possession of them, and under world conditions it is probably better to leave final disposition to a later date.

Senator WILEY. If I understand your position in relation to the treaty it does not confirm the right of Russia in any of those islands.

General BRADLEY. I believe that is right. I believe it leaves it open.

JOINT CHIEFS OF STAFF POSITION ON THE KURILES

Senator WILEY. No. 5 [reading]:

The Kurile Islands lie at the edge of the great circle air and sea routes from the United States to the Orient. It was from the Kuriles that the Japanese staged their sea and air attack on Pearl Harbor in 1941. It was from the Kuriles that air raids were conducted against the Aleutian Islands and Dutch Harbor. Under the circumstances, are the Joint Chiefs of Staff satisfied with the present territorial provisions of the treaty which require Japan to renounce right, title, and claim to these vital areas?

General BRADLEY. I believe I have answered that. We were not completely happy about it, but there is nothing we can do about it at this time. Their final disposition should be left to a future date.

Senator WILEY. That is because of the occupation by the Russians?

General BRADLEY. At the present time; yes, sir.

STRATEGIC IMPORTANCE TO RUSSIA OF THE KURILES

Senator WILEY. No. 6 [reading]:

In view of the size of the Russian fleet of submarines, does not Russian possession of the Kuriles put Russia in a position to dominate the commerce and the security of the North Pacific? Are there any sites in the Kurile Islands suitable for establishment of air bases from which Russia could dominate the sea and air lanes to Japan as well as the Japanese islands themselves?

General BRADLEY. I would say in answer to both of those questions that it would be to the great advantage of the Russians to have them in operation in the Pacific, but I do not believe that we can see that would permit them to dominate the Pacific.

Senator WILEY. To get the matter straight in my own mind, are there opportunities for air bases on those islands?

General BRADLEY. Yes, sir; but my point is, I would not go so far as to say this would permit them to dominate the Pacific. It would be to great military advantage; yes, but not to a point where we would admit they could dominate the Pacific by having them.

Senator WILEY. Are there good sea bases there, also?

General BRADLEY. I am afraid I cannot answer that. I do not know just how good they are.

Senator WILEY [reading]:

Does the Russian possession of Sakhalin and the Kuriles place the Russians in a strategic position for cutting off our access to the sea and air bases which we are retaining in Japan by other provisions of this series of treaties?

General BRADLEY. Again the answer would be "No," they could not cut them off but it would help them in interfering.

JOINT CHIEFS OF STAFF POSITION ON SECURITY TREATIES

Senator WILEY [reading]:

What are the views of Australia and New Zealand and the Philippines in regard to their security as growing out of the present provisions of the treaty?

General BRADLEY. I cannot give you their views. I do not know their views because I have not talked to them.

Senator WILEY. I understand your general conclusions to be—and I am sorry that I missed your statement—that the treaty itself, these several treaties that we have with Japan and the treaties we have with countries down under, New Zealand and Australia, in your opinion, constitute a step forward toward the eventualities of peace in the Pacific?

General BRADLEY. We think they contribute very materially to the maintenance of peace in the Pacific.

Senator WILEY. And you think also that the treaties, if they become the law of the land, will contribute beneficially to Japan, as well as to our own country?

General BRADLEY. Yes, sir.

Senator WILEY. That is all, Mr. Chairman.

Senator GEORGE. Senator Sparkman, do you have any questions of General Bradley?

ADMINISTRATIVE AGREEMENT NEARING COMPLETION

Senator SPARKMAN. I have this one question and that has to do with the administrative agreement. Do I understand correctly that that agreement is well along toward completion and that you do not anticipate any undue delay in completing it?

General BRADLEY. No, sir; we do not anticipate any, but as yet, as I stated before, we have not started the discussions point by point with the Japanese Government. We hope to do that in the very near future and I think we would hope to complete that agreement before too long.

Senator SPARKMAN. That is all.

Senator GEORGE. Senator Gillette, any questions of General Bradley?

I am asking if you have questions of General Bradley because I thought we might be able to excuse him.

Senator GILLETTE. I have several questions for Mr. Dulles, and somebody representing the State Department, but I have none for General Bradley.

Senator WILEY. I would like to ask a question of Senator Dulles.

Senator GEORGE. Mr. Dulles will be on the stand again tomorrow at 10:30. We desired, if possible, to conclude with General Bradley today so that he would not be required to come back. The Secretary will not be back tomorrow unless he is asked and it is necessary for him to come back. If you could withhold the question on Ambassador Dulles this morning—

Senator WILEY. Very well.

Senator SPARKMAN. I would like to make this statement.

I understand that you want to complete General Bradley. I thought everyone had propounded questions to General Bradley. Before you recess for today I would like to have a chance to ask Mr. Dulles a few questions for the reason that I shall not be here tomorrow.

Senator GEORGE. Very well, Senator Sparkman.

Mr. Dulles, you may resume the stand. We have no further questions of General Bradley at this time. Now, General, you furnish the committee with a copy of the letter to which reference was twice made, and we will put it in the record.

General BRADLEY. Mr. Young here will give it to you.

Senator GEORGE. Thank you.

All right, Senator Sparkman.

BIPARTISAN COOPERATION

Senator SPARKMAN. Mr. Chairman, I think it might be appropriate to say that a subcommittee of this committee is meeting at 4 o'clock this afternoon to discuss this administrative agreement. More than likely at some future stage in the hearings we should like to ask questions pertaining to the details of that agreement.

Before asking some questions of Mr. Dulles, I would like to make this very brief statement. It has been my good fortune during the last year to serve as chairman of the Far East Subcommittee of this committee with Senator George, our present presiding officer, Senator Smith of New Jersey, and Senator Hickenlooper.

I wish very much Senator Hickenlooper and Senator Smith were here this morning but they are unavoidably detained. I know that Senator George can bear me out in this statement paying tribute to Mr. Dulles for the excellent job he has done in negotiating the Japanese Peace Treaty and the security pacts collateral with it. Particularly do I want to mention that, to my way of thinking, this has been one of the finest demonstrations of bipartisan cooperation that I have ever seen and also one of the finest examples of cooperation between the executive and the legislative branches.

CONTRIBUTION BY MR. DULLES

During the course of the year, our subcommittee was called into session many, many times, often on short notice, and at all times of the day. Mr. Dulles kept us informed of every single step that was taken. Every time he took a trip visiting some of the countries concerned with the peace treaty, he would talk with us before he went, tell us what he was seeking, and report to us when he came back.

It was my pleasure, also, as it was that of other members of this committee to be in the peace treaty conference at San Francisco and to note the very fine work that both Mr. Dulles and the Secretary of State did there.

Mr. Chairman, it was also my privilege to be in Japan with Mr. Dulles along with Senator Smith during a big part of the month of December. I may say this, that to me it was a revelation the manner in which Mr. Dulles was received by the Japanese people of all levels and the confident faith that they expressed in him and in the work that he was doing and had done.

I was very much impressed with the conditions as I found them in Japan due to the very fine job that had been done during the entire

occupation. I have a great deal of faith and confidence in the efficacy of this treaty and the security pacts that have been executed, and I think a great part of the credit must go to Mr. Dulles.

Of course, I would like to add Mr. John Allison, who was his chief assistant and who was always with him.

Now, Mr. Dulles, I am not going to ask but just one or two questions, but I do want to ask one or two just for the record.

I think you have discussed pretty well, in your statement as you have given it to us, all of the questions that may arise. You deal with the problem of the trade of Japan with China.

JAPANESE ECONOMY NOT TIED TO CHINESE MAINLAND

A great many people have it fixed in their minds I think that Japan is dependent upon China both as a source for raw materials and also as a market for her manufactured goods. You give some statements which I think largely offset that, but I wonder if you could go a little more into detail or if you would make this statement. Are you convinced that Japan can build a sustaining economy without being closely tied with the Chinese mainland?

Mr. DULLES. I think this, Senator Sparkman. Let me first express my very deep appreciation of the words, you have been kind enough to say about my work here. It is not often that a witness on the stand has such an enjoyable interlude as you have given me, and I am deeply grateful for it.

The question you put is probably the most difficult question there is to give an absolutely clear answer to. I would say this: That prior to the 1930's, Japan's trade was primarily overseas trade and not to any large extent trade with the Asian mainland, and the mainland was not a major source of supplies for Japan.

When 1930 came along with the world-wide depression which largely disrupted Japan's overseas trade, and with the concurrent growth of militarism in Japan, there developed in Japan a desire actually to control its own sources of raw materials so that they would not be subject to interruption either through world trade convulsions, or perhaps through economic sanctions which the League of Nations might impose to try to restrain Japan from adopting an aggressive policy.

JAPAN'S PAST EFFORTS TO CONTROL RAW MATERIALS SOURCES

So that, beginning with the thirties, there came the effort by Japan to try to get control of its own sources of raw material on the Asian mainland, particularly in Manchuria.

From then on, Japan increasingly got coal and iron ore from that area, whereas, previously it had largely gotten its iron ore, for example, from the Philippines and Malaya. But, in order that its trade in those items should not be vulnerable to the forces to which I alluded, the Japanese sought to get control of Manchuria.

During the 1930 period there was an increasing change in the Japanese trade from the overseas trade to a Colonial trade in relation to the Asia mainland.

That trade was, of course, broken off completely at the end of the war, and it has never been resumed to any substantial extent.

ACCESS TO MARKETS IN SOUTHEAST ASIA

I am able to see the possibility of a healthy Japanese economy without any large dependence upon the Asian mainland if Japan has continuing access to the markets primarily of southeast Asia where there are large populations, and no problem about either the size of the market or the need of the market for such things as Japan can produce.

Also, in southeast Asia there are sources of supply for most of the raw materials which Japan requires.

The problem today is primarily a problem of freight rates and of the ships to carry the goods. It has become a very expensive proposition to import from long distances iron ore, coking coal and items of that sort, and furthermore, the Japanese shipping is now reduced to where it can only carry about 20 percent of its exports and imports, whereas, normally before, it carried between 50 and 60 percent of its exports and imports.

So that the cost of freight is not only an item in pricing goods, but it also involves an abnormal foreign exchange drain upon Japan. I can see that over a period of some years, granted access to southeast Asia markets and perhaps granted some help to meet the heavy foreign exchange burden of importing coking coal, particularly from long distances, that the Japanese can get along reasonably well. I think that one must recognize that over a long-range period—I am talking now in terms of decades and not necessarily just of years—over a long-range period it is as I say, abnormal that there should be an iron curtain which cuts Japan's trade completely off from the nearby markets and sources of raw material in Asia.

EXPECTED DISAPPEARANCE OF SOVIET COMMUNISM IN CHINA

That is why I believe that we must assume and can properly assume that the conditions which require that interruption of trade are not going to be with us permanently. It would be, in my opinion, a wrong and a defeatist policy to assume that these conditions which exist in China today are in China forever.

I do not believe they are there forever. I think they are going to change. I do not think, as I said in my main statement, that indefinitely the Soviet brand of communism is going to rule in China. There will be increasing resentment against that, hatred of it, and eventually it will disappear as so many foreign conquests of China have disappeared in the past.

CONTACT BETWEEN JAPAN AND WORLD MARKETS

Therefore, I do not think that we need to speculate about whether, 10, 15, 20, 30, or 50 years from now Japan can be getting along without access to these markets because I think there will be conditions at that time which will enable Japan to have access to these markets. The problem that Japan faces and we face at the present time is a transitory problem and not a permanent problem.

As a transitory problem it surely can be dealt with and just as Japan's economy has enormously improved over the past 6 years without dependence on these markets, so I believe it can continue to improve for a period of years without dependence on these markets.

Surely the healthy and normal thing is that there should be contact between Japan and those markets, and I believe that our over-all Far Eastern policies should have that as their objective and I believe it is an objective which can be achieved.

Is that an adequate answer, Senator?

Senator SPARKMAN. I think that is a very fine elaboration of the point you discussed briefly in your paper.

JAPANESE SHIPPING

Now I think we may easily infer from what you said that it is highly important that Japan be allowed to rebuild her shipping in order that she may take as much of her products to the market and bring the raw resources in as possible. Is that an important part, do you consider, of this treaty?

Mr. DULLES. I think it is a very important thing that the treaty, neither by itself, nor by any related understanding, in any way prohibits the Japanese from building more ships and carrying more of their own goods. There were suggestions made at one time from various quarters that the treaty should impose prohibitions and limitations on Japan in that respect; that part of her shipyards should be demolished. That was not done. Indeed the effort to do it would have encountered very serious opposition in Japan and would have vitiated the good will which has been engendered by the peace treaty.

The situation is roughly this: That, as I said, Japan is today carrying approximately 20 percent, or a little bit more of her own exports and imports.

That, of course, is a very abnormal thing for a seafaring nation, an island nation.

Japan has, at present, about 2 million tons of shipping of all kinds that is, seagoing and coastal, as against about 6 million tons which she had under prewar conditions.

In other words, her fleet is about one-third of what it used to be and it is carrying roughly about one-third of what it used to carry, 20 percent as against about 60 percent.

PROSPECTS FOR ATTAINING PREWAR SHIPBUILDING LEVEL

There is a shipbuilding capacity in Japan theoretically of about 800,000 tons a year, gross tonnage. But actually, there is in use only about 650,000 tons. It is not expected—the Japanese do not expect—under present conditions to put back into operation more than 650,000 tons.

Senator WILEY. Per year?

Mr. DULLES. Per year. That would mean that the way things are now going and assuming they can get the steel to use the full 650,000 tons, and allowing for the fact that some of their ships are being now constructed for foreign account, it would mean there would be about a 10-year period before the Japanese got back to their approximate prewar level, and able to carry about 50 percent in their ships.

That is a progressive development. I think we should welcome. Obviously the British and some of the other countries that have been carrying Japan's goods would like to continue to carry them and be

paid in effect by the United States for carrying them—that is, the great bulk of Japan's exports and imports.

That throws a great burden upon Japan which has been largely translated into a burden upon the United States. I think that we should welcome a gradual resumption by Japan of the capacity to carry at least half of her exports and imports and she will be able to do that by her own shipbuilding in a period of something like 10 years perhaps.

Senator SPARKMAN. I want to ask one question regarding the fishing.

TRIPARTITE FISHING AGREEMENT

You refer to the tripartite agreement that had been executed among Japan, the United States and Canada. It is your opinion that that may very well be taken as a model of other fishing agreements to be executed?

Mr. DULLES. We would hope that it would be, Senator. A great deal of thought was given to the underlying principles. The problem is a very difficult one because, on the one hand, you have the principle of the freedom of the seas. It is undesirable that there should develop a scramble among the nations of the world to try and get the exclusive right to use vast parts of the ocean. That would be an extremely controversial matter to throw into the world arena at this time, and we have plenty of controversies without that. It would be like the scramble for colonies that went on during the last century. That kind of thing would be very bad.

On the other hand, we have a situation where fish that are caught on the high seas such as salmon, for example, actually breed in territorial waters and in rivers, and that, in order that they shall continue to breed, it is necessary to take great pains to conserve the hatching of these salmon and it does not seem right that these people who go to that expense should do so merely that the fish, when hatched, shall swim out to sea and be caught by somebody else. You have the problem of reconciling the freedom of the seas with the application of the principles of conservation. I am not a fisheries expert and am not here to explain to you that treaty. It will come before you in due course. But my impression is, it is a great advance in solving one of the most controversial problems that exist. The Japanese approached it in the spirit of good will and we hope that it may prove an example which will help to solve more broadly this controversial matter of who has the right to fish for what and where.

Senator SPARKMAN. The heart of that is good fishing practices and conservation. Don't you believe so?

Mr. DULLES. I believe so.

Senator SPARKMAN. One more question and I am through.

FORMULA SET FORTH IN YOSHIDA LETTER OF DECEMBER 24, 1951

You referred to the letter from Prime Minister Yoshida to you dated December 24, 1951, sent through the diplomatic pouch, with reference to relations with Nationalist China. He states a formula in that letter. Is it your understanding, or do you know whether or not that formula is acceptable to the Nationalist Chinese Government on Formosa?

Mr. DULLES. We have every reason to believe that it is, Senator Sparkman, and I call your attention to the fact that the Foreign Minister of the Nationalist Government has made a statement on the subject which welcomes the letter of Prime Minister Yoshida, and I would like, if I may, to put that in the record at this point along with the letter from Prime Minister Yoshida himself.

Senator GEORGE. Yes, sir.

Mr. DULLES. If you wish, I will read that into the record.

Senator GEORGE. You may place it in the record, or read it, as you wish.

Senator SPARKMAN. I do not care to have it read. I believe it would be all right to have it in the record.

(For letter see p. 9. The statement on the letter is as follows:)

Minister of Foreign Affairs Yeh issued following statement at 1 p. m. January 18, Taipei, on subject of Yoshida's letter to Mr. Dulles dated December 24, 1951, and made public in Tokyo on January 16, 1952:

"The publication in Tokyo of the letter from Premier Yoshida to Mr. Dulles on the subject of the conclusion of peace between China and Japan has served the purpose of clearing up certain misapprehensions in this regard. It also makes clear Japan's intentions to concert her efforts with the free and democratic nations in the maintenance of the peace and security of the world.

"My Government has consistently made known its desire for an early conclusion of peace with Japan and has directed its efforts in conjunction with the other Allied Powers toward this end. The conclusion of a peace treaty between China and Japan has been unduly delayed. The Chinese Government will, therefore, hold itself in readiness to enter into negotiations with the Japanese Government with a view to its early conclusion.

"It is gratifying to note in Premier Yoshida's letter that Japan fully realizes the true character of the enslaved Communist regime now occupying the Chinese mainland and of the so-called Sino-Soviet Treaty of Friendship, Alliance and Mutual Assistance concluded in Moscow in 1950. We also welcome the expressed intention of the Japanese Government to render every assistance to the United Nations in all its measures to stem aggression."

Senator SPARKMAN. I believe that is all.

Senator TOBEY. Mr. Chairman.

Senator GEORGE. Senator Tobey.

Senator Tobey, first let me say that Mr. Dulles will be back as I have already stated in the morning at 10:30. I wish to make this statement, Mr. Dulles.

I regard the peace treaty and the related pacts in which you have been so influential in negotiating as one of the finest accomplishments in this postwar period in our international relations. I think, of course, that we all take due cognizance of the fine record made during the occupancy under General MacArthur in Japan.

All right, Senator Tobey.

ANTICIPATES VISHINSKY REACTION TO TREATY

Senator TOBEY. It may not be in order, but I make it just the same. As I have been sitting here I was thinking about Mr. Vishinsky. I wondered if and when he saw the report of this gathering, the details of which are being recorded by the facile pen of the lady reporter from the Soviet papers over there, whether or not he will indulge in another outburst, such as the one which he indulged in with regard to the disarmament proposals. If so, this one will be even a greater faux pas.

REACTION OF JAPANESE PEOPLE TO TREATY

Senator WILEY. I have no comment at this time upon Vishinsky, but I would like to get your reaction to the general situation in Japan. It was suggested by our chairman today that the fine administration by MacArthur prepared, I would say, the mental attitude of the Japanese. Do you feel that since the Japanese people, for the first time in history, found the conquering nation a good Samaritan, virtually giving, instead of taking, that this reversal of history's technique has sunk deep into the consciousness of the people?

In the recent experience in Germany, from the highest people in Government, to, you might say, those of lower degree, they emphasized tremendously the impact upon the Germans in the western sector of what I would call the reversal of the Japanese situation—the practice of the victor to give, instead of take.

It seems to me with your background and contacts—especially those you had with General MacArthur—and in view of the way the people have treated you over there, you are in a position to give on these pages your judgment that they, too, have a deep sense of appreciation of this, what I would call reversal technique.

Mr. DULLES. I feel quite confident, Senator Wiley, that the Japanese people as a whole have been deeply impressed by the way in which they have been treated. Of course, it was totally different from what they expected. When our troops first landed they found that the Japanese civilian population virtually disappeared. They had all run away and gone up into the hills and the mountains because they were afraid they would be slaughtered and ravished by the troops. They gradually came back when they encountered treatment which was far beyond anything they had dreamed would be possible. For that, of course, General MacArthur is entitled to enormous credit. Wherever I have spoken about this peace treaty I have given him the credit which I know all the world gives him for being responsible for the policies which have made this kind of peace possible and which means it may have a chance to work.

There have been many, many peace treaties made in history and almost all of them have been vitiated from the start because they reflected an attitude of arrogance, taking, demanding, involving a treatment of the people in a way which humiliated them and made them feel degraded. There has been none of that in this case.

PEACE DRAWN BY THE OCCUPATION

The peace was made, you might say, by the occupation. What we are doing here is putting into words a spirit which was born and which took growth during the occupation period.

If you had been on this last trip with us to Japan—I am sorry your duties took you to Europe instead—I am sure you would have been deeply impressed as Senator Sparkman indicated he was deeply impressed, and I know Senator Smith was also impressed, with the evident good will and manifestations of it by the Japanese people.

Of course, they had that feeling to a very great degree toward General MacArthur. I believe that through the occupation policies

which he exemplified and carried out, and the nature of the peace which we made in the same spirit, that we have made a peace which, this time, will really be a lasting and durable peace.

Senator GEORGE. Thank you very much, Mr. Dulles. You will be good enough to come back tomorrow at 10:30?

Mr. DULLES. I will be here.

Senator GEORGE. All other witnesses who have applied for time in which to state their position upon the Japanese Peace Treaty and other related pacts will please give their names to the clerk of the committee by noon tomorrow.

Time will be arranged for you on Wednesday of this week.

The committee will be in recess until 10:30 tomorrow morning.

(At 12:27 p. m. the committee recessed to reconvene at 10:30 a. m. Tuesday, January 22, 1952.)

JAPANESE PEACE TREATY AND OTHER TREATIES RELATING TO SECURITY IN THE PACIFIC

TUESDAY, JANUARY 22, 1952

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The committee met at 10:30 a. m., pursuant to adjournment, in the caucus room, 318 Senate Office Building, Washington, D. C., Senator Walter F. George presiding.

Present: Senators George, Green, Gillette, McMahon, Wiley, Tobe, and Smith of New Jersey.

Present of committee staff: Dr. Wilcox, Dr. Kalijarvi, Mr. O'Day, and Mr. Holt.

Senator GEORGE. We will come to order, please.

We have Mr. Dulles with us again today and we can proceed with questions of him.

Senator Gillette, you were here yesterday and Mr. Dulles is here again. If you are ready you may proceed with your questions.

STATEMENT OF AMBASSADOR JOHN FOSTER DULLES, PERSONAL REPRESENTATIVE OF THE PRESIDENT ON THE JAPANESE PEACE TREATY

Senator GILLETTE. Thank you, Mr. Chairman.

Mr. Dulles, there are three or four questions I want to ask you. At the same time that we are considering the Japanese Treaty, we have before us the three security treaties. Two of these are bilateral treaties, as you know, and one trilateral.

First, the Philippine-United States; second Japan-United States, and third, Australia, New Zealand, and the United States. Only the trilateral treaty sets up any international machinery. Article 7 of this tripartite treaty establishes a council consisting of foreign ministers or their deputies—

to consider matters concerning the implementation of the treaty.

CONSULTATIVE RELATIONSHIP WITH STATES IN PACIFIC AREA

Now by article 8 of that treaty the Council is authorized—to maintain a consultative relationship with states, regional organizations, associations of states, or other authorities in the Pacific area—pending the development of a more comprehensive system.

Now other such states, regional organizations or associations on my checking would appear to include the Philippines, Chinese Formosa, Japan, Indonesia, Malaya, British Malaya, Thailand, Borneo, and Sarawak, the British Colonies, the U. N. Trustee Territory, former

Japanese islands and Indochina; the associated states of Viet Nam, Laos, and Cambodia, probably the western part of Dutch New Guinea and the French islands such as New Caledonia would be included.

Now what other countries or authorities are envisaged than these? Are there others?

Mr. DULLES. I would suppose, Senator Gillette, that there might also, under this provision, be consultation with the United Kingdom, itself, which is in a position of authority in some of the areas which you mention and in which it is in a position to exert influence upon the peace and security in that area. It might be France would also be included because France has a position such as in New Caledonia. There is no attempt to limit or prescribe the states in question. It is just a matter of determining in fact what states are in a position to contribute to the security of this area.

Senator GILLETTE. Of course the provision that I quoted was that we intend to maintain a consultative relationship with states, regional organizations, associations of states, or other authorities. That prompted my question as to what was meant by other authorities and what is meant by consultative relations.

Mr. DULLES. You will see that the provisions of article 8 are permissive and not mandatory. It says the article is "authorized to," which is different from saying it is required to. In other words, it is optional upon the Council whether or not it maintains that relationship.

Obviously, it is optional upon the other bodies. We cannot impose a consultative relationship upon other states or other bodies so there has to be reciprocity in the matter. One of the reasons for this provision in this treaty is to be found in the preamble of the treaty which contains this clause [reading]:

Recognizing that Australia and New Zealand as members of the British Commonwealth of Nations have military obligations outside as well as in the Pacific area—

In other words, Australia and New Zealand as indicated by the recital here, have obligations of such a character that it naturally makes it a matter of concern to them as to what goes on in the Pacific area and also in other areas where they may have military commitments. But we have not attempted, certainly, as yet, pending the coming into force of the treaty, to sit down and attempt to work out what, if any, consultative arrangements would be desirable from the standpoint of the parties to this treaty, and what relationship would be satisfactory to the other states or organizations. There may be development in the future—for example, as you know, under date of October 13, 1951, the Governments of the United States of America, United Kingdom, France, and Turkey made certain proposals to the Egyptian Government for dealing with defense in the Middle East. There might, out of that, come something that would be relevant to this treaty. That is still to be determined.

Senator GILLETTE. Please understand, Senator, that I am not asking these questions in a severely critical way at all but these pacts constitute a commitment abroad for our Nation of such nature that the American people are entitled to know exactly what they mean, and because there was some question in my mind, I wanted the record of these hearings to clarify it.

MAINTENANCE BY UNITED NATIONS OR "OTHERWISE" OF PEACE AND SECURITY IN JAPAN

Now article 4 of the treaty between America and Japan says that the treaty shall expire whenever in the opinion of the Government of the United States and the Government of Japan there shall have come into force such United Nations arrangements or such alternative individual or collective security dispositions as will satisfactorily provide for the maintenance by the United Nations or "otherwise" of international peace and security in the Japan area. What is meant by "or otherwise"?

Mr. DULLES. The words "or otherwise" were used because it is not possible at the present time to envisage with particularity just what future developments may be in this area and there may be developments in the future which we cannot define with precision at the present time. But whatever the arrangements are if they are satisfactory to the peace and security of the area that would be an occasion to consider the termination of this particular arrangement.

Senator GILLETTE. Was it contemplated that there would be other arrangements outside of the purview of the United Nations organization?

Mr. DULLES. The provisions under which presumably any arrangement would take place would be, at least of a kind which are permitted by article 51 of the Charter of the United Nations which authorizes the members to make collective defense arrangements.

Senator GILLETTE. It is not contemplated that these organizations or authorities will be independent of the United Nations but working within the framework of the United Nations?

Mr. DULLES. There are two systems of security, you might say, that are envisaged by the United Nations Charter. One is a system of security which is operated by the United Nations itself, that could be under the Security Council, which was intended to be the primary security agency of the members. Actually, as we all know, through the abuse of the veto power by the Soviet Union, the functioning of the Security Council very largely collapsed. Because of that fact, the United States proposed in the 1950 session of the Assembly that, to some extent, those functions should be taken over by the Assembly where there is no veto power. There was a proposal put forward by the United States called Uniting for Peace, a proposal which I had the honor of handling in the General Assembly on behalf of the United States, which called upon all of the member states to have forces trained and equipped so as to be available to serve on a United Nations mission of security.

At the pending session of the General Assembly in Paris there is a proposal, which I cannot go into in detail because I have not been on the Assembly this year, which, broadly speaking, builds up on the 1950 resolution to the extent of attempting to tie in regional associations to possible United Nations action.

Now, in the main, those regional associations are organized under article 51 of the Charter which I referred to which states that nothing contained in the Charter shall prevent the member states from organizing for collective self-defense. It is primarily under that article that we have been a party to helping organize the Rio Pact and the North Atlantic Treaty Pact.

These treaties that you refer to here are of a kind authorized by article 51 of the Charter.

Now, under article 51, associations are authorized by the Charter but they are in no sense operated by the United Nations. I do not know whether that clarifies it or not.

Senator GILLETTE. Yes; it does and particularly so because my inquiry had in mind the authorization of regional arrangements under the provision of the United Nations Charter. I gathered from the language of these pacts that are now before us that they were designed to be somewhat temporary in nature until there could be a more comprehensive pact arranged within the territory, the purview of the United Nations Charter.

POSSIBILITY OF FUTURE REGIONAL ARRANGEMENT IN PACIFIC AREA

May I ask you, or anyone representing the State Department, if they can tell me: Is there at this time any preparation or plans being made for the inauguration or the drawing up of a pact, a regional arrangement in the Pacific area, somewhat similar to the NATO, North Atlantic Treaty Alliance?

Mr. DULLES. There is no such plan at the present time, Senator Gillette. You are quite right that the security treaties which are now here before us—the Australian-New Zealand Treaty, the Philippine Treaty, and the Japan Treaty—all, by their terms, indicate that the parties anticipate that there may be further developments of security in that area.

As a matter of fact, we would have been glad to have had those pacts somewhat more comprehensive than they now are. Due to a number of considerations, which perhaps I had better not go into here, we found that the only thing we could do quickly which would meet the immediate exigencies of the situation was to have a series of three separate pacts.

As I said yesterday, it may very well be that even as regards the parties concerned those separate pacts are not to be deemed the last best word on the subject. I contemplate there should be a further evolution in that area because I do not think what we have now done should be regarded as final. But there are a great many difficult problems partly of a strategic character and which relate, in part, to a certain reluctance of some of the states concerned to associate themselves closely with us at this time, which have made it impractical at the moment to go beyond what we now propose.

I am sure that what we now propose is no more than what the President said in his statement of last March when he said that these are "natural initial steps." I do not think that anyone contemplates that these are the final steps but, on the other hand, there are no new steps actually under consideration at the moment.

Senator GILLETTE. I have this final question and then I want to go into another phase of this.

INTERREGIONAL CONSULTATIVE MACHINERY

Is there any machinery at the present time for consultation among the Philippines, Japan, Australia, and New Zealand, except through the fact that the United States is a partner of all of them through these various treaties?

Mr. DULLES. There is the clause in the Australia-New Zealand-United States Treaty you are referring to, which contemplates that any council set up under this shall seek to develop consultative relationships with other states concerned with the area. That would quite possibly include the Philippines and perhaps Japan, and perhaps other countries, as you have indicated.

Senator GILLETTE. Thank you, Senator.

WITHDRAWAL OF OCCUPATION FORCES AND STATIONING OF TROOPS IN JAPAN

Now I will go to another matter very briefly. I want to clarify my thinking.

Article 6, of the Treaty of Peace with Japan subsection (a) states [reading]:

All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present treaty, and in any case not later than 90 days thereafter. Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other.

Now, having in mind that provision, which calls for the withdrawal of all occupying forces of the Allied Powers within the 90-day limit, I then turn to the security treaty between the United States and Japan, and in article 1 [reading]:

Japan grants and the United States of America accepts the right, upon the coming into force of the treaty of peace and of this treaty, to dispose United States land, air, and sea forces in and about Japan. Such forces may be utilized to contribute to the maintenance of international peace and security in the Far East and to the security of Japan against armed attack from without, including assistance given at the express request of the Japanese Government to put down large scale—

and so forth.

Is there a conflict between the provisions that the troops of all the Allied Powers shall be withdrawn within 90 days, and this provision which authorizes the United States to maintain in and around Japan air, land, and naval forces? Is there any conflict there?

Mr. DULLES. No, sir; there is not, because the bilateral security treaty between Japan and the United States is drawn to take advantage of the provisions of the second sentence of article 6 which you read, namely, that [reading]:

nothing in this provision shall prevent the stationing or retention of foreign-armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements—

Senator GILLETTE. This bilateral treaty is the type contemplated by that?

Mr. DULLES. Precisely, sir.

USE OF JAPANESE TERRITORY BY UNITED NATIONS FORCES

Senator GILLETTE. Does this have in mind, or does it contemplate the use of United Nations forces in occupied area or in transit over Japanese territory?

You have been very helpful in clarifying the other matters of which I asked.

Thank you, Mr. Chairman.

Senator GEORGE. Senator Green, do you have any questions?

Senator GREEN. Yes; but before asking I would like to seize this opportunity, which is the first I have had, to congratulate you on the great service you have rendered our country in these matters.

Mr. DULLES. Thank you very much.

Senator GREEN. My question is this: In the proposed treaty there is no reference to the installation of atomic production factories or other installations of that kind. Is there?

Mr. DULLES. You mean there is no restriction upon Japan?

Senator GREEN. That is right.

Mr. DULLES. No, sir.

Senator GREEN. Was consideration given to it?

Mr. DULLES. Yes, sir.

NO LIMITATIONS ON JAPAN AS TO ATOMIC INSTALLATIONS

Senator GREEN. It was decided they should have the right to create installations, atomic installations, and to make atom bombs and fissionable materials generally?

Mr. DULLES. No. What was decided was that it was undesirable to impose upon Japan restrictions of a discriminatory character such as are not imposed upon any other sovereign country.

In other words, our relationship to Japan in that respect, and Japan's relationship with others in that respect should be the same as other sovereign countries. We decided—and it is quite basic in this treaty—that the wisest course was to restore Japan to the same type of sovereignty as is enjoyed by other sovereign nations, and not to impose upon Japan restrictions or limitations of sovereignty of a kind which are not accepted by other sovereign nations. There is no other sovereign nation which is restricted by treaty or other international engagements from doing the kind of thing you talk about.

Now the restrictions will, in fact, operate and result; I have no question about that. But the idea of creating a second-class sovereignty is one which would be offensive to the Japanese, and history shows that as you seek to impose upon one country limitations and qualifications of sovereignty which are not accepted by others, that merely incites a desire on the part of the subjected country to prove its own sovereignty and its own worth by violating those provisions. We believe the way to work these things out with Japan is to work them out on a basis of sovereign equality, and not on the basis of sovereign inferiority.

Senator GREEN. As I understand it, your reason is that no such restrictions exist in any other treaties existing or proposed?

Mr. DULLES. I know of no country, although I defer to greater wisdom, which is represented on your committee, but I know of no country which is inhibited by treaty obligations from the type of thing you speak about except Italy and the satellite countries. Those prohibitions we are now trying to get away from. They have already been violated in the case of the satellite countries and we believe that

Italy should be restored to equality in military respects and as regards its sovereignty. That experiment has not proved very satisfactory. Any prohibitions worked out on a general basis and generally applicable we would assume would be accepted, and I am sure would be accepted by Japan in the same way that it would be accepted by other countries. But to take advantage of Japan's defeated state to impose restrictions of a character which are not imposed upon or accepted by other sovereign nations generally was contrary to the basic thesis we operated under in connection with this treaty.

Senator GREEN. Thank you.

Senator GEORGE. Senator McMahon, you were not here yesterday. Have you any questions?

JAPAN'S ATTITUDE TOWARD DISARMAMENT AND CONTROL OF ATOMIC WEAPONS

Senator McMAHON. Just pursuing the line of questioning for just a moment, Senator; I assume that the Japanese Government would be glad to subscribe to the disarmament proposals that we have made in Paris. Don't you think so, in view of their own disarmament provisions of their constitution?

Mr. DULLES. I can think of no nation, Senator McMahon, which would be more eager to see a world-wide development of disarmament, limitation of armament, and particularly limitation of production of atomic weapons. After all, Japan is the nation, and the only nation, which has been subjected to atomic attack. It is inevitable that there should persist in Japan a strong feeling as to the horror of atomic warfare and I cannot imagine the Japanese doing anything but embracing with the greatest eagerness any program for limitation of armament and particularly limitation of atomic weapons. As I say, they have been subjected to them.

Of course you have in mind—I should perhaps have referred to this in my answer to Senator Green—that the Japanese Constitution at the present time totally prohibits any activities of this sort. That prohibition is responsive to the overwhelming desire of the Japanese people.

Senator McMAHON. Of course, Senator Green's question is in point because they would have the power to change their own constitution. I think it is important that we keep two phases of this matter distinctly in mind: First, investigation and research; and second, production. I think, of course, we would not deserve the characterization of being civilized if we tried to restrain the inquiry of the human mind at any time, at any place. A different question is raised, I think, which we must consider when we talk about turning the result of that research into weapons of destruction. I do not mean, Senator, that I am taking the position that those restrictions not be laid down. I see the cogency of your argument, but I think it is well that Senator Green has raised this so that we can understand what the situation is.

JAPAN'S CAPACITY TO PRODUCE ATOMIC ENERGY

Mr. DULLES. I might add, sir, that there are no known deposits of uranium or other fissionable material available to Japan. So, as a practical matter Japan is in this respect dependent upon getting those as imports from some country that does control them. In view of the very close control exercised by what we call the free world over that, Japan as a practical matter, could not engage in production of atomic weapons without our consent.

Senator McMAHON. That is assuming, Senator, that uranium and uranium alone would constitute the stuff of the future. Of course that, too, probably will be proved untrue some day.

Mr. DULLES. It might be. But as far as is known now, Japan has no capability of her own to create atomic weapons and could only get that with the consent, knowledge, and approval of certain members of the free world. If Japan unhappily should fall under Soviet Communist domination then of course any treaty prohibition in that respect would be violated and worthless, just as they have proved to be worthless in the case of the satellite treaties.

Senator McMAHON. Yes; because then of course their fine technique and their manufacturing particularly of precision instruments in quantities would be in conjunction with the Soviet Union of tremendous importance.

As you point out, Mr. Stalin himself appreciates that when he said—and I quote you in your statement—that "The Soviet Union linked with Japan would be invincible."

Mr. DULLES. That is one of the important reasons for maintaining Japan within the community of the free nations because, as you point out, her technical ability to produce particularly high precision instruments could be of great value to the Soviet Union in the production of modern missiles and atomic weapons and things of that sort.

Senator McMAHON. I am curious, Senator. In your negotiations and deliberations, was any reference made to the very unfortunate destruction of the cyclotron in Japan in 1945?

Mr. DULLES. I do not think that came up.

Senator McMAHON. You remember that incident?

Mr. DULLES. Yes.

Senator McMAHON. An incident which we have all reason to regret and, of course, the whole scientific fraternity in the United States have very much regretted that in the past few years.

Thank you, Mr. Chairman.

Senator GEORGE. Senator Smith, you were not here yesterday. I think Senators Wiley and Tobey have completed their questions.

Senator WILEY. No; I have not.

Senator GEORGE. Do you wish to proceed?

Senator WILEY. No; I am glad to yield to Senator Smith.

Senator SMITH of New Jersey. I thank the Senator from Wisconsin.

Mr. Chairman, before I address these questions which I think are of importance to Mr. Dulles, I would like to express my regret for not being here yesterday to hear the beginning of his testimony. I had to be away on an important matter. I want to highlight for a moment, before I begin my questioning, what strikes me as very significant with regard to this Japanese Peace Treaty. I think it is a new chapter in the making of peace treaties, so far as I know anything of my history.

CONGRESSIONAL CONSULTATION ON JAPANESE PEACE TREATY

Mr. Dulles, I want to commend you, as the spearhead of the movement toward this peace treaty, not only because of your skillful dealings with Japan and with the other associated powers, but also because of the way in which you dealt with our own people here in the United States end of it in the development of each detail of the treaty.

Because the Senate has the ratifying power over the treaty, you realize the importance of having the representatives of the Senate, at least, thoroughly familiar with each detail and each step in the proceeding.

You were very wise, in my judgment, in informing the subcommittee—consisting of Senators George, Sparkman, Hickenlooper, and myself—and inviting the subcommittee to sit in with you from time to time over a period of 11 or 12 months while you were developing all the steps of this treaty. You and Mr. Allison, who has been your able assistant, I recall, met with us constantly during the months of preparation. You reported to us your negotiations with the Allied Powers, and also the points raised by you with Japan. That led, I believe, to a meeting of minds between the executive and the legislative end of the Government, and especially Members of the Senate when we come to bring this before the Senate for ratification. This laid the foundation for some of our Members joining with you in San Francisco, when the treaty was signed. Members of this committee, Senators Connally, Sparkman—I forget who all actually signed, I know on our side Senator Wiley, the ranking minority member—signed the treaty. We all felt that was a step in the direction of cooperative action here. Then, your step-by-step movement with the other countries led to the creating of a treaty which again was unique in history.

This treaty is not a treaty of reparations and revenge, and taking advantage of a defeated power, but it is a treaty of reconciliation, and a treaty of striving ahead with the Western Powers for a free world.

I want to take this occasion to make that little preliminary statement and tell you how much I personally appreciate what, I feel, was a very unique and outstanding case of leadership in developing a new approach to international relations through this Japanese Peace Treaty.

Mr. DULLES. Thank you, sir.

Senator SMITH of New Jersey. I read over your statement yesterday and I found a few things that impressed me which I would like to develop a little further.

POSSIBLE FUTURE DEVELOPMENTS IN RED CHINA

On page 5 of your statement at the bottom of the page you make this statement which is so much in line with what I hoped might be the ultimate result in the Far East that I want to emphasize it. You say [reading]:

The best informed Japanese are convinced, with us, that the alien doctrine of communism cannot permanently conquer the Chinese spirit or liquidate the innate individualism of the Chinese race. The Chinese nation will not permanently suffer the imposition of a tyranny which places them in the service of alien masters. There will be an end to a tyranny which the Chinese will come more and more to hate. We should assume the impermanence, not the permanence, of the present Moscow oriented rule of China.

You seem to say there, and I emphasize it because I have thought of it so many times, that in the long run we must all be thinking in terms of a free and independent China, as one of the elements of strength in the Far East to prevent the further spread of exploitation there.

You say [reading]:

We cannot expect change in China to take place automatically. To realize such change will require something besides negative and purely defensive policy—

I am quoting now from your statement—

in Asia on the part of the leaders of the free world, notably the United States. It will require determination to promote freedom and independence in Asia and action consistent with that determination as opportunities arise.

The mood of the people of Japan, like the mood of other free peoples who are close neighbors of Asian communism, will in the long run largely depend on the attitude and action of the other free nations. If they persevere in positive policies in support of real national independence in Asia, Japan will be a dependable and able coadjutor.

I like the words "positive policies" there.

Now I simply call attention to that because it seems to me that emphasizes the thing that we are driving at—no more imperialism, no more exploitation, no more making the people of Asia second-rate people but wholly free people, free to join with the western nations working toward the freedom of the world.

It occurred to me that you might possibly have in mind some further development of that thought especially a positive policy to combat communism in China, by working with Japan who now is one of our allies with the ratification of this peace treaty.

Mr. DULLES. I think you have put your finger on what was to me an important phase of my presentation yesterday. There is a great tendency on the part of people to take a rather defeatist attitude toward the Communist menace, I think, and to assume that once an area has been overrun by communism that that is final and for all time the situation, and the only thing we need to worry about is what they are going to take next.

In my opinion, that is a false approach and an approach which is not at all warranted by the probabilities. There is one thing that has been demonstrated by history, time and time again, and it is that these great sprawling absolute despots which operate from a few men in authority who do not delegate responsibility, do not teach the people to have initiative but, on the contrary, merely to operate as automata under direction and command, that that type of structure is vulnerable; it falls apart, and the innate love of the people for liberty and the right to conduct their own affairs in their own way and not simply be regimented, that is the force which prevails.

I am confident that it will prevail in China where, above all, there are a people who have demonstrated their individualism, that their love is dedicated to their families as the unit of highest value.

DEFEATIST ATTITUDE TOWARD CHINESE MAINLAND UNWARRANTED

The Chinese have demonstrated time after time after time that they absorb these alien doctrines that come, and are imposed on them from without, and in the end it is the innate individualism and love of their country and their own people which prevails.

We talk about the relationship of Japan and China to each other in terms of trade. So many people seem to assume that this is a permanent situation. If it were a permanent situation, going to last forever, then there are a good many positions on the outskirts of that area which become precarious. We do not need to assume that is a permanent situation, we should not assume it, and the policy of the United States should be, as it always has been historically from the time our Nation was founded, to keep alive the love of freedom on the part of the people, knowing that that love of freedom will find ways to express itself and roll back despotism.

When this country was formed and organized the world was ruled by despots. It so happened that the leader of those despots was Czar Alexander of Russia, who organized the Holy Alliance, exercising the rule of despotism over a large part of the world. It was largely inspiration that stemmed from this Nation that rolled back that tide of despotism. Never before in our history have we adopted a defeatist attitude toward despotism and I see no reason why we should do so now. I believe if we can inspire the free peoples of Asia, those who are still free, with this spirit, and if they know that that is our spirit, it will completely revolutionize the whole situation in Asia and the people who still love freedom will find ways to make that effective.

To me the most important single thing that the United States can do and the thing which is indispensable to hold a free world position, not only in Japan but in Korea, Formosa, and Indochina, and to spread it, is that we must adopt these positive policies and get away from the idea that this overrunning of China by Soviet communism is a final, last word as to what is going to happen to China. There have never been those final last words as regards China in the past, and I do not think it is so now.

Senator SMITH of New Jersey. You would agree then, Mr. Dulles, that while the security program is important, and military strength is important, these psychological approaches are even more important if we are going to find ultimate and final peace in the troubled nations of the world?

Mr. DULLES. Yes. A policy which consists only of a military defense is doomed to failure.

Senator SMITH of New Jersey. I am glad to hear you say that because it seems to me we must begin to think in the terms you have just expressed of a free and independent Asia and a free and independent China, as one of the keystones to that—putting the Japanese people in that same alliance.

Mr. DULLES. I would like to add a word. I was interested to note that Mr. Churchill in his address to the Congress, which I had the opportunity of hearing with the Senators, indicated the same view that I expressed here, and that is, that it is neither necessary nor proper to consider that Soviet Communist domination of China is a permanent thing.

Senator SMITH of New Jersey. That is a very reassuring statement from a person of your background and knowledge. You will recall that, at your suggestion, two of us on the Far Eastern Subcommittee went to Japan in recent days in connection with these discussions. Senator Sparkman, to whom I want to pay tribute, and Senator Dulles and I were together on this trip to Japan. For the record, I want to say I never had greater satisfaction working with anybody anywhere

than with Senator Sparkman and Senator Dulles. We worked together; there was no partisanship, just interest for the best results with this whole Japan settlement.

JAPANESE TRADE WITH THE CHINESE MAINLAND

One of the things you will recall, was the discussion of the economic situation of Japan, and the question of trade. I wanted to see whether you had any comments to make with regard to the way the Battle Act was working in screening and keeping strategic materials out of Communist China. Also do you have any comments with regard to the relative importance to Japan of trade with the mainland of China or trade with Formosa and southeast Asia. We discussed that at some length among ourselves and with representatives of the Japanese people.

I think, for the record, it might be helpful to get your considered judgment on this trade situation and the repeated statement of the importance of Japanese trade with Communist China as compared with the importance of her dealing with Formosa, where the Nationalist anti-Communist group are, and with southeast Asia.

Mr. DULLES. As I indicated yesterday, Senator Smith—

Senator SMITH of New Jersey. If I am asking you a question you have answered before, just say so. I am trying to collect my own thinking on our trip.

Mr. DULLES. I am very glad to have that question because it enables me to elaborate a little bit some of the things I said yesterday.

As I did say yesterday, the trade between Japan and China has, during the past year, diminished to very negligible proportions. That is primarily because of the effect of the United Nations-recommended embargo on trade with China as an aggressor. It is also in considerable part due to the fact that China, like other Communist areas, has in fact very little to offer in the way of international trade. The Communists always put on a good show and a good propaganda about trade, and they try to make other countries believe that trade with them would be an extremely profitable and desirable operation.

They put on trade fairs occasionally, and they put on a few things for exhibit. As a matter of fact, China itself today is in a desperate economic plight. It cannot offer anything very attractive in the way of international trade. The same applies to the Soviet Union.

But because of these various reasons, the Japan-China trade has shrunk to infinitesimal proportions. Less than 1 percent of Japan's total trade last year was in terms of exports to or imports from China.

TRADE CONTROLS IN THE BATTLE ACT

Now, as regards the future, countries like Japan—and there are many such countries, including United Kingdom, France, the Scandinavian countries, and so forth—will probably be under the provisions of the so-called Battle Act which has been very largely ignored in the discussion of such problems as Japan-China trade.

That act lays down the policy of the United States not giving military, economic, or financial assistance to any country which does not join in the common program of preventing the Soviet-dominated world from getting goods which are of strategic value, or which will build up

their potential strength which could be used against the free-world countries.

Senator SMITH of New Jersey. May I interrupt? We had the Battle Act in mind at the time we were discussing Korea. Your conception of the Battle Act is much wider than just for the Korean situation.

Mr. DULLES. The Battle Act establishes broadly the policy of the United States not to permit exports to the Soviet Union and any countries under its domination. It is not directed primarily against China as an aggressor in the Korean war. China is not mentioned by the act. The only countries mentioned by the act by name are the Union of Soviet Socialist Republics and all countries under its domination which is deemed to include China. It establishes a very broad policy of trade between the free world and the Soviet-dominated areas, and says that the United States will not give military, economic, or financial aid to countries unless they cooperate in that act.

Japan, like many other countries—the members of the North Atlantic Treaty—will be receiving military and economic aid from the United States, and will have to comply with that act as a condition. The question of trade in the future between Japan and China is not something that is dealt with or determined by such a thing as this letter of Prime Minister Yoshida's which has been referred to previously. Some people seem to think that that letter is determinative on the trade between China and Japan. Nothing could be more false than that assumption. The question of trade between Japan and China is governed by the provisions of the act which are the conditions under which the United States gives the military, financial, and economic aid which Japan will be receiving. Military aid under the security treaty, economic aid for instance in terms of \$40,000,000 Export-Import Bank cotton credit which has just been extended.

As I said yesterday, Japan has certified its compliance with that.

Under that act there is a long list of articles. You can see from this sheaf of papers before me what they are. The export of that has to be embargoed or controlled. All of the countries that are working together here in the free world are complying with that. The result of that is going to be to cut down very sharply trade between the so-called free world and the Communist-dominated world. That is the policy of the United States. It is the policy in which other free nations are gladly cooperating. It is a policy in which Japan is cooperating and it is a result of that policy that we must anticipate that, so long as China is under this Soviet-alien domination, there will not be important trade between Japan and China.

JAPANESE PRESENT TRADE POSITION

As far as the other aspects of Japan's trade are concerned, of course the trade with Formosa is of increasing importance. During the last year Japan's trade with Formosa has been four or five times as large as its trade with the China mainland. It is back again to about what it was during the period when Formosa was a part of Japan as one of its colonies. That trade is immeasurably more important to Japan than the trade with Communist China now is, or, under the terms of the Battle Act, could be.

Also, as I pointed out yesterday, this virtual extinction of trade between Japan and China has not militated against the steady, healthy recovery of China's economy.

Her foreign exchange position is very healthy, has become so during this past year. It is partly due to what you might call fortuitous accidents, the fact that in some ways the Korean operation has been of financial benefit to Japan, but in these days most of our economic life is something we cannot figure very closely in advance, and depends upon unpredictable circumstances of one sort or another.

I have complete confidence that Japan, with its unique ability of an industrial character in that part of the world, will find increasing opportunities to develop and strengthen its economy without this trade with the Communist area which, as I say, is foreclosed not by Japan's policy in regard to Formosa, but by the provisions of the Battle Act.

FINANCING JAPAN'S ECONOMIC RECOVERY

Senator SMITH of New Jersey. That takes me to another thought with regard to Japan's economic position. We were constantly asked the extent to which the United States or other countries might help in Japan's economy. We realize Japan's economy is weak and would make it difficult in the postwar period to keep Japan alive and a member of the western group of power.

In your statement of yesterday I found another paragraph which interested me. That is on page 5. You said there, and I quote:

Japan will need what the Potsdam surrender terms promised, namely, "access to raw materials" and "participation in world trade relations." She will need to modernize her industrial plant, which is now somewhat obsolete, and to develop further her large natural resources of hydroelectric power. Such needs call for technological help, which can be supplied from the United States, and it perhaps calls for foreign investments from public or private sources.

You will recall, Mr. Dulles, when we were in Japan we spent a very interesting day visiting first Osaki where very large cotton mills are. We had Senator Sparkman with us who knows something about cotton and he was very complimentary to the cotton development there.

We then went to Kobe where the enormous shipbuilding plant is and we saw them complete some fine vessels for sale to foreign countries.

Then we moved over to the Yawata steel mills. I am not an expert in such things but it seemed those mills were doing a great job in production of steel products. I want to ask you this question—whether you did not feel that the recovery of Japan economically, as evidenced by those samples we saw, gives promise of a sound industry there? Did you feel that financial loans from private or public sources would be safe loans and would not be simply handing out money to keep a dying economy alive? Don't you believe that Japan will be able to go ahead, under proper conditions with her industrial production?

Mr. DULLES. I had the impression, and I think we all did, that Japan is a good credit risk, and that particularly, there may be the desirability of helping Japan to develop more fully its hydroelectric sources of power. Japan is short of power at the present time and the loss for the time being, at least, of access to coal from Sakhalin, and also from China throws a heavier burden than before upon water power resources.

There are opportunities there of very important developments. Whether Japan can handle that through her own finances, or whether she will have to call on outside help is something that needs to be explored.

But certainly from the standpoint of credit risks, from the standpoint of making a constructive investment, I would think that that affords as useful an opportunity as I know anywhere.

DISPOSITION OF OKINAWA

Senator SMITH of New Jersey. I have one more question I want to ask you that has to do with a totally different subject. I refer now to the Treaty of Peace with Japan, article 3, which reads as follows:

Japan will concur in any proposal of the United States to the United Nations to place under its trusteeship system, with the United States as the sole administering authority, Nansei Shoto south of 29° north latitude (including the Ryukyu Islands and the Daito Islands) Nanpo Shoto south of Sofu Gan (including the Bonin Islands, Rosario Island and the Volcano Islands) and Parece Vela and Marcus Islands. Pending the making of such a proposal and affirmative action thereon, the United States will have the right to exercise all and any powers of administration, legislation, and jurisdiction over the territory and inhabitants of these islands, including their territorial waters.

I think the record should show at least that the island of Okinawa, which is one of the Ryukyus is a very important point on which we have some airfields, and it is part of our island chain of defense in the Far East. When we were there you will recall, Mr. Dulles, that we were given a memorandum by our Japanese friends, impressing on us their desire for an ultimate return of sovereignty of the Ryukyus and Bonins to the Japanese people.

While this article 3 simply suggests Japan will concur, if they are asked to, in a trustee system, the question was raised whether that is the wisest disposition.

As I recall our discussion, we felt it would be wise not to make a final decision on this matter. Instead, we would think in terms of working out the best possible disposition of those islands for the happiness of the Japanese people and for the happiness of the inhabitants themselves, having in mind of course the defense needs of the United States.

I thought you might want to comment on that and make it clear whether or not you felt there had been any final disposition made of that matter up to this time.

Mr. DULLES. There has been no final crystallization of thought within the United States Government as to how to exercise the rights and privileges given us by article 3. Article 3, you might say, gives the United States an option on that position.

Now, how we exercise it is as you suggest a matter to be determined in the light of a number of factors, one of which is strategic because the position does have high strategic value. Also, there are human elements to be taken into account—sentimental and historic factors. All of those need to be weighed and appraised and brought within some formula as to what will be the best all around. There has been no effort yet made to reach any final decision on that matter. I suppose it will not be gone into in any exhaustive way until after the treaty come into force.

But even if there is a United Nations trusteeship, the terms of such trusteeship lend themselves to very great flexibility and there is no rigid pattern of trusteeship. We are not obligated even to apply for trusteeship. It says if we do apply for trusteeship Japan will concur. There is a provision, pending application for trusteeship the United States may exercise any and all rights that it wants. Just what rights we would select to exercise is a matter which, as I say, has not yet been finally determined by the United States. So that position is at the moment fluid and is one of the situations which will have to be explored more fully by the departments of the Government which are principally concerned.

National defense will have an important voice in those decisions but there are other considerations also which we all agree would have to be taken into account. I would not want to hazard a guess as to what the future work-out of that position will be.

Senator SMITH of New Jersey. I have just one more question and that has partly been covered already.

REASONS FOR THE LACK OF LIMITATION ON JAPANESE SOVEREIGNTY

I am asked constantly by people who have read this peace treaty with Japan why we failed to limit armaments of Japan.

I think you have already discussed the issue of the sovereignty of Japan. Do you have any further comment to make on the omission in the treaty of any limitations whatever on armaments of the Japanese people in light of the fact that there has been criticism of Japan's being militaristic and so on?

I think that we should have the record perfectly clear on that point, and the reason for omitting that.

Mr. DULLES. The reason for leaving that out was that it seemed to us that a practical limitation of Japan's offensive capacity was better achieved through working arrangements with Japan than by attempting to prescribe rigidly in a peace treaty what the situation should be.

There is not enough human wisdom in the world to write limitations of this sort of a concrete nature, and be sure that 5 years from now they will be what we want.

We already see in the case of the Italian Peace Treaty that provisions which we wrote 5 years ago and thought were going to be good forever, we are now trying to get rid of.

Now the practical situation is that we hope to work out the security of the area through such cooperation between the United States forces and Japanese forces, and perhaps other forces in due course, so that the Japanese forces of their own could never be an offensive threat. That basic proposition was rather clearly set out by President Truman in his opening address at the San Francisco Conference. He said this [reading]:

The development of regional arrangements for defense in the Pacific will mean that such Japanese defense forces as may be created would be associated with the defense forces of other nations in that area. Japan's security would not depend exclusively on Japanese forces but on interrelated security arrangements with other countries. The Japanese contribution by itself would not constitute an offensive threat.

Now I cannot say just how that will work out because that is a matter for the military people and even they have not got the picture finalized.

You will bear in mind that at the present time Japan does not have any military forces whatsoever and is prohibited from doing so by its constitution. It does have a police force which it is developing so as to better be able to deal with matters of internal security, and it is developing a coast guard. But it has no army, navy, or air force whatsoever, and there is no immediate prospect that it will have. But just to take a hypothetical case, let us assume that there came about a Japanese army of a certain number of divisions.

There is no reason to believe that the Japanese would, at the same time, have a comparable navy or a comparable air force because other free-world nations are in a position to supply that element of defensive power.

You would, presumably, under those circumstances, have a combination of a Japanese land force, and the United States, or perhaps some other free-world power, would supply air power and others might supply naval power.

The result would be you would have for defensive purposes a balanced force involving land forces, sea forces, and air forces which, combined, would be effective for defense.

But the Japanese land forces would not be able to take the offensive because, they would not themselves have the sea power and the air power to take their troops away from their own land. That is the kind of thing which I think the President of the United States had in mind when he developed the thesis that collective security is the best practical protection that there is against a resurgence of effective Japanese aggression, because it will mean that the Japanese will not alone have the capacity to be an offensive threat.

I believe that that way of working these things out is a modern, enlightened and effective way, infinitely more effective than the old-fashioned method which has been tried, and which has constantly failed, of trying to write discriminatory provisions in a treaty, which in fact, are merely provocative of the very action you want to prevent.

DEPENDENCE ON COLLECTIVE SECURITY ARRANGEMENTS RATHER THAN REARMAMENT OF JAPAN

Senator SMITH of New Jersey. I think that is a very good statement and will answer many people who will say, "Well, if they don't plan to arm, how are they going to defend themselves in case they are attacked? We can't defend them indefinitely." You have indicated it will be through the collective security to be developed there.

Mr. DULLES. That is one of the advantages of collective security. Collective security makes it possible to have adequate defense, but it is composed of so many different elements that no one can effectively be an aggressor.

Senator SMITH of New Jersey. Our collective security plans in the Pacific will be within the four corners of the United Nations, under article 51 as you mentioned earlier, so we are not getting away at all from the United Nations' allegiance, or from working with the United Nations in this program.

Mr. DULLES. On the contrary, the basic thesis of the United Nations is precisely the thesis I presented, namely, that security to be effective, should be on a collective basis; if it is on a collective basis, then you can get security without its becoming an offensive national threat.

ACKNOWLEDGMENT TO WITNESS

Senator SMITH of New Jersey. Mr. Dulles, I want to thank you for the privilege of working with you on some of these things and I want to thank Mr. John Allison for the courtesies he has shown me. I am happy to learn he is going to continue to develop more ideas in the Far East. I want to state here for the record what a privilege it was to meet with our people in the Far East. I have in mind Admiral Radford in Honolulu, General Ridgway and General Van Fleet on the military front, and our State Department people, Mr. Sebald and also Mr. Rankin. It was a privilege to go to these points in person because I felt right along the members of the Foreign Relations Committee could make their best contribution if they were able to work with those of you in the executive department and see for themselves upon the ground, how these things were developed.

Mr. Chairman, I am happy to make this acknowledgment of my appreciation for the privilege of working with Mr. Dulles and Mr. Sparkman, especially during the last month and a half in these considerations and lining up of the Japanese Peace Treaty, getting it in shape to bring to the floor of the Senate in the hope that we will get a prompt ratification.

Mr. DULLES. I am glad you referred to Mr. Allison. I have received certain expressions of appreciation which I am deeply grateful for, but throughout this work Mr. Allison has been my most effective, loyal, and able deputy, and if we have had a success here, it is not individual success but a success in which he largely shares.

Senator SMITH of New Jersey. I am aware of that and I had experienced that, and therefore I wanted to give the twins the benefit of my own experience.

Mr. DULLES. Thank you.

MORAL OBLIGATION ON UNITED STATES TO HELP JAPAN IF NECESSARY

Senator GREEN. Mr. Dulles, you have dwelt on the legal and explicit obligations on the part of our Government to Japan under this proposed Japanese-American Pact.

I want to ask whether, in your opinion, there is any moral obligation on the part of the United States to aid Japanese security by supplying such financial assistance as may appear to be required.

Mr. DULLES. There is no understanding, express or implied, with reference to giving any particular economic aid or assistance to Japan. Everybody knows what the United States policy is, and it is natural that the Japanese should feel, as a partner with us, that they would not be discriminated against. But there is nothing that has been said or done which gives anyone in Japan any right to come to us and say, "You are required to continue to give us economic aid."

What we do will be determined, I take it, by what an enlightened view of our own self-interest requires. That will be a guide and the policies which the Congress lays down. Within that framework I would believe and hope that Japan, if it needed it, would be qualified to receive the kind of help which we are giving others, although Japan would never, in my opinion, need aid in the form of a grant or a gift. Japan's economy is entirely capable of sustaining itself and as I pointed out, within the last year Japan's economy has more than held its own in the world without any grants-in-aid from the United States.

Senator GREEN. I know there is no explicit obligation and I asked you whether, in your opinion, there would be any moral obligation.

Mr. DULLES. In my opinion the United States would be under a moral obligation to give sympathetic consideration to aid Japan if, as a result of following our common policies, the Japanese economy was in need of such aid. You may recall, Senator Green, that the Covenant of the League of Nations provided that if, as a result of sanctions which were agreed upon, there was an economic burden which was disproportionate in the case of certain countries, that that would be shared on an equal basis.

In other words, that the burden of economic sanctions should not unduly fall upon one country which, in aid of the common cause, was required to accept a special sacrifice. I think that is a very sound and basic principle which probably the United States would want to take into account, as it carries out the policies that are expressed in the Battle Act.

Senator GREEN. You have also stated you thought Japan would be, as I understand it, more likely than other nations, many other nations, to bear the burden itself.

Mr. DULLES. To do what?

Senator GREEN. More likely to be able to bear the financial burden itself than some of the other nations.

Mr. DULLES. Yes; I do not anticipate that this contingency will actually arise. I say, if it did arise—

Senator GREEN. In that case would there be any moral obligation, in your opinion?

Mr. DULLES. Yes; there would be. I may say in that connection that the Collective Measures Committee of the United Nations has adopted this same principle which was expressed in the Covenant of the League, namely, that in carrying out sanctions if the burden falls unequally or harshly upon some particular member who is joining in the common effort, then that should be a matter of consideration by all of them so as to share the burden equally.

If that contingency should arise in Japan I think that Japan should be able to invoke the sympathetic application of that principle.

I do not anticipate that it will be necessary, and in my opinion, such extensions of credit as may be desirable in the case of Japan will be purely on a basis upon which bankers lend money, namely, that there is an opportunity to lend money in a way and on terms which will on the one hand assure you that you get your money back, and on the other hand, assure of a constructive result through creating a greater productive capacity.

I think that that normal banking relationship, the kind of thing that should and would appeal probably to the World Bank or to the Export-Import Bank, those factors exist in the case of Japan. I do not think it likely that there will be any occasion for a pure financial contribution to equalize the burdens of having sanctions against the Communist world.

But if that should occur, I believe Japan could properly invoke the principle.

Senator GREEN. Do I understand you to say the moral obligation would be only such and to the same extent as would be the case with any other nation?

Mr. DULLES. Yes, sir.

Senator GREEN. Senator Wiley, I believe you have some other questions?

Senator WILEY. Yes.

Mr. Chairman, I want to join with all my associates in paying a compliment to Senator Dulles. I could not help but think as I heard the encomiums pour out from both sides here, that much more of it and he will be a dark horse.

Senator SMITH of New Jersey. That is all right.

Senator GREEN. Maybe he does not need any more.

JAPANESE APPRECIATION OF PEACE TREATY AND SOVIET THREAT

Senator WILEY. Senator Dulles, a treaty can be a scrap of paper if the contracting parties have the same concept that Emperor William had. Yesterday you told us definitely that in your opinion this new experience, this historic turn of approach of victor to vanquished had greatly impressed the Japanese people.

I assume that is why you feel that this treaty with Japan will be full of the spirit and not simply the letter of fulfillment. Is that right?

Mr. DULLES. Yes, sir.

Senator WILEY. Is there not another reason, and that is, that the Japanese people know quite well what it would mean to come under the dominance of Russia? They would become mere serfs or slaves, would they not? Is there a realization deep in the Japanese on that subject?

Mr. DULLES. I do not suppose there is any people in the world, with the possible exception of some of the Scandinavian countries, who have been close neighbors of Russia, but there are no other peoples who are as fully aware as the Japanese are of the potential menace which resided first in the Czars and now in Soviet communism, both of which are imperialistic and aggressive.

The Japanese have had to cope with that throughout their entire history. I think they probably know about that danger, almost better than we do. Perhaps they can find or help us find some way to deal with it because they have had a much longer experience in dealing with it at close quarters than we have had.

Senator WILEY. Then it is your opinion that the possible economic crisis that might come in the course of not trading with the mainland, that that in itself, would not influence the direction of Japan as far as falling away from the obligations of the treaty?

Mr. DULLES. I think that those elements will make the Japanese eager to become partners in what I referred to here as a positive policy to change that situation. I do not think that the responsible people of Japan want to become engaged in an economic alliance which we all know and they know well, too, always if you are dealing with Soviet communism, has serious political implications. They did not want to get caught in that political web.

RELATIONSHIP OF PEACE TREATY TO YALTA AND POTSDAM AGREEMENTS

Senator WILEY. Do you think, as a matter of law, that if and when this treaty becomes the law of the land, it would operate in any way to be a ratification of the Yalta and Potsdam agreements?

Mr. DULLES. On the contrary, Senator Wiley, this treaty is the first formal act which the United States will have taken which involves

a clear abandonment of Yalta. As you recall, at San Francisco, the Soviet delegates and their satellites, the Czechs and the Poles, howled to high Heaven that this treaty was violating Yalta. I do not say it violates Yalta because already Yalta had been violated and by them.

It can be said that this treaty departs from Yalta, ignores Yalta, and in that respect I think it is something which the Senate of the United States will welcome as the first formal act by the United States which recognizes our total freedom from any obligations that stem from Yalta.

Senator WILEY. I think that is a very clear statement, and I think it should rub out a lot of misunderstanding on that subject.

NATURE OF RUSSIAN MISSION IN JAPAN

Now when you were in Japan did you find that the Russians had an official mission there, and that its activities related to espionage and cultural relations activities, and so forth?

Mr. DULLES. The Soviet Union has a mission in Tokyo which is accredited to SCAP at the present time. It is not technically accredited to the Japanese Government because no missions are allowed to be accredited to the Japanese Government. It is accredited to SCAP. The activities of that mission there are not a matter of public knowledge. I may say that the character of that mission has changed very considerably within the last few weeks. It had, up to that time, been primarily of a military character. They have changed their personnel considerably so that now they are more of the propaganda and economic people there, and fewer of the military people.

Senator WILEY. What will be the status of that meeting after ratification of the treaty?

Mr. DULLES. That is somewhat of an enigma.

REASONS FOR OMISSION OF REPARATIONS CLAUSES IN TREATY

Senator WILEY. Now, Senator Dulles, article 14 provides that [reading]:

Except as otherwise provided in the treaty, the Allied Powers waive all their reparation claims against Japan arising from the war or from direct military costs of occupation.

Was the purpose of this act of generosity that of aiding the early economic recovery of Japan and the creation of good will? Will this act of generosity outweigh the bitterness of Japanese aggression against the Philippines, Australia, and elsewhere? Could Japan have met any considerable part of the reparations bill in any event? Those are three or four questions but they are all in one package.

Mr. DULLES. The treaty provides that the countries that were occupied by Japan and damaged through that occupation will have a right to get reparations from Japan in the only way which it seemed economically possible—namely, through the use of Japan's surplus industrial capacity and its surplus manpower. Those are the only two things which Japan has in surplus which could be used to pay reparations.

The theory of the treaty is that if these reparations creditor countries want to supply Japan with the raw materials Japan will use its surplus labor and surplus industrial capacity to fabricate these into what these

countries want. So that they will get, free of cost, the enhancement of value which will come through that fabrication.

Also, it is contemplated that certain other operations in the way of salvaging ships for example, either for the use of the ships themselves, or if they are too far gone, so as to make the steel available for scrap purposes—things of that sort will be done by the Japanese.

There are discussions that have been going on actively in Tokyo between the delegation from Indonesia and the Japanese with reference to performing certain services of that sort for Indonesia.

Those negotiations have been conducted with good spirit and just a day or two ago there was a document of what they called a Declaration of Intention, an exchange of letters between Indonesia and the Government of Japan, which looks to the implementing of that aspect of the treaty. Similar negotiations are in prospect as regards the Philippines.

We believe that the Japanese in ways that are economically possible to them, should demonstrate a real desire to try to remedy some of the wrongs that they have done. We believe that is the sentiment of the Japanese people themselves. They have frequently expressed it in the highest quarters. That is, a desire within the limits of their capacity to make good some of the wrongs that were committed.

But, as we have learned, through very hard experience under the Treaty of Versailles, and since then in the case of Germany and Italy after World War II it is almost impossible for countries situated like Japan to assume external burdens there, to pay in foreign exchange, because Japan's problem of getting enough foreign exchange to finance her own essential imports is going to be a sufficient burden for Japan. If you threw a reparations liability of that sort upon Japan, either it would destroy Japan's economy, or else the burden of that would, in effect, be shifted to the United States.

So we provide there that these reparation liabilities shall not throw any foreign-exchange burden upon the United States, or throw any burden upon any other Allied Powers. That is a polite way of saying that the United States is not prepared to pay reparations as it did in the case of Germany after the First World War.

ATTITUDE OF OTHER PACIFIC NATIONS TOWARD REPARATIONS

Senator WILEY. May I interrupt there and say something which I do not think was brought out by anyone here, but which has been said by the people of Australia, and I suppose in the Philippines? That is that it was only due to your ability to sell the Christian principle that it was more blessed to give than to take the hide off your enemy that that clause was really adopted. My question is whether you feel now that that Christian idea has been appreciated by countries who have suffered so much at the hands of the Japanese people, namely, Australia and the Philippines and the islands which the Japanese so rudely handled? Do they appreciate the change in the approach in international affairs from that of the victor taking the spoils, to the victor paying the bill?

Mr. DULLES. I could not honestly say, Senator Wiley, that spirit of forgiveness has wholly permeated the peoples who suffered most brutally from the Japanese. I would say that if we had suffered, as have some of those people, and as you see in the wreckage of places.

like Manila, for example, that it would be difficult for us to be as forgiving as we have been.

On the whole, however, I think that principle is gaining acceptance and that there is growing realization of the fact that really a spirit of hatred and vengefulness, harms you in the long run more than it harms the other fellow.

As far as the attitude of the Japanese is concerned, I think there is a real recognition of the fact that this treaty reflects the spirit of reconciliation to a great degree, which is quite unique in the treaty-making process.

Of course, I do not suppose one should ever deal with other countries on the theory that gratitude will be a spirit which will long survive. I think you do the thing you think is right, and in the long run it will be of the greatest benefit to humanity, including yourself; you deal with a thing in a spirit of enlightened self-interest, but gratitude, of course, is not a spirit which is often retained long by one country toward another. I would not want to measure the value of what we have done merely in terms of gratitude because I think we did it for other adequate reasons. But certainly today there is a very large measure of appreciation in Japan of the enlightened spirit which is reflected by this treaty, and I think there is a good chance that it will survive as long as such sentiments ever survive in people who soon become engrossed in their problems and, of course, the fact is that under this treaty the Japanese will have very substantial burdens to assume. Their burdens, under the treaty, will be greater than the burdens they have assumed under occupation.

There will be substantial reparations to be met; there will be substantial burdens in yen for the restoration of Allied property in Japan, and the Japanese people will have to work hard. They are not going to have an easy time of it. Perhaps in the future, the present mood of gratitude might gradually vanish. But even if it does I will not regret the attitude reflected by this treaty and, I am sure that in the long run, those who have taken this attitude will increasingly come to realize they have taken the wise and statesman-like approach.

FUTURE SOVIET RELATIONS WITH JAPAN

Senator WILEY. If and when the treaty comes into force what will be the Soviet Union's relation with Japan and what effect will the Soviet Union's failure to sign the peace treaty have in that picture on the future of Japan?

Mr. DULLES. No one knows what the future attitude of the Soviet Union will be toward Japan. Even if it retains a belligerent status it will not be able to exercise any belligerent rights so long as a majority of the members of the Far Eastern Commission are going along with the peace treaty, which they now are, so far as signatories are concerned.

In other words, the belligerent rights that are possessed can only be exercised through the Far Eastern Commission and with a substantial majority of the members of the Far Eastern Commission having made peace with Japan, they will be in a position to prevent any abuse through the Far Eastern Commission of belligerent status by any one other country.

Now whether or not the Soviet Union makes peace with Japan one can only guess. Up until very recently the attitude of the Soviet Union has been very hostile and belligerent toward Japan. Stalin's new year's greeting to the Japanese people, may mark a change of policy. But that again is guessing as to what the mind of the Kremlin is and that is amusing, but not very productive exercise.

Senator WILEY. You know, Senator Dulles, there is a conference scheduled between the trade delegations of Japan and the Soviet, I think some time in April, supposed to be in Moscow. Have you any comment to make as to what effect or what direction that might take or what you think might happen in relation to the matter?

Mr. DULLES. So far there are no clear indications as to what the attendance of that conference will be from non-Communist countries. There are reports from various countries of prospective attendance, but as far as Japan is concerned, there is no verification as yet as to what will take place there.

As I have indicated, under the provisions of the Battle Act and Japanese certification under that, it seems to me quite unlikely that any substantial results would come out of it as far as Japan or any other free world nation is concerned.

Senator WILEY. I think that is all, Mr. Chairman.

Senator SMITH of New Jersey. Could I ask just one question, Mr. Chairman?

Senator GREEN. May I ask one further question, please, first? It is directly concerned with this.

REASON FOR SOVIET REFUSAL TO SIGN PEACE TREATY

Mr. Dulles, in your opinion, what was the real motive of the Soviet Union in refusing to cooperate in negotiating and signing this treaty?

Mr. DULLES. I would think that the principal reason, Senator Green, why they did not go along with the treaty was because they, for political reasons, felt unable to go along and make a peace with Japan unless the Chinese Communist regime was also included in that peace. That was a position to which we objected adamantly.

The basic position of the Soviet Union was it was not practical to have an effective peace with Japan unless the Chinese Communist regime was also a party to that peace. I think that is a principal reason. Of course, they also had serious objection to the provisions of the treaty, which most of the free-world nations wanted, namely the provision that there would be collective security between Japan and the United States, and the provision that the United States would have a right to retain bases in Okinawa, and the Ryukyus. Those were provisions which they strongly objected to.

Senator GREEN. But those reasons were against signing the treaty, and not the matter of refusal to take part in negotiations.

Mr. DULLES. They did take part in the negotiations. I negotiated at very considerable length with the delegates from the Soviet Union particularly Mr. Malik who was designated for that purpose. I met with him on three or four occasions. We discussed the prospective treaty. In those discussions the principal objections he made were the three I now mentioned, namely, the failure to include the so-called People's Government of China, the provision that Japan would be entitled to make a bilateral security treaty with the United States,

and the retention of United States bases at Okinawa. Those were the three points they particularly objected to.

We had negotiations which I conducted personally with Malik which began October 1950 and carried on until February or March 1951.

At that time the Soviet Government announced that they would not carry on any further negotiations with me. However, we did, after that time, still have several exchanges of notes with the Soviet Union with reference to the terms of the peace treaty.

Senator GREEN. Thank you.

Senator Smith, did you have something further?

Senator SMITH of New Jersey. Just one more question. I wasn't here yesterday, Mr. Chairman, but I understand no reference was made to the security treaty of Australia and New Zealand and the treaty with the Philippines, and we are considering those together with this treaty. Before leaving the stand, I would like to ask you one or two questions about them.

IMPLEMENTATION OF THE SECURITY PACTS FOR THE PACIFIC

A general question first: The security treaty with Japan which we have been talking about confers broad general rights and obligations on the United States in and about Japan.

Now the security treaty with New Zealand and Australia sets forth arrangements designed to maintain peace in the Pacific area.

These three treaties—that is, the treaty with Japan and with Australia and New Zealand, and the treaty with the Philippines—set forth what has been designated by some people as sort of a Monroe Doctrine for the Pacific area. How do you visualize these treaties will be put into effect in actual practice in the event something breaks out in the Far East? Have we left that to be determined in the future? I noticed in the treaties themselves we say [reading]:

Each party recognizes that an armed attack in the Pacific area on any of the parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

That is not quite as binding a statement as we have in the North Atlantic pact. It is different in the sense of being the Monroe Doctrine warning, so to speak, rather than a commitment to do anything specific.

Have you any comment to make on the way these treaties are to work and the reasons for our ratifying them?

Mr. DULLES. It is true, as you point out, that the language used is what you might call Monroe Doctrine language. In fact, the language is precisely taken from President Monroe's message where he says that interference in the affairs of South America would be regarded as "dangerous to the peace and security of the United States."

That language in the Monroe Doctrine has served very effectively for 125 years. It is a classic expression by the United States. It seemed to me, and it was acceptable to the other governments concerned, that we should use that language rather than the language that was used in the North Atlantic Treaty.

You may recall that the language used in the North Atlantic Treaty gave rise to a considerable debate in the Senate as to whether or not that precise language involved any shift in the responsibility as between the President and the Congress.

I was in the Senate at the time and took part in that debate. It seemed to me and to the other governments concerned that there was no occasion to reopen that precise kind of debate again, through an effort to use language which, from an internal standpoint, had possible implications that might not be acceptable to the Senate, or at least it raised controversy, and that it was better to use the Monroe Doctrine language which involved no such possibilities of a shift in the division of responsibility between the Executive and Congress, and which had proved to be an effective, workable declaration of policy for 125 years.

The question of what we do is, in the case of each of the countries involved, a question for it to decide in the light of the fact that there is recognition that it is a common danger, and that each will act in accordance with its constitutional processes to meet that danger.

Just what will be done is something which would perhaps be considered by the council that is established, or by the consultations that would take place under the treaties.

No doubt from a military standpoint there will be military views as to what would be done under various hypothetical cases. But those are matters which would be dealt with in accordance with, as I say, our constitutional processes and the decision as to the participation of the Congress and the Executive in what is done would be dependent upon the character of what is actually decided the interests of the United States require in the event of a danger arising.

RELATIONSHIP OF SECURITY PACTS TO THE PEACE TREATY

Senator SMITH. You feel, Mr. Dulles, that as part of the ratification of the Japanese Peace Treaty, the security treaties are essential, and you are advocating, of course as representative of the Executive here, the ratification of all these treaties at the same time; is that correct?

Mr. DULLES. Yes. They are very definitely interdependent; they interlock. The whole result of what we are doing here is to try not merely to create a peace which will liquidate the old war but also will do so on terms which will strengthen the fabric of peace in this West Pacific area. That involves provisions which will look out for the security of Japan, of the Philippines, Australia, and New Zealand, and pledge our common efforts in the common cause. There would be a very serious gap, in my opinion, in what we plan to do if any one of these treaties should not be ratified.

Senator SMITH. Thank you. That is all, Mr. Chairman.

Senator GREEN. Senator Magnuson has a few short remarks.

RIGHTS OF SOVIET UNION AND COMMUNIST CHINA IN JAPAN

(During the course of the hearings Senator Wiley in a letter to Secretary Acheson raised the question as to whether the Soviet Union or Communist China might attempt to send armed forces into Japan in pursuance of alleged "belligerent" rights. Secretary Acheson's reply follows.)

DEPARTMENT OF STATE,
Washington, February 5, 1952.

Hon. ALEXANDER WILEY,
United States Senate.

MY DEAR SENATOR WILEY: I have your letter of January 29, 1952, raising the question of whether the Soviet Union or Communist China, as nonsignatories of the multilateral peace treaty, might, after that treaty comes into force, attempt to send armed forces into Japan in pursuance of alleged "belligerent" rights.

This is a matter which has, of course, been given the most thorough consideration over the past few years.

It is my judgment that the risk of Soviet or Red China military action in Japan or elsewhere is neither diminished nor increased by purely legalistic considerations. I believe that in such matters the leaders of the Soviet Union and of other nations dominated by the Soviet Union act externally not because of the presence or absence of legalistic rights, but because of their own determination of what is in their over-all interest. If they want to take external action, they will find or invent legal pretexts. If they do not want to take the action, they will not take it even though legal pretexts exist or can be invented.

The Potsdam surrender terms of June 26, 1945, to which the Soviet Union subsequently adhered, did not give the Allies individually and independently the right to occupy Japan. Whatever individual rights of occupation there might have been were merged voluntarily by the Allies into a single "allied" occupation, which was to come to an end after certain stated objectives had been achieved. As a consequence of the Potsdam surrender terms, therefore, the only right to occupy is a collective right. Article 7 provides:

"Until such a new order is established and until there is convincing proof that Japan's war-making power is destroyed, points in Japanese territory to be designated by the Allies shall be occupied to secure the achievement of the basic objectives we are here setting forth."

Article 12 provides:

"The occupying forces of the Allies shall be withdrawn from Japan as soon as these objectives have been accomplished and there has been established in accordance with the freely expressed will of the Japanese people a peacefully inclined and responsible government."

The San Francisco Peace Treaty, as you know, was signed by 48 Allied nations, including a large majority of the members of the Far Eastern Commission and of the Allied Council in Japan, including the United States, which it was agreed should designate the supreme commander who would control all the occupation forces. It is the view of the Government of the United States that this action constituted a conclusive determination that the "new order" referred to in article 7 in the surrender terms is established; that there is "convincing proof that Japan's war-making power has been destroyed," so that there is no longer any right to initiate occupation under paragraph 7; and that the objectives of the Potsdam surrender terms "have been accomplished" and "that there has been established, in accordance with the freely expressed will of the Japanese people, a peacefully inclined and responsible government" so that the occupying forces of the Allies should be withdrawn from Japan in accordance with article 12 and as more fully set out in the treaty of peace.

Under these circumstances, any effort of any single power hereafter to assert independent belligerent rights of occupation would not be an exercise of belligerent rights but a violation of the Potsdam surrender terms by which the Allied Nations, including the Soviet Union, are bound.

Upon the coming into force of the multilateral peace treaty, there will simultaneously come into force the security treaty between Japan and the United States, article II of which provides:

"During the exercise of the right referred to in article I, Japan will not grant, without the prior consent of the United States of America, any bases or any rights, powers, or authority whatsoever, in or relating to bases or the right of garrison or of maneuver, or transit of ground, air, or naval forces to any third power."

It can, therefore, be assumed that Japan would oppose any effort by the Soviet Union or Chinese Communists to send armed forces into Japan in the guise of "occupying" forces.

You refer to the fact that there exists in Japan what you refer to as an "imbalance" between western forces and Russia's eastern strength. It is quite true that in Japan as well as many other places subject to armed attack from the Soviet sphere of influence there is an "imbalance" of power insofar as regards the actual forces which would initially be brought into play at the various hypothetical

points of contact. However, initial and local "imbalance" is not necessarily the determining factor. There is also to be taken into account the total power, military and industrial, actual and potential, which might be brought into play if there should be armed aggression.

Recent developments do not suggest that either the Soviet Union or Communist China contemplate an effort to "occupy" Japan with their armed forces. Prior to the San Francisco Peace Conference Communist propaganda suggested that as a possibility in an effort to frighten the free nations from proceeding with a Japanese peace. Since they were not frightened, but went ahead, the Communist propaganda line has changed. It is no longer menacing against Japan but rather an attempt to woo Japan with kind words and promises of peaceful trade relations. In this connection I refer to Mr. Stalin's New Year's message to the Japanese people. Also, since the peace treaty was signed, the personnel of the Soviet mission in Tokyo has been changed in character to reduce the military personnel and to increase the economic and political personnel.

I believe that the courageous initiative which we, with the other free nations, have taken in relation to the Japanese peace has had a salutary influence for peace and while dangers and hazards obviously exist, these are not, in my opinion, increased by consummating our peace and security treaties with Japan. I believe, indeed, that the risk would be greatly increased if we faltered in these matters.

As bearing on the Soviet reaction to the "legalities," I enclose a copy of the statement which General MacArthur made on this subject in June 1950.

Sincerely yours,

DEAN ACHESON.

(Enclosure: Statement by General MacArthur.)

"I was never in agreement with the reasoning advanced by some that a peace treaty without the Soviet would either favorably alter the Soviet's legal position vis-à-vis the Japanese problem or be seized upon by the Soviet as the basis for intensified pressure upon Japan. The Soviet has demonstrated time and again that his decisions are based solely upon political expediency and relative military capabilities, without the slightest regard for prior commitment or legalistic reasoning. Any move which the United States makes is fraught with the danger of Soviet retaliation but hardly more so than is maintaining the status quo vis-à-vis Japan, whereunder the Soviet is smarting with a sense of complete frustration."—Gen. Douglas MacArthur, June 1950.

STATEMENT OF HON. WARREN G. MAGNUSON, A UNITED STATES SENATOR FROM WASHINGTON

JAPANESE OBLIGATION TO ENTER INTO FISHERIES, MARITIME, AND TRADE AGREEMENTS

Senator MAGNUSON. Mr. Chairman, I do not have any particular questions to ask. I did want to appear before the committee because we, on the west coast, of course have a very distinct geographical interest in the Japanese and Far East problems. I, too, was fortunate to be in Japan with Mr. Dulles during some of these negotiations, and we have been talking here about our obligations under the treaty, which, of course, we expect to fulfill. I appreciate the prime necessity, both militarywise and psychologywise, as far as the Far East is concerned, of quick ratification of this basic document. But the document does contain other obligations on the part of Japan. Among them is a chapter in the treaty which provides that—

It shall be mandatory upon Japan to enter into a fishing agreement in the Pacific.

Another section suggests that Japan would enter into a maritime agreement and trade agreements. I do hope that this committee, even though we all want to see this treaty ratified at the earliest possible time, will make it crystal clear that those sections of the treaty, insofar as Japan is concerned, be also concluded in a supple-

mental way as soon as possible. And the very reason they were put in the draft of the treaty is so we could go ahead with this basic document for the reasons heretofore described.

I think the committee has to make it clear, whether it be in the report or in the debates in the Senate, that some initiative should be taken to go ahead as soon as possible with the supplemental obligations.

The State Department has done very fine work on the question of the fisheries treaty. That has been initiated and is probably ready for ratification as soon as this treaty is ratified. I do not know of any action that has been taken insofar as setting a date for negotiations on a reciprocal trade treaty with Japan.

I think it should be made clear to the Members of the Senate, when they ratify the basic document, that this is intended to be done at the earliest possible moment. We have already run into some trade difficulties in the rehabilitation of Japan, and those things can be settled easily. There has been no mood, so far as I know, on the part of our Government to do so, although I believe Japan is willing to enter into a maritime agreement.

This is of vital importance in the future rehabilitation and future relations between ourselves and Japan. Our memories are not so short on the west coast, when we remember back in the twenties and thirties when the Japanese merchant marine practically ran the American flag off the Pacific because we could not compete. Unfortunately, the rehabilitation of Japan depends upon the three basic segments of Japan's economy, which are fishing, maritime, and textile. I am sure agreements can be worked out which will be satisfactory.

I believe it should be made clear to this Senate, because all of us want to ratify this document as soon as possible, that these things are in the immediate future and that they will be done. I think we will speed ratification if this is done. I think Mr. Dulles agrees with me on that because they are matters of great economic concern to three big segments of American economy that did suffer under Japanese unfair competition—in my opinion—prior to World War II.

Senator GREEN. Are there further questions?

Senator MAGNUSON. Mr. Chairman, if I might be permitted, I would add this other thought.

We have attempted, and rightly so, to establish in Japan and the Japanese Government a blueprint of a democracy applicable to its type of living, culture, and economy. I have had many questions asked me whether you think Japan will continue to carry out some of these basic concepts of democracy. During the course of my trip—I do not know whether you found this, Senator Smith, but I am sure Mr. Dulles did—I found that the Japanese people, Mr. Dulles, in five short years, have discovered that this business of democracy is a nicer way to live, and they are not going to abandon that.

Senator GREEN. We stand adjourned until 10:30 tomorrow morning.

(Whereupon, at 12:30 p. m., the committee recessed to reconvene at 10:30 a. m. Wednesday, January 23, 1952.)

JAPANESE PEACE TREATY AND OTHER TREATIES
RELATING TO SECURITY IN THE PACIFIC

WEDNESDAY, JANUARY 23, 1952

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The committee met at 10:30 a. m., pursuant to adjournment, in the caucus room, 318 Senate Office Building, United States Capitol, Washington, D. C., Senator Walter F. George presiding.

Present: Senators George, Sparkman, Wiley, Smith of New Jersey, and Brewster.

Present of committee staff: Dr. Wilcox, Dr. Kalijarvi, and Mr. Holt.

Senator GEORGE. The committee will please come to order. The witnesses scheduled for hearing today will please come around to the desk here in front. The first witness is the Honorable James P. S. Devereux. Mr. Devereux, please have a seat.

**STATEMENT OF HON. JAMES P. S. DEVEREUX, CONGRESSMAN
FROM THE SECOND DISTRICT OF MARYLAND**

Mr. DEVEREUX. Mr. Chairman, first of all, I would like to thank you and the members of the committee for the opportunity to appear as a witness in connection with the peace treaty. I would like to bring to your attention, sir, if I may, that no provisions have been made in the treaty for repayment of certain funds that were taken by the Japanese in the Philippines. These were funds that were on deposit by various servicemen in the Philippine Trust Co. I do not understand that attitude of the State Department that our own people should not be repaid for funds taken by the Japanese. Provisions have been made for reimbursement for our nationals who lost property in Japan proper, but the treaty provides that there will be no reimbursement of these particular funds or any other funds lost by our people to the Japanese any place outside of Japan proper. Apparently the attitude of the State Department is that we are supplying a great deal of money for the rehabilitation of Japan and, therefore, if we pay our own people for the money that they lost, it will be an additional burden on the taxpayers of the United States.

Well, if it be the policy of the administration to rehabilitate Japan, I think the burden should be spread over the entire population of this country. Those particular people—and I refer primarily to the servicemen who had deposits on hand in the Philippines—should not bear the brunt of that rehabilitation program. I mean the widows and orphans of men who were lost on Bataan and Corregidor will have to

bear an additional burden, which I do not believe is just. I might go on and suggest that here we are trying to win friends throughout the world, and if we are unjust to our own people I do not believe we are going to win many friends. That is the substance of my statement, sir. I think that something should be done about it.

Senator GEORGE. Have you a written statement, sir?

Mr. DEVEREUX. No; I do not have.

Senator GEORGE. I thought if you had you might give it to the reporter and make it part of the record.

Any questions?

CONFISCATION OF AMERICAN FUNDS IN THE PHILIPPINES BY JAPANESE

Senator WILEY. As I understand it, you claim there were certain funds in the banks in the Philippines belonging to servicemen and those funds were confiscated by the Japanese; is that correct?

Mr. DEVEREUX. Yes, sir.

Senator WILEY. What is the amount?

Mr. DEVEREUX. It is rather difficult to determine the exact amount because there has been no research done on it except by General Bluemel, who will follow me, I believe. The estimated amount is around \$200,000.

Senator WILEY. That is the total?

Mr. DEVEREUX. Yes, sir; that is the estimate.

Senator WILEY. Is there any other objection you have to the treaty?

Mr. DEVEREUX. No, sir.

Senator WILEY. Then to make the matter clear, you believe there is about \$200,000 on deposit belonging to our veterans which was taken over by the Japanese, and you believe that the treaty should have taken that into consideration and have provided for it? You believe that is the responsibility of the Japanese people and that that money should be paid out of Japanese funds; is that right?

Mr. DEVEREUX. I do, sir.

Senator WILEY. What do you think about the funds in the hands of the Alien Property Custodian, the funds belonging to the people or the Japanese Government? Do you have any idea on that?

Mr. DEVEREUX. No, sir.

Senator WILEY. Do you have any thoughts about the rights of American citizens to file claims with the Alien Property Custodian against funds belonging to Japanese?

Mr. DEVEREUX. That should be taken care of.

Senator WILEY. These are specific claims of our own individual boys, having lost various amounts; do you know what the range is?

Mr. DEVEREUX. I have heard of anywhere from \$200, maybe some of them were much less, up to \$900. We have one particular case of an officer who was lost as a prisoner of war. He has left a widow and two children. He had on deposit over \$900 in gold.

Senator WILEY. Very well. That is all.

Senator GEORGE. Senator Smith?

CLAIMS PROVISIONS IN PEACE TREATY

Senator SMITH of New Jersey. Mr. Chairman, there is just one question I would like to ask Mr. Devereux. Do you feel sure that the situation you presented is known to the State Department?

I read article 18, subsection (a), as follows:

It is recognized that the intervention of the state of war has not affected the obligation to pay pecuniary debts arising out of obligations and contracts (including those in respect of bonds) which existed and rights which were acquired before the existence of a state of war and which are due by the government or nationals of Japan to the government or nationals of one of the Allied Powers, or are due by the government or nationals of one of the Allied Powers to the government or nationals of Japan.

I realize that might not cover the exact case you speak of but it seems to me it indicates that there was no intention not to give regard to the kind of obligations you are talking about. I would have to ask Mr. Dulles or the members of the State Department about this, but we will certainly make a note of it and check on it.

Mr. DEVEREUX. I would like to bring the committee's attention to a letter I addressed to the Secretary of State dated August 16.

STATE DEPARTMENT POSITION ON AMERICAN CLAIMS IN PHILIPPINES

DEAR MR. SECRETARY: The Japanese Treaty negotiations have raised several questions in my mind. Will you kindly advise me if—1. Americans who own property which was confiscated by the Japanese will be repaid? By this I mean property in Japan or in any of the territories taken over by the Japanese during the war.

2.—

and this is the particular thing I am appearing before the committee on—

Private bank accounts of servicemen in the Philippine Islands which were confiscated by the Japanese after the surrender of the islands in 1942 will be restored? If these provisions are not included I should like to suggest that they be considered.

This is the reply I received from the Assistant Secretary of State:

DEAR MR. DEVEREUX: Reference is made to your letter of August 16, 1951, regarding certain provisions of the Japanese Peace Treaty.

Receipt of this letter in the Department was acknowledged by telephone on August 21. There is attached a copy of the treaty of peace with Japan which is to be offered for signature at the Conference in San Francisco in September. Article 15 (a) of the treaty provides for the return of the property of each Allied Power and its nationals if "such property was within Japan at any time between December 7, 1941, and September 2, 1945, unless the owner has freely disposed thereof without duress or fraud."

This article also makes provision for compensation in cases where such property was within Japan on December 7, 1941, and cannot be returned or has suffered injury or damage as a result of the war.

In view of the limited resources available to Japan it has not been considered feasible to extend the compensation provision to property losses which occurred outside of Japan, including private bank accounts of servicemen in the Philippine Islands which were confiscated by the Japanese after the surrender of the islands in 1942.

In connection with the drafting of the peace treaty the Department has given serious consideration to the wide variety of claims of nationals of the United States and its allies against the Japanese Government.

The problem of providing compensation from Japanese resources for various public and private claims arising out of the war is a very difficult one. Particularly since the extensive losses of life and property and personal injuries suffered by our allies must be considered on the same footing as our own, insofar as compensation by Japan is concerned.

Since the end of World War II it has been necessary for the United States to supply economic assistance to Japan to the extent of nearly \$2 billion because of Japan's inability to earn from sale of her exports sufficient foreign exchange to supply even the minimum needs of her population for food and other necessary imports.

The furnishing of aid to Japan has been considered essential to the basic goal of the United States with respect to Japan, namely, that Japan achieve political and economic stability and become a peaceful and self-supporting member of the free community oriented toward the democratic countries of the world. A requirement that Japan pay compensation for war losses out of her inadequate foreign exchange resources would consequently involve the imposition of a burden on the United States taxpayers—

I might interpose to say that I am glad to see that the taxpayers are thought of.

and would constitute a barrier to the achievement of stability and self-support in Japan.

That is the gist of the reply that I received from the State Department. I see no justification yet why these few individuals should bear a burden more than the rest of the taxpayers of the country, as a whole.

(The full exchange of letters follows:)

HOUSE OF REPRESENTATIVES,
Washington, D. C., August 16, 1951.

Hon. DEAN ACHESON,
Secretary of State, Department of State, Washington, D. C.

DEAR MR. SECRETARY: The Japanese Treaty negotiations have raised several questions in my mind. Will you kindly advise me if—

1. Americans who owned property which was confiscated by the Japanese will be repaid. By this, I mean property in Japan or in any of the territories taken over by the Japanese during the war.

2. Private bank accounts of servicemen in the Philippine Islands which were confiscated by the Japanese after the surrender of the islands in 1942 will be restored.

If these provisions have not been included, I should like to suggest that they be considered.

Sincerely yours,

J. P. S. DEVEREUX, M. C.

DEPARTMENT OF STATE,
Washington, August 27, 1951.

MY DEAR MR. DEVEREUX: Reference is made to your letter of August 16, 1951, regarding certain provisions of the Japanese Peace Treaty. Receipt of this letter in the Department was acknowledged by telephone on August 21.

There is attached a copy of the treaty of peace with Japan which is to be offered for signature at the Conference at San Francisco. Article 15 (a) of the treaty provides for the return of the property of each Allied Power and its national if such property was within Japan at any time between December 7, 1941, and September 2, 1945, unless the owner has freely disposed thereof without duress or fraud. This article also makes provision for compensation in cases where such property was within Japan on December 7, 1941, and cannot be returned or has suffered injury or damage as a result of the war. In view of the limited resources available to Japan, it has not been considered feasible to extend the compensation provision to property losses which occurred outside Japan, including private bank accounts of servicemen in the Philippine Islands which were confiscated by the Japanese after the surrender of the islands in 1942.

In connection with the drafting of the peace treaty, the Department has given serious consideration to a wide variety of claims by nationals of the United States and its allies against the Japanese Government. The problem of providing compensation from Japanese resources for the various public and private claims arising out of the war is a very difficult one, particularly since the extensive losses of life and property and personal injuries suffered by our allies must be considered on the same footing as our own insofar as compensation by Japan is concerned.

Since the end of World War II it has been necessary for the United States to supply economic assistance to Japan to the extent of nearly \$2 billion because of Japan's inability to earn from sale of her exports sufficient foreign exchange to supply even the minimum needs of her population for food and other necessary imports. The furnishing of aid to Japan has been considered essential to the basic goal of the United States with respect to Japan, namely that Japan achieve political and economic stability and become a peaceful and self-supporting member of the international community oriented toward the democratic countries of the world. A requirement that Japan pay compensation for war losses out of her inadequate foreign exchange resources would consequently involve the imposition of a burden on the United States taxpayer and would constitute a barrier to the achievement of stability and self-support in Japan.

The War Claims Commission, established under the War Claims Act of 1948 (Public Law 896, 80th Cong., 2d sess.), was directed by Congress to inquire into and report to the President for submission of a report to the Congress, with respect to war claims arising out of World War II, including recommendations concerning methods for dealing with such claims. The first report of the Commission was forwarded by the President to the Congress on May 3, 1950, but, as pointed out in the report, sufficient time had not been provided for completion of the work required of the Commission. It is understood that the Commission is presently engaged in the preparation of a further report which will contain comprehensive recommendations of the character contemplated by Congress in establishing the Commission.

Sincerely yours,

JACK K. MC FALL,
*Assistant Secretary
(For the Secretary of State).*

(Enclosure: Copy of the Japanese Peace Treaty.)

Senator SMITH of New Jersey. Your problem can be met in either one of two ways: To require the Japanese to pay these claims, or else have the United States reimburse these individuals in light of the policies of no reparations. That would be two ways of doing it.

Mr. DEVEREUX. That is true.

Senator GEORGE. Are there any questions, Senator Brewster?

Senator BREWSTER. No.

Senator GEORGE. Thank you very much.

General BLUERMEL, take a seat. You wish to be heard on the ratification of the Japanese Peace Treaty, or any of the related peace pacts?

General BLUERMEL. I do.

Senator GEORGE. The committee will be glad to hear you.

STATEMENT OF BRIG. GEN. CLIFFORD BLUERMEL

General BLUERMEL. I wish to thank the committee for this opportunity to appear. I want to supplement the remarks made by Congressman Devereux. I was on Bataan and lost some money in the Philippines, in the Philippine Trust Co., to the extent of \$213.23. But it is not so much my personal loss that I am here about—in fact, I am not particularly interested in that.

Shortly after going to Bataan, a Capt. William H. Ball later promoted to major, came to me one day and said, "General, will we lose our money in the Philippine Trust Co.?" He says, "I have over 1,800 pesos in there."

That translated into American funds is approximately \$900. I said, "I have not thought of it. I have some money in there, too. I will see, if I can, what can be done about it."

HARDSHIP ON WIDOWS AND CHILDREN OF VETERANS IN THE PHILIPPINES

Captain Ball did not return. When he died, or where he died, I do not know. He lived through Bataan. He left a wife and two children. I do not know his wife nor his children. I know they are left. I think it is extremely unjust that that widow and the two children should contribute the \$900 of his life savings to the Japanese.

There are other officers in the same predicament. I talked with a colonel last night who said he had \$100 in the Philippine Trust Co. The amounts vary, though I think most of them do not have as much as \$900 because that is quite a lot of money for an Army officer to have.

The way this thing is worded—General Devereux furnished me a copy of the letter, and again I would like to emphasize this portion of the letter [reading]:

In view of the limited resources available to Japan it has not been considered feasible to extend the compensation provision to property losses which occurred outside of Japan including private bank accounts of servicemen in the Philippine Islands which were confiscated by the Japanese after the surrender of the island in 1942.

It may be of interest to you gentlemen to know that this Philippine Trust Co. in order to secure the accounts of servicemen established banks in all the Army posts and a great many officers and enlisted men, members of the armed services, or their families, carried accounts there. When the dependents were sent home many of the accounts were reduced. But some people permitted their funds to remain there. I know there was a bachelor officer who told my wife just before she went home that he had quite a sum of money there, how much he did not tell her.

Now another letter I have here—I have made many efforts to secure the reimbursement of this money, hoping that I would find a method by which it could be obtained so that the widows and the children who had lost their money could get it. This tells me how much I had in this Philippine Trust Co. letter, and I shall leave a copy of it if you wish, but I will read an extract unless you wish the whole letter read. It says [reading]:

We are in receipt of your letter of June 4, 1946. In reply we wish to inform you that the checking account you had with us shows a balance of 427 pesos 53 centavos and among those accounts of Americans, Britishers, and Dutch nationals transferred to the Bank of Taiwan, Ltd., on September 29, 1944.

(The full text of the letter is as follows:)

PHILIPPINE TRUST CO.,
Manila, Philippine Islands, June 19, 1946.
Brig. Gen. CLIFFORD BLUERMEL,
ASF Sixth Service Command,
Camp Ellis, Ill.

DEAR SIR: We are in receipt of your letter of June 4, 1946. In reply, we wish to inform you that the checking account you had with us with a balance of P427.53 was among those accounts of Americans, Britishers, and Dutch nationals transferred by the Japanese to the Bank of Taiwan, Ltd., on September 29, 1944.

It is the policy of the Philippine Government, in reopening banks (our bank was reopened on March 11, 1946), not to consider the transferred accounts as deposit liabilities of the bank from which they were transferred. However, a case was brought by an American against the Philippine National Bank regarding them and the trial court held the bank liable for the transfer. The case was appealed to the Supreme Court but until now no final decision has been rendered.

For your information, we wish to mention that a new angle on this matter has developed recently. President Roxas in his address to the Philippine Congress on June 3, 1946, suggested a method to be pursued by that lawmaking body so that the banks concerned may attend to these accounts in the same way that they are attending to those that were not transferred by the Japanese. It is hoped that an early legislation, based on the recommendation made by the President, will finally define the status of these transferred accounts.

Very truly yours,

E. B. FORD, President.

General BLUERMEL. The bank goes on to say that since the funds were transferred from that bank they feel they are not accountable for them and cannot pay it.

Now I do think that something should be done that these widows and the children of officers and men who did not come home should not be required to contribute this money to a nation that murdered their husbands and fathers.

AMOUNT CONFISCATED BY JAPANESE

Senator GEORGE. General, you haven't a statement of the entire amount due from this trust company or held by the trust company at the time, have you?

General BLUERMEL. I have no way of obtaining that. I doubt very much the bank would give me that, being just a depositor. I have submitted claims in various places. The present Claims Commission which is paying some claims—I put my claim in there but according to the law, they have no authority to pay it and some people, they may be able—Cleary, I think, is the head of it and he may be able to give you some idea of what he has in the way of claims.

I made an effort through the Claims Commission operating in the Philippines to secure reimbursement and they told me it was not within their jurisdiction to pay. Apparently no one has any authority to pay this money as far as I can determine.

Senator GEORGE. Are there any questions by members of the committee? If there are no questions, we thank you, sir, for your appearance here.

The next witness is Dr. Van Kirk. Dr. Van Kirk, are you appearing as a representative of the National Council of Churches?

Mr. VAN KIRK. That is right. I would like to make a brief statement with regard to the position I hold and the authority under which I am appearing today and then I will file for the record the official action of the National Council of Churches but I shall not take the time of the committee to read the statement.

Senator GEORGE. You may proceed.

STATEMENT OF WALTER W. VAN KIRK, EXECUTIVE DIRECTOR, DEPARTMENT OF INTERNATIONAL JUSTICE AND GOOD WILL, NATIONAL COUNCIL OF THE CHURCHES OF CHRIST

Mr. VAN KIRK. My name is Walter W. Van Kirk. I am an executive officer of the National Council of the Churches of Christ in the United States and I have been authorized by the National Council of Churches through its general board to appear before this committee and on its behalf to urge prompt ratification by the Senate of the treaty of peace with Japan.

I desire to file here with the committee a copy of the official action taken by the National Council in Atlanta on the 28th of November 1951.

I respectfully request that this statement be made a part of the record of the hearings now under way.

Senator GEORGE. Your statement will be made a part of the hearing. (The statement referred to is as follows:)

STATEMENT OF WALTER W. VAN KIRK, EXECUTIVE DIRECTOR, DEPARTMENT OF INTERNATIONAL JUSTICE AND GOODWILL, NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE UNITED STATES OF AMERICA

My name is Walter W. Van Kirk. I am an executive officer of the National Council of the Churches of Christ in the United States of America. I have been authorized by the National Council of Churches to appear before this committee and on its behalf to urge prompt ratification by the Senate of the treaty of peace with Japan. I submit herewith a copy of the action taken by the National Council in Atlanta, Ga., on November 28, 1951. I respectfully request that this statement be made a part of the record of the hearings now under way.

The National Council of Churches is the officially constituted agency of the 29 Protestant and Orthodox denominations of which it is comprised. These denominations have a total membership of over 31 million people.

It is our considered judgment that in its statement urging prompt ratification of the treaty now under consideration the National Council of Churches is reflecting the convictions of the overwhelming majority of the members of its related denominations.

Thank you.

THE TREATY OF PEACE WITH JAPAN

A STATEMENT ADOPTED BY THE NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE UNITED STATES, NOVEMBER 28, 1951

The National Council of the Churches of Christ in the United States supports prompt ratification by the Senate of the treaty of peace with Japan.

In its statement The Churches and American Policy in the Far East (1949) the Federal Council of Churches said:

"It should be possible to negotiate a peace settlement with Japan the effect of which would be to establish a mutuality of interest between that country and her neighbors and with the West. The creation in Japan of a free state, under conditions which would safeguard the rights and insure the dignities of her people and which would accelerate the processes of economic and moral recovery, could be a powerful stimulus in the evolution of a democratic Asia."

We believe the treaty of peace with Japan, signed at San Francisco, September 8, 1951, is consistent with the considerations set forth in this statement. It is a treaty of reconciliation and lays the groundwork upon which a durable peace in the Far East may be built. The treaty anticipates the establishment of a free and sovereign Japan under conditions which will safeguard the rights and insure the dignities of her people. There is in this treaty neither the spirit of vengeance, nor the intent of subjugation. On the contrary, an opportunity is afforded the Japanese people to achieve for themselves a place of honor and self-respect within the society of nations. We express our gratitude that at long last a treaty has been negotiated in a spirit of fellowship, and concluded in a mood of high resolve, under terms that do not contain the seeds of a future war.

In urging ratification of the treaty we observe that Japan, as a sovereign nation, is conceded what the Charter of the United Nations recognizes as "the inherent right of individual or collective self-defense." This is a right germane to the concept of national sovereignty. The recognition of this right by the Allied Powers, with respect to Japan, does not, of itself, compromise the renunciation of war clause in the Japanese Constitution. The provisions of the treaty which anticipate the entrance of Japan into collective-security arrangements, constitute, under existing world conditions, the surest guaranty that that nation, for reason of self-defense, will not create a military force impractical to the peace. Admission of Japan into the United Nations, or failing that, the acceptance by Japan of the obligation embraced within the Charter to give every assistance to the United

Nations in efforts to maintain the peace, offers promise that the independence of Japan can be safeguarded without resort to war.

In urging ratification of the treaty we note with satisfaction that Japan has been permitted to retain residual sovereignty over the Ryukyu and Bonin Islands. We express the hope that, once the treaty has come into effect arrangements may be made such that the people of these islands may be given the opportunity to remain, in political, civil, and economic matters, within the administrative authority of Japan.

In urging ratification of the treaty, it is our hope that the provisions therein contained will promote the economic well-being of Japan. The limitation of the sovereignty of that country to the Japanese home islands, pose for its 83,000,000 people an exceptionally difficult but not insuperable problem. The raw materials and privileged markets to which Japan had access prior to the war are no longer available. It is clear that the Japanese people must be given the opportunity to live and to live well. Since the Japanese people cannot subsist upon their own very limited agricultural resources, Japan must be helped to a position where she can support herself by trade abroad. If we would build constructively for peace in the Far East, Japan must be allowed access to raw materials and overseas markets. Japan must be assisted in practical ways to develop and build an economy capable of supporting her population.

Finally, in urging ratification of the treaty, we would remind the people of our churches that the achieving of peace with justice in the Far East, as elsewhere, depends, in the final analysis, upon the inculcation of the spirit of love, reciprocity, and good will by which nations, no less than individuals, are brought into reconciliation with one another.

We request the department of international justice and good will to transmit copies of this action to the President of the United States, the Secretary of State, and the Members of Congress. We further request the department of international justice and good will to advise the commission on the churches on international affairs on this action, and to suggest that copies of this resolution be transmitted to its constituent units throughout the world.

We authorize the officers of the department of international justice and good will to testify at the hearings on the Japan Peace Treaty in the spirit of this resolution.

Mr. VAN KIRK. May I say just this word about the National Council of Churches?

It is the officially constituted agency of the 29 Protestant and orthodox communions of which it is comprised, and the total membership of all of these churches approximates some 31 million. I do not presume to say that the National Council expresses the judgment of each of these many millions of communicants of these various churches. What I do say is that in this action the National Council sincerely believes and I, myself, believe that the statement which I will file with the committee does reflect the overwhelming majority of those people of our churches that give thought to matters of this kind. It is therefore a statement that reflects, in my judgment, the overwhelming majority of the members of these various communions.

Thank you.

Senator GEORGE. Thank you.

Are there any questions?

CHRISTIAN MISSIONS IN JAPAN

Senator BREWSTER. I presume many of these churches have missions out there?

Mr. VAN KIRK. A great number of them have been very active in missionary work in Japan over the past 150 years.

Senator BREWSTER. I do not suppose you have any figures as to the number of missionaries involved, or amount of property, or things of that character?

Mr. VAN KIRK. No, I would not want to state that offhand for the reason I am afraid I would not give a correct answer, but there is, as you may know, something approximating a Christian population of some 500,000 in Japan at the present moment. How many missionaries are actively engaged in the field at this present moment I would not attempt to say but the number is being stepped up all the time.

Senator BREWSTER. Historically, has there been much difficulty about the missions in Japan? Has there been government opposition, or anything of that sort?

Mr. VAN KIRK. During the period immediately prior to the war, of course there was considerable pressure laid upon Christian missionaries by the military and the influence exercised by them. This was particularly true in the field of education where Christian missionaries in the processes of education came into conflict, of course, with the ideologies that were prevalent at that particular time. But aside from that military pressure, I would say that all things considered there has been a very general recognition upon the part of Japan.

Senator BREWSTER. That was something that had developed in the 5 or 10 years preceding the precipitation of the World War?

Mr. VAN KIRK. Quite. By contrast now, a very generous attitude is evinced, and a wholehearted interest in and willingness to listen to the missionaries and to provide opportunity for them to teach and to proclaim his gospel.

Senator BREWSTER. So you feel that there is a receptive field there, and that it is contributing to the development of international understanding and good will?

Mr. VAN KIRK. I feel that profoundly, sir.

I was myself in Japan immediately after the war and had opportunity then personally to observe the manner in which the Christian point of view and philosophy was being studied—I would not say embraced—but studied by a far greater number of people in Japan than any of us would have supposed possible before the war.

Senator BREWSTER. There are both Protestant and Catholic missions there, all groups?

Mr. VAN KIRK. That is right, sir.

Senator BREWSTER. That is all.

Senator GEORGE. Thank you very much, Mr. Van Kirk. Thank you very much for your appearance. We will call Mr. Muste next.

Mr. A. J. Muste.

Mr. Muste, have a seat and identify yourself for the record.

STATEMENT OF A. J. MUSTE, FELLOWSHIP OF RECONCILIATION

Mr. MUSTE. I want to thank the committee for this opportunity to appear.

My name is A. J. Muste. I am a resident of New York City, a Presbyterian clergyman, but not appearing on behalf of a Presbyterian body at this time.

I am the national secretary of the Fellowship of Reconciliation which is a religious pacifist body with views similar to those of the Society of Friends or Quakers. I should like to make a statement on behalf of the national council of the Fellowship.

The notice of this hearing was too short to make it possible to put this into writing but I should like to have the privilege of doing that

immediately after today and to have the statement made a part of the record.

Senator GEORGE. If you will file your statement it will be made a part of the record.

(The prepared statement is as follows:)

TESTIMONY OF REV. A. J. MUSTE OF THE FELLOWSHIP OF RECONCILIATION, NEW YORK, N. Y., ON THE JAPANESE PEACE TREATY AND SECURITY PACT

My name is A. J. Muste and I am a resident of New York City. I am a Presbyterian clergyman, but this does not mean that I am representing any Presbyterian body at this meeting. I am national secretary of the Fellowship of Reconciliation, a religious pacifist organization with views similar to those of the Society of Friends or Quakers. The national council of FOR at its semiannual meeting last month adopted a statement opposing ratification of the treaty and the Mutual Security Pact.

The national council expressed satisfaction over the fact that the treaty is free from the punitive aspects which have often characterized such treaties, but held that the policy of rearmament of Japan which the treaty and the pact embody is politically unwise and morally wrong.

I am aware that the chances the peace treaty and Security Pact will not be ratified are virtually nil. My main concern is that Senators and the American people should understand some of the implications of what they are doing in adopting these two instruments. In certain important respects they are a fraud. In saying this I do not necessarily charge any individual with a deliberate purpose to defraud. I am speaking of the political effect of these instruments and the way in which they are being "sold" to the people.

1. *These instruments do not grant the Japanese people genuine independence. Occupation of Japan by foreign, i. e. American, troops continues under another name.*—Since there has been some attempt to argue that this is not true of the peace treaty taken by itself, I wish to emphasize that the treaty does, though seeking to observe the proprieties, clearly, albeit with weasel words, open the way for continued occupation. Chapter III, article 6a of the treaty reads:

"All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present treaty, and in any case not later than 90 days thereafter."

Having made this apparently explicit statement, the article goes right on to open the way for the exact opposite:

"Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other."

Mr. John Foster Dulles in his address to the Governors Conference at Gatlinburg, Tenn., October 1, 1951, warned against the dangers of protracted occupation. Let him and the Senators now ponder what they may expect from occupation in disguise. Mr. Dulles expressed the view that by 1950 the occupation had "fully served the purposes specified in the Japanese surrender terms." Accordingly, he warned:

"From then on the occupation would become alien interference in the internal affairs of a proud and sensitive people. It would be increasingly resented and that resentment would be fanned by all the propaganda skills of which communism is master. The free world would be in the position of jailer; while the Communist world would be jangling what it claimed were the keys to freedom."

There is plenty of other evidence that, as long as the United States can manage to impose them, there will be strict limitations on Japanese rearmament although Mr. Dulles now talks about rearmament as a boon bestowed on the Japanese people in a "peace of reconciliation." Thus in an interview published in United States News and World Report, April 27, 1951, Mr. Dulles suggests that Japan be permitted to have land forces "but the other element for the security of the area—for instance, naval and air power—might be provided by the United States." Consequently:

"That would mean that such land forces as Japan had could not possibly be a menace to any of Japan's neighbors because they would be land-bound and couldn't get off the main islands of Japan as Japan would not possess sea power and air power to accomplish that."

It is easy to imagine what Americans would think of "independence" with land troops but no naval and air equipment, so that the former were "land-bound."

Mr. James Reston, the distinguished New York Times commentator on November 19, 1951, exposed, though perhaps unintentionally, the farcical aspects of a situation in which occupation troops are to be evacuated and yet are to remain where they are. Referring to Assistant Secretary of State Dean Rusk's efforts to straighten out differences between the State and Defense Departments, he wrote:

"The Pentagon would like to keep most of its buildings, its hotels, its golf courses. It would also like to retain legal jurisdiction over its personnel at all times and, of course, it is concerned to see that the Army post exchanges are well supplied with everything from American golf balls to liquor, tax-free."

"The State Department recognizes that the Army has an argument on all these points, but in the political field the United States has made a great play with the theme that it was restoring Japan's independence while the Russians were using their security treaty rights to dictate to their allies how they should live and serve the interests of the military authority."

"Mr. Rush will talk with General Ridgway about trying to work out a compromise that will avoid suspicion that the United States is clamping a phony independence on Japan while at the same time preserving the facilities essential to the United States military command."

We have had still another illustration within the past couple of days of the illusory character of the independence granted Japan in the announcement of correspondence between Premier Yoshida and Mr. Dulles in which the former states that his Government will immediately make some kind of peace pact with Chiang Kai-shek's Formosa regime but will have no truck with Communist China. The British Foreign Office reacted very unfavorably since there was presumably a clear understanding, negotiated with Mr. Dulles last year, that Japan was to be left entirely free after peace had been fully concluded, to decide which if any Chinese regime it would recognize. Now the Japanese Government is clearly being pressured into recognizing Formosa in order to facilitate ratification by the United States Senate.

2. The peace treaty and security pact in providing for Japanese rearmament are fraudulent because this is a flat violation of the Japanese Constitution.—That constitution, with the full approval of the United States occupation, contains the following clause:

"War, as a sovereign right of the nation, and the threat or use of force is forever renounced as a means of settling disputes with other nations. The maintenance of land, sea, and air forces, as well as other war potential, will never be authorized. The right of belligerency of the state will not be recognized."

The Senators will wish to note that as recently as New Year's Day 1950, Gen. Douglas MacArthur, referring to this clause in their constitution, said in an address to the Japanese people:

"A product of Japanese thought, this provision is based upon the highest of moral ideals, and yet no constitutional provision was ever more fundamentally sound and practical * * *. In this historic decision, you are the first. The opportunity therefore is yours to exemplify before mankind the soundness of this concept and the inestimable benefit resulting from the dedication of all energy and all resource to peaceful progress. In due course other nations will join you in this dedication, but meanwhile you must not falter. Have faith in my countrymen and other peoples who share the same high ideals. Above all, have faith in yourselves!"

Were not the Japanese Christian groups right who said to Mr. Dulles last month: "No country can maintain its existence for long unless its foundation is based on moral principles. If you approve disarmament today and urge rearmament tomorrow, you will appear to differ in no way from Communists who say white today and black tomorrow?"

3. If it should give us pause that we are implicated in inducing or forcing Japan to go back on its solemn pledge to disarm forever, it should give us pause that we also are violating a pledge made to mankind and the dead of World War II to disarm Japan permanently.—Mr. Herbert Evatt, one time Foreign Minister of Australia and Chairman of the United Nations Assembly, has strongly denounced the treaty as a road to war rather than peace and as a wholesale repudiation of the Tokyo Bay surrender agreement and the Far Eastern Commission's 1947 agreement that Japan will never be allowed to rearm. According to the New York Times, February 16, 1951, Mr. Dulles in meeting such criticisms expressed views about the pacifism of the Japanese which he is now seeking to get them to renounce. A dispatch from Melbourne reads:

"John Foster Dulles, who began discussions today at Canberra with Australian and New Zealand officials, said at a press conference that the present sentiment in Japan was as intensely pacifist as he had encountered anywhere in the world or even more so."

"He repeated that there had been no discussion of rearmament, official or unofficial, during his recent visit and said the Japanese did not want to rearm.

"I formed this impression from thousands of letters I received in Japan which represented a cross section of the Japanese people and I met small parliamentary groups who unanimously urged that there should be no rearmament," Mr. Dulles said."

4. From an economic point of view the policy represented by the treaty and pact is extremely dubious.—The time allotted me by the committee does not allow for any elaboration of this crucial point. Suffice it to say that this policy means imposing the economic burden of rearmament on Japan at the same time that it is cut off from or at least seriously hindered in normal trading relations with China, Manchuria, and Russia. At this very moment we are witnessing in Western Europe the difficulty—if not impossibility—of combining rearmament on the scale required in modern war and the maintenance of a tolerable standard of living. How can we expect the Japanese people whose economy is so much weaker and whose standard of living is so much lower, to solve this problem? If we are realistic, we shall recognize that in one way or another the United States will have to pay the bill. There will be a new strain on the United States economy and an added drain on the American taxpayer.

5. I am aware that even if the Senators grant all these points, they will still contend that the policy represented in the peace treaty and security pact is right and unavoidable because Russia and communism have to be contained and stopped. Rearing Japan is essential to American security and interests. I contend that rearming Japan and related measures will not stop Russia and communism.

Mr. Dulles has in the main been very frank in stressing the paramount importance of the security factor, not permitting Japan to be "a power vacuum," etc. Thus, in the address to the Governors Conference already cited he explained "the danger of perpetuating the existing situation in Japan" as of the late spring of 1950:

"China had gone and, unless we acted positively, it seemed that Japan might go, too. Stalin had boasted: With Japan, "we are invincible." We do not have to admit that. But we must admit that Japan was formidable when it fought alone in Asia, and if its manpower and industrial resources could be joined with those of China and exploited by Soviet Russia, the total combination could be extremely unpleasant."

With the desire to stop Russian expansionism and to destroy Stalinist totalitarianism, I am in hearty accord. The question is, How? The proposed policy in regard to Japan will not do it for several reasons.

(a) Feeding Japan will not endear us to the peoples of Asia. The vision of the Japanese under native militarists invading and ravaging their lands is fresh in their minds. For us now to conjure up in their minds the vision of Japanese, serving as American "mercenaries," liberating (?) their countries from Russia or communism is to play straight into Stalin's hands.

(b) The oriental peoples—as daily events in Indochina, Iran, Egypt, Tunis, etc., illustrate—want no more western imperialism or military force in Asia. They do not want British, French, or Dutch there as military powers. Neither do they want the United States there on that basis—any more than we would want China, Japan, Indonesia, or any other Asian nation to establish military bases in the Western Hemisphere. When we make Japan a United States military base, we do the exact opposite of what they want us to do, and we cannot expect them not to resent it deeply.

(c) There is no guaranty that the Japanese military force we build up will remain dependable from the United States point of view. If war spreads and Japan as a United States base is threatened with atomic bombardment by China and Russia, are Japanese leaders likely to permit that in the expectation that after some months or years their land will be "liberated" by United States atom bombers? Does it not appear that we simply are repeating the cycle which we began some decades ago of building up Japan to hold China and Russia in line, only to conclude presently that we "have to" destroy the "friendly power" we helped bring into being?

(d) The budget President Truman laid before the Congress a few days ago is a warning of what it costs to play the role of a big power. History is clear and explicit as to the fate of big powers that always overextend themselves, never can

manage to be or stay big enough. This was true even of those which did not undertake commitments around the entire planet as the United States is doing today. Of each in turn it comes to be said:

Far-called our navies melt away,
On dune and headland sinks the fire,
Lo, all our pomp of yesterday
Is one with Nineveh and Tyre.

I have no simple or cheap solution for the problem before us; no course free from risk is open to us. I believe the one chance to survive and truly serve mankind depends on the United States having the courage, imagination, and faith to adopt the nonviolent way which Gandhi exemplified and which I believe to be implicit also in Christian ethics. In practice—very briefly—this would involve:

(a) We mind our own business, so far as any attempt to exercise military power over other nations is concerned. In particular, we should get out of the Orient. We may well be forced out of one base after another under the worst circumstances and after paying an awful price as we are doing in Korea—unless we get out voluntarily and begin to build up again the fund of good will the United States once had in the east.

(b) We should spend what we now spend on war on helping to build the economies of needy countries and thus removing the social conditions of poverty, illiteracy, social tension, which furnish the soil for communism.

(c) We should maintain and strengthen our democratic way of life and keep our own economy on an even keel. Otherwise we shall run the risk, as indeed we are already beginning to do, of committing suicide in order to prevent Russia from killing us.

(d) We should train ourselves to offer nonviolent resistance to any form of aggression or tyranny which might threaten us, despite the fact that our foreign policy becomes truly reconciling and nonviolent. Some of us are confident that if we devoted a small percentage of the money and brains which we now devote to the outmoded "science" of war to the development of the strategies and the spirit of nonviolence and creative good will, this would bring us much more security even of an elementary physical kind than our atomic armaments can ever afford.

JANUARY 8, 1952.

AN APPEAL OF THE WOMEN OF UNARMED JAPAN TO THE UNITED STATES SENATORS

We, the members of various women's organizations of Japan appealed twice to Mr. John Foster Dulles, concerning the peace treaty and security treaty draft with which he was sent to Japan.

We are extremely anxious that our peace treaty should be such as would enable us to observe faithfully the principle of absolute pacifism clearly expressed in our constitution. However, the peace treaty signed at San Francisco is quite contrary to our ardent hope and we are greatly disappointed. It is true that the representatives of the Japanese Government signed the two treaties and the Diet gave consent to the Cabinet to ratify these treaties by a majority vote, but it must be borne in mind that over one-third of the House of Councilors opposed the security treaty: 147 for and 78 against. Moreover, the present Government and the Diet members were elected 3 years ago and cannot be said to represent the true will of the nation in general concerning the two treaties.

When Mr. Dulles visited Japan recently the press reported his arrival as if the nation as a whole welcomed him with deep gratitude; but this welcome ("build up") seemed largely a diplomatic gesture of the political and business circles and also of the rightists who are now regaining power, while on the contrary the majority of the people, especially the women and the youth, has met this occasion with a deep sense of anxiety, uncertainty, and even heartbreak.

A recent public poll on the opinions of 8,932 students of 19 colleges in Tokyo showed the following results:

Opinion on—	<i>Yes</i>	<i>No</i>
The peace treaty.....	24.9 percent	66.2 percent
The security treaty.....	16.4 percent	75.3 percent
Rearmament of Japan.....	12.2 percent	81.0 percent

(Figures above quoted are from Educational Report, November 30, 1951, issued daily by the Institution of Educational Research.)

We, the women of Japan, do not oppose the police reserves for internal security but cannot agree to the proposal of rearming Japan which contradicts the guiding principle of the Japanese Constitution. We are determined never again to send our sons and husbands to the battlefields.

The Japanese people understand that article IX of our constitution which reads "Japan forever forsakes war; the Japanese nation does not possess an army, navy, air force, or any other fighting force" was originally directed by the United States of America and her occupation authorities in Japan. Now, contrary to their earlier belief, the people in this country have the impression that according to the two treaties signed in San Francisco, the same United States authorities are demanding the rearmament of Japan.

These facts can create a general mistrust on the part of the Japanese toward the sincerity of America and her leaders; we, therefore, feel it is our duty to express our profound dissatisfaction as we eagerly wish to see a lasting friendship established between the United States and Japan.

Thus, when the two treaties are introduced to the United States Senate, we wish the Senate to keep on record that we, the women of Japan, had eagerly desired that our nation be left out of the armaments race.

(Mrs. Dr.) TOMIKO W. KOEAS,

(Mrs.) MICHIKO FUJIWARA,

(Mrs.) NAOKO TAKADA,

Members of House of Councilors,

Representing Japan Women's Disarmament Committee.

Mr. MUSTE. Thank you.

The National Council of the Fellowship of Reconciliation expressed gratification over the fact that this treaty is free from the punitive features which have often accompanied treaties after wars though feeling perhaps that we should not lay too much moral unction to ourselves for that fact.

OPPOSITION TO PEACE TREATY

The council is, however, convinced that the treaty, itself, and especially the treaty in the context of the security pact which opens the way for the rearmament of Japan is politically unwise, and morally wrong. I am aware of the fact that the chances that there will be substantial opposition to the ratification of the treaty and of the pacts are slight. It is my main concern at the moment that the Senators and the American people should understand what we believe to be some of the implications of these instruments and the policies which they represent.

I think that in certain respects they are frauds, and in saying that I do not mean to charge any individual with the intent to commit a fraud. I am speaking of the political implications of the pacts and the policies that they represent.

NO GENUINE INDEPENDENCE ALLEGEDLY GRANTED JAPAN

For one thing, they do not grant genuine independence to Japan or to the Japanese people. The occupation continues under another name. The treaty, itself, provides for this in article 6 which, on the one hand, states that all occupation forces of the Allied Powers shall be withdrawn as soon as possible after the coming into force of the treaty, and in any case not later than 90 days thereafter. It then goes on to say that nothing in this provision shall prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers and Japan.

Now, Mr. Dulles warned of the danger of a protracted occupation. One of the reasons for making the peace treaty at this time, even though not all the nations who were at war with Japan were ready to enter into it, was the desirability of ending the occupation. In that connection Mr. Dulles in his address to the governors conference in November remarked [reading]:

From 1950 on the occupation would become alien interference in the internal affairs of a proud and sensitive people. It would be increasingly resented and that resentment would be fanned by all the propaganda skills of which communism is master. The free world would be in the position of the jailer while the Communist world would be advocating what it claims is the way to freedom.

We say that same situation will obtain under a disguised occupation, or an occupation under another name.

Senator WILEY. Do I understand your position to be that we should get entirely out of Japan and just leave Japan open to be taken over by the Communists?

Mr. MUSTE. I should like to have the opportunity, if you do not mind, of coming to that in a moment in the record in the regular course of my statement, although I am not unwilling to answer at the moment.

Senator GEORGE. Very well, you may proceed in your own way.

Mr. MUSTE. Thank you. It is well known that there are limitations, that we are going to impose limitations on the Japanese in connection with their rearmament although the granting of the right to rearm is now called a boon which is granted to the Japanese people in what has sometimes been described as a peace of reconciliation.

For example, in answering certain questions about this security arrangement in connection with the treaty, Mr. Dulles in the United States News and World Report stated that Japan would be permitted to have a certain amount of land forces but the other necessary elements for the security of the area, for instance, naval and air power elements, would be provided by the United States. That would mean that such land forces as Japan had could not possibly be a menace to any of Japan's neighbors because they would be land bound and could not get off the main islands of Japan.

Now it seems to me if we were subject to that sort of restriction we would not think we had independence in providing for our security and we do not think that we should consider we are providing such independence to Japan under the treaty. We have another illustration of the fact that this independence is not genuine in the recent episode of the exchange of correspondence, sketchily reported in the press, between Mr. Dulles and Mr. Yoshida, dealing with the recognition or the making of some sort of peace pact with the Formosan Government but stating that no such relations would be established with the government at Peking.

Now there was an understanding apparently with the British Government that the Japanese Government was to be left completely free, after the peace had been made, to decide which of the Chinese governments it was to have dealings with. Apparently now there is an insistence that Japan should indicate which one of them it is going to recognize as part of the price of getting the treaty. In the second place, I think we should be aware of the fact that the treaty and the security pact and the rearmament, which is bound up with them,

is a violation of the constitution of Japan. That constitution contains the clause [reading]:

War, as a sovereign right of the nation and the threat or use of force is forever renounced as a means of settling disputes with other nations. The maintenance of land, sea, and air forces, as well as other war potential will never be authorized. The right of belligerency of the state will not be recognized.

PROPOSED REARMAMENT OF JAPAN

There is no way of reconciling the provisions in the security pact and steps toward rearmament being taken with that clear and specific language of the Japanese Constitution. The significance of that for a good many of the people of Japan who are not unanimous in supporting this treaty and the pact and the significance possibly for the peace of the world is illustrated in a statement that General MacArthur made on New Year's Day, 1950, not very long ago. He refers to this provision in the constitution of Japan which was there with the full approval of the American occupation. General MacArthur said [reading]:

A product of Japanese thought, this provision is based upon the highest of moral ideals and yet no constitutional provision was ever more fundamentally sound and practical. In this historic decision you are the first. The opportunity, therefore, is yours to exemplify before mankind the soundness of this concept, and the inestimable benefit resulting from the dedication of all energy to peaceful progress. In due course other nations will join you in this dedication, but meanwhile you must not falter. Have faith in my countrymen and other people who share the same high ideals. Above all, have faith in yourself.

Senator BREWSTER. What was the date of that?

Mr. MUSTE. New Year's Day, 1950, and addressed by General MacArthur to the Japanese people a few months before his recall.

Now thirdly, not only I think are we pausing and studying the Japanese people in a violation of a pledge, I think we, ourselves, are violating a pledge in having anything to do with the rearmament of Japan—a pledge to mankind and a pledge also to the men who fell in the war. There is considerable doubt, for example, in Australia. Former Foreign Minister Evatt and one-time Chairman of the United Nations Assembly charged that the armistice agreement with Tokyo and other provisions were being violated in a treaty and a pact which provided for the rearmament of Japan.

ECONOMIC BURDEN OF JAPANESE REARMAMENT

I will insert that quotation in my statement but will not take the committee's time to quote it now unless you want to call for it later. The fourth point that I want to mention is that from an economic point of view the rearmament of Japan represents an extremely dubious course.

At this very moment we are witnessing in Western Europe the difficulty—perhaps one day we will have to say the impossibility—of combining rearmament on the scale required in modern war with the maintenance of a tolerable standard of living. Now, if we are having the difficulty at that point that we are experiencing in Western Europe, how can we expect that the Japanese people, whose economy is so much weaker and whose standard of living is already so much lower than that of the western European peoples, to solve this

problem? If we are to be realistic, if we are not to deceive ourselves, I think that we should face the fact that in one way or another we shall have to pay the bill of Japanese rearmament. That will constitute another strain on our own economy and in one way or another, another drain on the American taxpayer.

My last point is this. I am aware—this is in response to the question the Senator asked a few moments ago—I am aware that even if you were to grant all this, you would still say we had to take this course because Russia and communism have to be stopped and this is the only way to do it, this is the only way to provide for the security of Japan and the security of the United States.

Mr. Dulles, in his address to the governors conference to which I have already referred, made a very explicit reference, as he has on other occasions, to the problem of security, to the threat which Korea, the Communists on the continent of Asia, constitute to Japan. It is on that basis I think of the security of the United States that this treaty is being made.

Now with the desire to stop Russia, Russian expansion, and to destroy communism, I am in complete sympathy, and that is the position of the Fellowship of Reconciliation. The question is how we are to do that, and I do not believe that we shall do it by the process of rearming Japan and the rest of the policies which accompany that step toward rearmament. For one thing, rearming Japan will not endear us to the people of Asia. The invasion by Japanese forces is very fresh in the minds of these people. For us now to have any part in bringing back into power in Japan the military and industrial interests that were responsible for its militarism before the Second World War, for us to be, in effect, using the Japanese as United States' mercenaries in wars in Asia is, I believe, playing straight into Stalin's hands. It gives him another opportunity to say that the United States is not concerned basically about the welfare of these people but first of all, about its own security and its own national interests defined according to its own concepts.

ATTITUDE OF RED CHINA

Senator BREWSTER. What do you feel is the present attitude of the people of China—the relatives and friends and neighbors of the 5 or 10 million who have been liquidated by Mr. Stalin—regarding possible liberation from that yoke? That is a little fresher in their minds than the Japanese atrocities, is it not?

Mr. MUSTE. For one thing there is, I think, a real question as to whether the people of China believe that such liquidation as has occurred was done by Mr. Stalin or done by the Russians. It was done by the Chinese Communist Party. I think myself there is a very close tie between that party and the Kremlin and the Communist International but I do not believe that the vast majority of the Chinese people hold that point of view.

Now I think we need, also, to keep in mind that though there was an immense amount of bloodletting in the civil war in China, there was a great deal of dissatisfaction among the Chinese people with the Chiang Kai-shek regime, and I think they are inclined to think of the bloodshed in civil war as an incident to the effort to get rid of a regime that many of them regarded as unsatisfactory.

Senator BREWSTER. You do not subscribe to the agrarian reformer idea of the Chinese Communist?

Mr. MUSTE. I do not, and furthermore, I did not subscribe to that idea when a good many people in the United States, perhaps even in the State Department tended to subscribe to that idea. I believe that there is very close tie to the Communist movement in every country and that essentially it is dominated from the Russian center.

Senator BREWSTER. What do you say as to the propaganda, the Communist propaganda, that this is a white man's war on Asia?

Mr. MUSTE. What is the question, sir?

NATIONALISM IN ASIA

Senator BREWSTER. What do you say as to the Communist propaganda all through Asia that this whole conflict is a white man's war on Asiatics because of the very small amount of Asiatics who are at present participating?

Mr. MUSTE. That, if I understand you, is the next point I was going to cite.

Senator BREWSTER. Very well.

Mr. MUSTE. I think one of the basic convictions of all of the Asiatic peoples at this moment is that there must be an end of what they call "the white man's domination in Asia."

Senator BREWSTER. That is right.

Mr. MUSTE. By that they mean the British, French, Dutch, and I think by that they mean also the United States. They believe that when we now go in there with our military power, establishing a defense or power position, that we are simply following in that same essential pattern and they do not want any of it. When we say that we intervene in that situation in China, for example, in order to keep Stalin out of there, we play into Stalin's hands, I think, because they tolerate Russian intervention because they think that helps them get us out of there. Therefore, we are only strengthening their conviction that we want to get in there.

Senator BREWSTER. I am directing my point to the specific question as to whether or not the participation of Asiatics in the war on our side of the fence would or would not help to dispel the idea that this is exclusively a white man's war on Asia.

Mr. MUSTE. I do not believe it would any more than I think the participation of the Vietnamese troops in Indochina along with the French in the civil war there makes the Asiatics feel that that is a war of Asians. I think they feel it is a war of French imperialism. I think that would be true of any war in which American and western European nations participated and in which Asian troops are used.

FUTURE DEPENDABILITY OF JAPAN

Now, thirdly, there is no guarantee that the Japanese military establishment which we rebuild will prove for any length of time, or an indefinite period, dependable from the point of view of the United States, though at the present time there is a genuine limitation upon what Japan is permitted to do and will be for some time to come.

The necessity of the power struggle, our need of Japan, will require, in our dealing with this matter, concessions to Japan; it will mean, if

you are going to look to them for support they have got to have a more and more powerful military establishment. That is the logic of these things.

Now, whether that establishment in a critical moment will remain dependable from the point of view of the United States is by no means guaranteed.

If, for example, there is the situation of general war, or the threat of it, the possibility that Japan itself might be atom-bombed by the Chinese and/or the Russians, and Japan and its military and political leaders have to make a decision as to whether they are going to subject themselves to that risk, largely or partially a risk which is imposed upon them because Japan is an American base, there is a very real chance that the Japanese leadership at that point and the Japanese people will be much more afraid of the atom bombs to be dropped from a few miles across the straits than they will feel confident in the support that would be given by the United States many miles across the Pacific Ocean. In that kind of a crisis, therefore, they will, in the first place, seek to be neutral and if they have to choose they will not want to be atom-bombed from the other side and then hope that they will be liberated by the United States months or years afterward. There are voices in Japan who warn us of that. There are voices in Japan who warned us of it months ago when this discussion first came up. We may be entering upon the same kind of a cycle which we started a few decades ago when we built up Japan as a check on China and Russia and then finally found that Japan had become so powerful that we felt we had to engage in a war to destroy that country.

POSSIBLE SOLUTION TO ASIA SITUATION

Senator WILEY. Is it your position we should get out of Japan, out of Korea, take our fleet home, so that the Commies could take Formosa and the rest of Asia?

Mr. MUSTE. I want to be very frank in answering that question. I do not believe we have a simple or cheap solution for this problem, or one that does not involve terrible risks. The course which we are now taking also involves terrible risks.

But I am, myself, confident that this course which we are pursuing, of seeking to be a dominant power—whatever the objectives may be—all over the world, is a fatal course. It is the course which all nations who have tried to be big powers in the course of history have taken and we know what the result is.

One by one they are compelled to say:

Far-called, her navies melt away,
On dune and headland sinks the fire;
Lo, all our pomp of yesterday,
Is ore with Nineveh and Tyre!

The United States did not start out with trying to be that kind of a power. We are seeking to be that kind of power today, and I do not believe we shall escape the judgment that has come upon other nations that have tried to do it. Therefore, I would say our one chance is we should have the courage and the imagination and the faith to rely upon other than material and military power for our defense, that we should rely upon spiritual forces, that we should rely upon the practice of

nonviolence, which Gandhi set forth which I think is also an essential part of Christianity.

There are the gravest risks involved in doing that as there are the gravest risks involved in doing what we are doing now.

DEPENDENCE ON SPIRITUAL RATHER THAN MILITARY FORCE

The pursuit of that kind of a policy of a genuine dependence upon spiritual force would involve, for one thing, that we would mind our own business so far as any effort to exercise military power anywhere in the world is concerned. I think we should get out. I think we may be forced to get out anyway as the French and Dutch and British have been forced to get out. It would be much better, I think, even from an immediate physical point of view if we got out under circumstances which would give us the sympathy, the confidence of the peoples of Asia, rather than be forced out which results in a very different attitude.

NONAGGRESSIVE DESIGNS OF THE UNITED STATES

Senator BREWSTER. Do you have anything to indicate that our motivation and our preparation and our policies are aggressive in design?

Mr. MUSTE. I think our motivations are mixed and that we are conscious of some of them and not conscious of others.

Senator BREWSTER. Is not the record of the United States as a great power rather unique as far as aggressive designs to expand our territory is concerned?

Mr. MUSTE. I think in certain respects it is unique and that it is precisely at the points where we have declined to attempt to exercise military power and get our way by military power that we gained confidence. But, when we pursue, for example, the course which we did in the Philippines which, in many respects, was unique and which earned us therefore the respect and the affection of multitudes in Asia, but then because we think we have to maintain our defense, our power position in the Orient, we still continue to use the Philippines as a base and get involved in the power struggle there, then I think we lose the confidence which we gained by the other process. One of the illustrations of it is that even in the Philippines there is an effective Communist guerrilla movement at the present time. It is not there merely because there have been Communist devils in there promoting that thing. There are Filipinos there who feel that way about it and who feel that having American troops on their soil is a violation of Philippine independence and a contradiction of the policy which we pursued in the Philippines.

Senator BREWSTER. I was asking you about the intent in the hearts of the great mass of the American people. Do you have any doubt regarding their thought or emotions or intent?

Mr. MUSTE. I do not.

Senator BREWSTER. Is not that manifested by our giving this independence to the Philippines and by our giving independence to Cuba and by our other actions in the world after the First World War and the Second World War when, in no instance, did we ask territorial aggrandizement?

Mr. MUSTE. I think it is true we have not asked territorial aggrandizement and I think the great mass of the American people have not wanted that. Now, on the other hand, I do not think that we should lay too much moral unction to ourselves, so to speak, because of that, because we have not been in the situation where we needed to take territory for our purposes. We lived here between the oceans with no great neighbors next to us and we were not tempted in the way that certain other nations have been.

Senator BREWSTER. You have established what I want. You feel that so far as the American people, by and large, are concerned, they do not have aggressive designs on their neighbors or on the world?

Mr. MUSTE. That is right.

Senator BREWSTER. That we agree on.

FREEDOM OF SPEECH IN RUSSIA

Mr. Muste, do you have any doubt as to whether or not those in control of the policies in the Kremlin do, by all their course of action in the last 5 years, have aggressive designs to spread their ideology by force?

Mr. MUSTE. No, Senator, I have no question about that.

Senator BREWSTER. Then would it not be wiser for one like yourself, who believes in overcoming material menace by spiritual means, to go there to Russia and undertake to convert those heathens to your way of thinking rather than here in the United States where you agree that the great mass of the American people are entirely as pacific in their evident intent as you, yourself? Would that not be the better place for you to sacrifice your time and energies rather than here in the safe security of the very armaments which you denounce? If it were not for these armaments you would be at the mercy of the Kremlin today for all we can know, as well as millions of your fellows who prefer another solution. Would not that be a better way for you to sacrifice yourself than to stay here behind our guns and preach to us a gospel which would only result in the destruction, not only of yourself, but everybody else?

Mr. MUSTE. There are a couple of things to say in answer to that question, which is a valid question to ask, sir.

One of them is that although the American people do not have aggressive designs, I do not believe that the great mass of the Russian people do, either, and they fight essentially in self-defense.

Senator BREWSTER. I agree with you.

Mr. MUSTE. Now, secondly, although we have not—

Senator BREWSTER. What they conceive to be self-defense as a result of the propaganda of their masters.

Mr. MUSTE. Yes. Quite as we see that ourself, defense involves establishing a power position in Japan, although we would be convinced that the Russians were aggressive if they thought their self-defense involved establishing a power position in Canada or Mexico.

Senator BREWSTER. Your position now is predicated on the proposition that both the Russian people and the people of the United States may be under considerable misapprehension as to just what this is all about. Now I ask you this: Do you think that the Russian people and the American people have the same adequacy of access to information? Do you think that you would be permitted over in Russia today to say anything that you are saying here today?

Mr. MUSTE. I do not know just what I would be permitted to say in Russia.

Senator BREWSTER. Do you really mean you think you could go into Russia and preach the gospel, which you are preaching here today? Do you honestly believe that?

Mr. MUSTE. There are people in Russia, sir—I do not know how publicly—but there are people in Russia who are preaching this kind of gospel.

Senator BREWSTER. You do not know how publicly. Why is that?

INFORMATION AVAILABLE TO AMERICAN PEOPLE

Mr. MUSTE. If you are raising the question now as to the extent of civil liberties and the right to discuss and, so on, in the one country, as compared to the other, I think there is much less of it in Russia, that Russia is a totalitarian regime, and we have not come to that point; but—

Senator BREWSTER. There is much more reason to think that the American public are arriving at an informed and understanding position regarding this than the people of Russia, who may think they are proceeding in self-defense, but who have absolutely inadequate sources of information as to the good will of most of the rest of the world.

Mr. MUSTE. I think the American people do have more information, but there are also conditions here which are tending to limit the amount of information that the American people get. There is a tremendous difference between the amount of dissenting opinion on any of these policies that can get expressed in the United States, that get heard in the press, that are heard over the radio, and so on, and the amount of official orthodox opinion that gets expressed.

We have had developments in this country in the last few years which have tended to produce the same attitude of fear here, the same tendency to conform, that is characteristic of totalitarian countries. I do not believe that when people here in the United States exercise their right to express dissent that that should, in some way, be regarded as un-American on their part, or a taking advantage of the situation which may obtain here in the United States. That situation exists, does it not, precisely in order that people might be free to express dissent and might not have their heads chopped off because they do it.

Senator BREWSTER. I think this gathering this morning is the best evidence that we have a considerably better system than the Russians. I know of no limitations upon anything that you may choose to say. But I think you are talking to people both in the committee, the Congress, and the country who certainly have no aggressive design. We may be deceived, but not as a result of lack of the fullest opportunity for information such as you are now being accorded.

AMERICAN PRESTIGE IN FAR EAST

Mr. MUSTE. Yes, sir. When it comes to that, I think we are caught now in this dreadful dilemma: That in the peace treaty with Ja'an, for example, we say on the one hand that within 90 days of the ratification of this treaty foreign troops shall leave, there shall be no

more occupation. Then in the same breath we say nevertheless these foreign troops are to remain. When we say to the Philippines, "We give you independence," but at the same time say, "it is essential for you and for us that the American Military Establishment should remain here," now that throws us into the situation where we, too, are waging the power struggle and waging it in the final analysis by military means, prepared to wage it in the final analysis with atomic and biological weapons.

Now, in doing that I think that we are materially and spiritually committing suicide in this country. We are committing suicide in order to keep the Russians from killing us.

Senator BREWSTER. Hasn't it been the historic policy of this country for the past 50 years to have the so-called open-door in China which alone preserved China from division by the great powers of Europe and Asia, a firm stand beginning under John Hay and leading down all through? Do you think that the tradition of that policy and its profound impact upon the position of China and Asia has been entirely dissipated in the minds of these people by anything that has transpired? Were they not historically devoted to our position because of what it meant to them in retaining their independence?

Mr. MUSTE. Yes; I think that has been true, as we said a moment ago, to a very great extent. We have an immense fund of good will and moral support in the Orient.

Senator BREWSTER. Why should they suddenly turn away from us in this eleventh hour after we fought the Second World War to keep China from being dominated by one great power? Do you recognize that, as a fact? That, if we had been ready to yield to Japanese domination of China, there would have been no Pearl Harbor, and no Second World War?

Mr. MUSTE. That leads us back to our fundamental question as to whether we are going to continue to believe that our security ultimately rests upon military means and, therefore, are going to be drawn into one war after another, increasing our military establishments all the time, or whether we see that is a dead alley and we must take a completely different course.

Senator BREWSTER. That was not my question. My question was whether or not, having fought the Second World War—precipitated into it by Pearl Harbor which resulted because Cordell Hull followed the policy of John Hay and of Lansing and of Root and Stimson—we would not yield the control of China to a foreign power? You know all the discussions brought out in the MacArthur matter. We fought the war for the independence of China. Do you mean to say, after 50 years culminating in that enormous sacrifice, that all of a sudden all Asia is going to believe we design to dominate them instead of to liberate them?

Mr. MUSTE. If you are engaged in fighting or threatening to fight the people whom you said you were going to liberate, then those people are going to believe that the United States is not the United States that it was before, and they are going to change their opinion. That is what they have done.

Senator BREWSTER. What about South Korea?

Mr. MUSTE. That is an extremely complicated situation. What about Korea as a whole?

Senator BREWSTER. It is a very simple one.

Mr. MUSTE. If we are to believe ultimately that our security depends upon our military-power position, then we shall be drawn further and further down the same road which has involved us in two world wars already, which leaves us less secure now than we were before, which has lost us a great deal of the good will in Asia because, instead of not being in there except on a friendly basis, we are now in there as the power that is seeking to establish itself in a military sense. Now it is that contradiction which the American people and the American Government is confronted with. We want to do otherwise. We would like to be engaged wholeheartedly in raising the economic level of those people, for example, but we always think that the first thing you have got to do is to look after our defense position. Therefore we take care of that. We put billions into that, but we put a few paltry millions into the other thing. We think we cannot wait to do something more to strengthen our military security, that we have no choice there. I think if we saw the situation more clearly we would have realized sooner that the Chinese or Asian peasants who almost literally are going to starve tomorrow if we do not feed them today—these millions who want independence now—they cannot wait; they are not going to wait and we should see it is in that realm that we cannot afford to wait.

Senator GEORGE. Since you are going to file a brief, you can elaborate your point. I think we have your position on the treaty.

Mr. MUSTE. You have been extremely generous, sir, in the time you have given me, and I appreciate it.

Senator BREWSTER. I think we should send him as a missionary to Moscow.

Mr. MUSTE. I was going to say, sir, I was responsible for sending four young men to Europe this summer who attempted to get on the other side of the iron curtain with precisely this message: "We are not supporting our American militarism; why do you support Russian militarism?" Those young men were denied visas on the one hand to go into Western Germany, and on the other hand they were denied visas to go into Russia or Czechoslovakia, or any of those other countries.

Senator GEORGE. Thank you very much, Mr. Muste. There are some out-of-town witnesses here.

Mr. William Henry Evans, Jr.

Mr. Evans, we are rather limited in point of time. You may make your statement, but if you have a prepared statement, we would prefer that you file that brief rather than take up too much time this morning. But make your position clear on this treaty.

STATEMENT OF W. H. EVANS, Jr.

Mr. EVANS. Mr. Chairman, I am very deeply honored to appear before your committee, and I shall make my statement as brief as possible.

CESSATION OF KURILE ISLANDS AND SOUTHERN SAKHALIN

In the Congressional Record of August 23, 1951, I inserted an article entitled "The Coming Betrayal of Japan," and I shall read from that article. Much of the betrayal of Japan has been consummated, in my opinion.

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cession of Kurile Islands and southern Sakhalin

In the Congressional Record of August 23, 1951, I inserted an article entitled "The Coming Betrayal of Japan," and I shall read from that article. Much of the betrayal of Japan has been consummated, in my opinion.

No. 1, the cession of the Kurile Islands and southern Sakhalin to Russia in accordance with the Yalta agreement sets a very dangerous precedent when the German peace treaty comes up, the territory east of the Oder and Neisse Rivers will be ceded to Poland undoubtedly, in the same way as Japan's Kurile Islands and southern Sakhalin.

There are several arguments in favor of the Japanese retaining the Kurile Islands and southern Sakhalin—most people do not realize that all of the island of Sakhalin and the Kurile Islands were originally Japanese territory in the first place.

Starting with the island of Sakhalin in 1859, the Russian fleet was sent to Yokohama demanding cession of Sakhalin, but the Japanese put them off for several years; and at this time we must remember the Japanese were just emerging from their self-imposed hermitage, coming out into the Western World, and they were in no position to engage in any extreme external affairs at that time.

In 1868 the Japanese and Russians both were colonizing Sakhalin as fast as they could in order to advance their respective claims, but they still put off the determination, the final determination, as to the disposition of Sakhalin until 1875 in a treaty whereby the Russians acknowledged full Japanese sovereignty over the Kurile Islands, and the Japanese had every legitimate right to them in the first place, in exchange for temporary, as the Japanese would say, acknowledgement of Russian sovereignty over the island of Sakhalin.

That position remained constant until the Russo-Japanese War, when the Japanese, in order to block Czarist expansion in the Far East, fought the Russians and defeated them, and at the Treaty of Portsmouth, N. H., in 1905, President Roosevelt—Theodore Roosevelt—awarded southern Sakhalin to Japan.

At that time President Roosevelt was more occupied with preserving the peace of the world. Japan retained southern Sakhalin and the Kurile Islands until 1945, where, by the Yalta secret agreement—so secret it wasn't released until a year later—Japan was stripped of the Kurile Islands and southern Sakhalin and they were awarded to Soviet Russia.

This Japanese Peace Treaty which the Senate has before it says that—and I will quote:

Japan renounces all title and claim to the Kurile Islands, to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a consequence of the Treaty of Portsmouth in September 1905.

Now if Russia isn't being awarded those islands as a consequence of the Yalta agreement, I would like to know, and I think the American people would also like to know, why Japan is being stripped of those islands. There is no other conceivable nation on the face of the earth that would receive those islands except Soviet Russia.

That is setting a dangerous precedent. First of all, Japan has every right to those islands. From a military standpoint, the Kurile Islands break our defense chain from the Aleutians, as you gentlemen can see on the map. Sakhalin and the Kurile Islands are two daggers pointed at Japan.

I am certain that Senator Brewster and members of the Committee on the Pearl Harbor Investigation will remember that the Japanese fleet sailed from the Kurile Islands when they attacked Pearl Harbor. Those islands are ideal for submarine and air bases.

When I was in Korea, off the Korean coast, last winter and spring, we were living in deadly fear, up around Vladivostok and Hungnam, where we were operating, of a Russian invasion of northern Japan, Hokkaido to be exact, across Soya Strait from southern Sakhalin.

Not only from a military point of view are the Kurile Islands and southern Sakhalin essential to the Japanese. A tremendous amount of the Japanese maritime economy came out of the Sea of Okhotsk, between Sakhalin and the Kurile Islands.

Now the Japanese are barred from those islands, and their delicate economy must be strained even further, or else we will have to make up the difference.

TROOP WITHDRAWAL CLAUSE

There is a troop withdrawal clause in the treaty, section (a) of article 6 [reading]:

All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present treaty, and in any case not later than 90 days thereafter. Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other.

Now I would like to know who are one or more of the Allied Powers. Under that classification you could presumably still include Soviet Russia, and with the Soviet China versus Nationalist China clause in this treaty, Soviet China could be included in there.

The disgrace is that Nationalist China is not represented in the treaty, according to the present wording. Nationalist China has a legitimate right to be there. The Japanese economy is oriented to the Chinese mainland, and tied in with the war in Korea.

The outcome of the war in Korea and whether China stays under Soviet domination or becomes Nationalist China again—that factor primarily determines the fate of Japan—whether or not the Senate ratifies this proposed Japanese Peace Treaty. I will come to the war in Korea in a second. But, now I want to emphasize this.

REFERENCES TO THE UNITED NATIONS

In the draft of the peace treaty with Japan—whereas Japan for its part declares intention to apply for membership in the United Nations—in all circumstances conform to the principles of the charter of the United Nations: to strive to realize the objectives of the universal declaration of human rights.

I protest that draft immediately because the United Nations is a dictated peace based on the principles of Tehran, Yalta, Potsdam, and Alger Hiss. The universal declaration of human rights is a menace to all free nations.

But, going further into the peace treaty [reading]:

Japan will concur in any proposal of the United States to the United Nations to place under the trusteeship system, with the United States as the sole administering authority, the islands south of Japan.

That clause directly infers that the United States is a satellite of the United Nations, that the United Nations is a world government and that the United States has to apply for permission to do that. I protest that as an American.

No. 1, the cession of the Kurile Islands and southern Sakhalin to Russia in accordance with the Yalta agreement sets a very dangerous precedent when the German peace treaty comes up, the territory east of the Oder and Neisse Rivers will be ceded to Poland undoubtedly, in the same way as Japan's Kurile Islands and southern Sakhalin.

There are several arguments in favor of the Japanese retaining the Kurile Islands and southern Sakhalin—most people do not realize that all of the island of Sakhalin and the Kurile Islands were originally Japanese territory in the first place.

Starting with the island of Sakhalin in 1859, the Russian fleet was sent to Yokohama demanding cession of Sakhalin, but the Japanese put them off for several years; and at this time we must remember the Japanese were just emerging from their self-imposed hermitage, coming out into the Western World, and they were in no position to engage in any extreme external affairs at that time.

In 1868 the Japanese and Russians both were colonizing Sakhalin as fast as they could in order to advance their respective claims, but they still put off the determination, the final determination, as to the disposition of Sakhalin until 1875 in a treaty whereby the Russians acknowledged full Japanese sovereignty over the Kurile Islands, and the Japanese had every legitimate right to them in the first place, in exchange for temporary, as the Japanese would say, acknowledgement of Russian sovereignty over the island of Sakhalin.

That position remained constant until the Russo-Japanese War, when the Japanese, in order to block Czarist expansion in the Far East, fought the Russians and defeated them, and at the Treaty of Portsmouth, N. H., in 1905, President Roosevelt—Theodore Roosevelt—awarded southern Sakhalin to Japan.

At that time President Roosevelt was more occupied with preserving the peace of the world. Japan retained southern Sakhalin and the Kurile Islands until 1945, where, by the Yalta secret agreement—so secret it wasn't released until a year later—Japan was stripped of the Kurile Islands and southern Sakhalin and they were awarded to Soviet Russia.

This Japanese Peace Treaty which the Senate has before it says that—and I will quote:

Japan renounces all title and claim to the Kurile Islands, to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a consequence of the Treaty of Portsmouth in September 1905.

Now if Russia isn't being awarded those islands as a consequence of the Yalta agreement, I would like to know, and I think the American people would also like to know, why Japan is being stripped of those islands. There is no other conceivable nation on the face of the earth that would receive those islands except Soviet Russia.

That is setting a dangerous precedent. First of all, Japan has every right to those islands. From a military standpoint, the Kurile Islands break our defense chain from the Aleutians, as you gentlemen can see on the map. Sakhalin and the Kurile Islands are two daggers pointed at Japan.

I am certain that Senator Brewster and members of the Committee on the Pearl Harbor Investigation will remember that the Japanese fleet sailed from the Kurile Islands when they attacked Pearl Harbor. Those islands are ideal for submarine and air bases.

When I was in Korea, off the Korean coast, last winter and spring, we were living in deadly fear, up around Vladivostok and Hungnam, where we were operating, of a Russian invasion of northern Japan, Hokkaido to be exact, across Soya Strait from southern Sakhalin.

Not only from a military point of view are the Kurile Islands and southern Sakhalin essential to the Japanese. A tremendous amount of the Japanese maritime economy came out of the Sea of Okhotsk, between Sakhalin and the Kurile Islands.

Now the Japanese are barred from those islands, and their delicate economy must be strained even further, or else we will have to make up the difference.

TROOP WITHDRAWAL CLAUSE

There is a troop withdrawal clause in the treaty, section (a) of article 6 [reading]:

All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present treaty, and in any case not later than 90 days thereafter. Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other.

Now I would like to know who are one or more of the Allied Powers. Under that classification you could presumably still include Soviet Russia, and with the Soviet China versus Nationalist China clause in this treaty, Soviet China could be included in there.

The disgrace is that Nationalist China is not represented in the treaty, according to the present wording. Nationalist China has a legitimate right to be there. The Japanese economy is oriented to the Chinese mainland, and tied in with the war in Korea.

The outcome of the war in Korea and whether China stays under Soviet domination or becomes Nationalist China again—that factor primarily determines the fate of Japan—whether or not the Senate ratifies this proposed Japanese Peace Treaty. I will come to the war in Korea in a second. But, now I want to emphasize this.

REFERENCES TO THE UNITED NATIONS

In the draft of the peace treaty with Japan—whereas Japan for its part declares intention to apply for membership in the United Nations—in all circumstances conform to the principles of the charter of the United Nations: to strive to realize the objectives of the universal declaration of human rights.

I protest that draft immediately because the United Nations is a dictated peace based on the principles of Tehran, Yalta, Potsdam, and Alger Hiss. The universal declaration of human rights is a menace to all free nations.

But, going further into the peace treaty [reading]:

Japan will concur in any proposal of the United States to the United Nations to place under the trusteeship system, with the United States as the sole administering authority, the islands south of Japan.

That clause directly infers that the United States is a satellite of the United Nations, that the United Nations is a world government and that the United States has to apply for permission to do that. I protest that as an American.

WITHDRAWAL OF OCCUPATION FORCES

Article 6 of chapter III of the Japanese Peace Treaty says [reading]:

All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present treaty, and in any case not later than 90 days thereafter.

Now it is conceivable—perhaps I may sound fantastic—but after Yalta the people said that President Roosevelt was desirous of a strong China, after he broke China and made it inevitable that China would fall to the Communists. It is the same plan here.

It is conceivable that all American troops could be withdrawn after 90 days—this was written August 23, 1951—at the request of the Japanese Government that felt unable to accept certain intolerable conditions of a bilateral agreement intentionally forced upon it by an American pro-Communist State Department. The Japanese would have to reject such conditions or else lose a vote of confidence. Without American troops and bases in Japan, the Japanese would be an easy prey to communism from within or without.

Remember how close southern Sakhalin and the Kuriles are to Japan, and the Communist Japanese Army reported to be training in the Sakhalins.

Under the troop arrangements, if—I say "if," covering all conditions—Japan was forced later on to sign with Soviet China and under a trade arrangement or pressure from Soviet Russia and Soviet China was forced to cancel our American bilateral agreement and order American troops to withdraw and station Communist Chinese or Russian troops in Japan, it is very possible under the wording of this treaty, gentlemen.

REFERENCES TO WAR CRIMES TRIALS

Now, going further, article 11 of the peace treaty, chapter IV, says [reading]:

Japan accepts the judgments of the International Military Tribunal for the Far East and of other Allied war crimes courts both within and outside Japan, and will carry out the sentences imposed thereby upon Japanese nationals imprisoned in Japan.

I would like to refer—and in compliance with the committee's request, I will not take the time at this point—to a book by Lord Hankey, entitled "Politics, Trials, and Errors," discussing in Chapter 5, "The Japanese Trials"; Chapter 6, "Shigemitsu"; and Chapter 7, "The Aftermath of Tokyo."

I would like to request the committee to insert those three chapters of the book into the record. The committee may examine it, to save time; otherwise I would like to read it.

Senator GEORGE. You may file the book with the committee, and it will be considered by the committee.

REPARATIONS CLAUSES

Mr. EVANS. Yes, sir. In chapter V of the Japanese Peace Treaty, article 14, paragraph (a), it states [reading]:

It is recognized that Japan should pay reparations to the Allied Powers for the damage and suffering caused by it during the war. Nevertheless it is also recognized that the resources of Japan are not presently sufficient, if it is to maintain a viable economy, to make complete reparation for all such damage and suffering and at the same time meet its other obligations.

That is section (a). Now the very next paragraph says [reading]:

1. Japan will promptly enter into negotiations with Allied Powers so desiring, whose present territories were occupied by Japanese forces and damaged by Japan, with a view to assisting to compensate those countries for the cost of repairing the damage done, by making available the services of the Japanese people in production, salvage, and other work for the Allied Powers in question. Such arrangements shall avoid the imposition of additional liabilities on other Allied Powers, and, where the manufacturing of raw materials is called for, they shall be supplied by the Allied Powers in question, so as not to throw any foreign exchange burden upon Japan.

Now, gentlemen, section (a) of that treaty, that article, clearly admits it is utterly impossible from an economic viewpoint for Japan to pay any reparations whatsoever for the simple and realistic reason that the Japanese economy cannot stand the added burden of reparations.

Nevertheless, in the very next paragraph it demands that the Japanese process raw materials into finished products, do salvage work, and other services, the joker covering a wide field, which is perhaps another type of reparation. In plain language, the Japanese economy must pay reparations in the form of using their industrial plant and services without receiving compensation.

Not only would these services be profitless for Japan and actually wear down her industrial facilities, but the industrial facilities would need to be diverted from engaging in profitable trade to sustain the nation.

In one paragraph the State Department views the situation from a realistic and pro-American viewpoint, but follows it up immediately in the very next paragraph, with a plan designed to wreck Japan economically in order to force her into the Communist orbit more rapidly.

SIGNATORIES TO THE TREATY

I would like to take up the signers of the peace treaty next. In the peace conference at San Francisco September 8, 1951, Soviet Russia, Soviet Poland, and Soviet Czechoslovakia were invited to the conference; whereas, Nationalist China was not.

That is a disgrace upon the honor of the United States of America. I would like to point out that the Pacific war really began in 1937 when Japan invaded China and ended September 2, 1945, with the surrender aboard the Missouri in Tokyo Bay.

Now during this period of time the Nationalist Chinese fought the Japanese for eight long and bitter years while in the meantime we were selling oil, scrap iron, and so forth, to the Japanese. We gave really no effective help to the Nationalist Chinese until after Pearl Harbor, although General Chennault's American volunteer group was formed before Pearl Harbor.

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After President Roosevelt and his clique had baited the Japanese into fighting the United States, Great Britain, and the Netherlands in order that he could save Britain and Communist Russia, Nationalist China still was neglected even though it detained Japanese troops that otherwise would have conquered India and Australia, thereby prolonging the war and perhaps making the Japanese Empire impregnable.

Chiang Kai-shek could have had peace with Japan any time after 1941 on honorable terms, and he would have been much better off than he is today after having been betrayed by the Roosevelt-Truman-Churchill-Acheson-Marshall combination. In spite of the tempting offers proposed by Japan, Nationalist China remained true to the United States.

China's reward was Yalta, the Marshall mission to China, embargo, and now exclusion from the Japanese Peace Treaty. The next step will be the expulsion of Nationalist China from the U. N. and the loss of Formosa.

The record of the Pacific war proves that only the following should be eligible to sign the Japanese Peace Treaty in the following order:

Nationalist China, for being the nation that fought Japan for the longest period of time even when her future allies sold war materials to Japan and who never thought of betraying her allies.

The United States, for saving Asia from Japanese conquest and defeating Japan almost single-handed.

Great Britain, for fighting an important delaying action and later returning to the offensive against the Japanese.

Australia; its fine record speaks for itself.

Canada; same as Australia.

New Zealand; same as Australia.

The Philippines, for their loyalty to the United States, defense of Bataan, they fought bravely as a free nation, for its independence was already promised, extremely effective underground, fought as freemen and not as colonial subjects.

The Netherlands, for their heroic although hopeless defense against the Japanese.

No other nation should sign that Japanese Peace Treaty or even been invited to that conference at San Francisco.

It is really absurd, when we look at the Japanese Peace Treaty, even excluding Soviet Russia, Soviet Poland, and Soviet Czechoslovakia, to have such nations—in all due respect to these nations, but still—Burma, Ceylon, India, Indonesia, Pakistan.

As you gentlemen will remember, on September 2, 1945, those nations were colonial empires. They were not independent nations. Why should they have the right to sign?

I would like with the committee's approval, to insert my article, "The Coming Betrayal of Japan," as it appears in the Congressional Record of August 23, 1951, into the hearings.

Senator GEORGE. You may insert it.

(The article referred to above is as follows:)

[From the Congressional Record, August 23, 1951]

THE COMING BETRAYAL OF JAPAN

EXTENSION OF REMARKS OF HON. B. CARROLL REECE, OF TENNESSEE, IN THE HOUSE OF REPRESENTATIVES, THURSDAY, AUGUST 23, 1951

Mr. REECE of Tennessee, Mr. Speaker, under leave to extend my remarks I include the following communication I have from Ex-Naval Lt. W. H. Evans, Jr., because of his comments upon the proposed Japanese Peace Treaty:

EDGEMEATER, Md., August 23, 1951.

The Honorable B. CARROLL REECE,
House Office Building, Washington D. C.

DEAR CONGRESSMAN REECE: In spite of the fact that the Trumanites have revoked my commission as a naval officer, they cannot revoke my oath of allegiance to my country.

Consequently, I feel that it is my duty to send you the enclosed article on the Coming Betrayal of Japan, which I have written in an attempt to arouse our countrymen to the impending disaster.

My answer to the Acheson Democrats and Truman Republicans is God bless Gen. Douglas MacArthur. He is for the United States first, last, and always.

Most respectfully,

W. H. EVANS, Jr.,
Ex-Naval Lieutenant.

THE COMING BETRAYAL OF JAPAN

The proposed Japanese Peace Treaty that is to be signed in San Francisco is a clever plan designed for the purpose of enabling communism to triumph in Japan. At a quick glance, this peace treaty may strike the unsuspecting reader as being a fair and generous offer. However, upon careful examination and consideration of all the possible implications of the various articles, it becomes clearly evident that the State Department once again is placing the interests of Communist Russia above those of the United States.

There are four major betrayals in this treaty which should be pointed out to the American people before it is too late:

1. ACKNOWLEDGMENT OF ROOSEVELT'S YALTA BETRAYAL

Section (c) of article 2 of the impending treaty states:

"Japan renounces all right, title, and claim to the Kurile Islands, and to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a consequence of the Treaty of Portsmouth of September 5, 1905."

According to this cleverly worded statement, the secret agreement of the Yalta betrayal whereby Communist Russia was given the Kurile Islands and southern Sakhalin is acknowledged as binding. So secret was this protocol that it was not released until 1 year after Roosevelt's sell-out at Yalta in February 1945 when Japan already was beaten and suing for peace.

Naturally, the Acheson Democrats and Truman Republicans will deny that this article acknowledges the Yalta betrayal but they cannot whitewash the facts.

If this article does not acknowledge Communist Russia's claim to the Kurile Islands and southern Sakhalin then why is Japan being stripped of these two pieces of her territory which are so essential to her defense and important to her economy? The whole world knows that no other nation could conceivably get the Kurile Islands and southern Sakhalin except Communist Russia. It is a subtle way of legally giving the territories to the U. S. S. R. without directly admitting it.

Everyone who reads this section should immediately get a map of the Far East and spread it before them. It can plainly be seen that the Kurile Islands and southern Sakhalin are two daggers pointing at the Japanese home island of Hokkaido, Kunashiri, the southernmost Kurile Island is only about 10 miles from Hokkaido, southern Sakhalin is separated from Hokkaido by the narrow Soya Strait which is only 25 miles wide.

The Treaty of Portsmouth of September 5, 1905, ending the Russo-Japanese War awarded southern Sakhalin to Japan because President Theodore Roosevelt clearly saw that it was essential for Japan's defense against the surging tide of

Czarist imperialism. Moreover, Japan had and has just as much claim, if not more, to territory in this region because Russia looted all of it from China in the first place.

Moreover, there are important fishing grounds in the Sea of Okhotsk that are an important part of the Japanese economy. The Japanese are now barred from these areas since the Kurile Islands and southern Sakhalin are in the possession of the Communist enemy.

This territorial provision of the peace treaty with Japan is keeping in line with the Roosevelt-Truman-Acheson policy of making the world safe for communism.

2. TROOP WITHDRAWAL

Section (a) of article 6 reads:

"All occupation forces of the Allied Powers shall be withdrawn from Japan as soon as possible after the coming into force of the present treaty, and in any case not later than 90 days thereafter. Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other."

The possible implications of this proposal present the most immediate danger to the retention of Japan as a member of the anti-Communist nations. It could readily force Japan into going Communist. A careful analysis of the above quotation shows that events could be made to follow this pattern.

All American troops could be withdrawn after 90 days at the request of a Japanese Government that felt unable to accept certain intolerable conditions of a bilateral agreement intentionally forced upon it by the American pro-Communist State Department. The Japanese would have to reject such conditions or else lose a vote of confidence. Without American bases and troops in Japan, the Japanese would be an easy prey to communism from within or without. Remember how close southern Sakhalin and the Kuriles are to Japan and the Communist Japanese army, reported to be training in Sakhalin.

Another fact to bear in mind is that it would be possible for the U. S. S. R. to offer to return the Kurile Islands and southern Sakhalin to Japan under a bilateral agreement in exchange for the withdrawal of all foreign troops and bases from Japan. The Communists are willing to execute a minor strategic retreat now in order to be able to cleverly bring Japan into the Communist orbit. The Soviet Union has nothing to lose and everything to gain by such an arrangement.

Perhaps this speculation may sound fantastic but it must be remembered that the same thing was said about China when the inevitable conclusions of Yalta, the Marshall mission to China, and the effects of the embargo upon supplies to Nationalist China were pointed out.

The pro-Communist tactics of the State Department are repeating themselves again in Asia.

3. IMPOSSIBLE REPARATIONS

The first two paragraphs of article 14 state:

"It is recognized that, although Japan should in principle pay reparation for the damage and suffering caused by it during the war, nevertheless Japan lacks the capacity, if it is to maintain a viable economy, to make adequate reparation to the Allied Powers and at the same time meet its other obligations.

"However, (1) Japan will promptly enter into negotiations with Allied Powers so desiring, whose present territories were occupied by Japanese forces and damaged by Japan, with a view to assisting to compensate those countries for the cost of repairing the damage done, by making available, the skills and industry of the Japanese people in manufacturing, salvaging, and other services to be rendered to the Allied Powers in question. Such arrangements shall avoid the imposition of additional liabilities on other Allied Powers, and, where the manufacturing of raw materials is called for, they shall be supplied by the Allied Powers in question so as not to throw any foreign exchange burden upon Japan."

Section (a) clearly admits that it is utterly impossible, from an economic viewpoint, for Japan to pay any reparations whatsoever for the simple and realistic reason that the Japanese economy cannot stand the added burden of reparations.

Nevertheless, the very next paragraph demands that the Japanese process raw materials into finished products, do salvage work, and "other services" (the joker covering a wide field which perhaps is another type of reparation or loot). In plain language, the Japanese economy must pay reparations in the form of using

their industrial plants, labor, salvaging facilities, and other services without receiving any compensation.

Not only would these services be profitless for Japan and actually wear down her economy without compensation, but also a tremendous portion of her industrial facilities would have to be diverted from engaging in profitable trade to sustain the nation.

In one paragraph, the State Department views the situation from a realistic and pro-American viewpoint, but follows it up immediately in the very next paragraph with a plan designed to wreck Japan economically in order to force her into the Communist orbit more rapidly.

4. SIGNERS OF THE PEACE TREATY

The last major proof that the peace treaty favors communism is the provision allowing Japan to sign either with Nationalist or Communist China or neither one.

Now, it is time to remember that the Pacific war began in 1937 when Japan invaded China, and ended in September 2, 1945, with the surrender aboard the U. S. S. *Missouri* in Tokyo Bay. The Nationalist Chinese fought the Japanese for eight long and bitter years while the United States sold war materials to the Japanese invaders and gave no effective help until after Pearl Harbor.

After Roosevelt and his clique had baited the Japanese into fighting the United States, Great Britain, and the Netherlands in order that he could save Britain and Communist Russia, Nationalist China still was neglected even though it detained Japanese troops that otherwise would have conquered India and Australia thereby prolonging the war and perhaps making the Japanese Empire impregnable.

Chiang Kai-shek could have had peace with Japan any time after 1941 on honorable terms and he would have been much better off than he is today after being betrayed by the Roosevelt-Truman-Churchill-Acheson-Marshall combination. In spite of the tempting offers proposed by Japan, Nationalist China remained a faithful and important ally in the war against Japan.

China's reward was Yalta, the Marshall mission to China, embargo, and now exclusion from the Japanese peace treaty. The next step will be the expulsion of Nationalist China from the UN and the loss of Formosa.

The record of the Pacific war proves that only the following should be eligible to sign the Japanese peace treaty in the following order:

Nationalist China, for being the nation that fought Japan for the longest period of time even when her future allies sold war materials to Japan and who never thought of betraying her allies.

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Great Britain, for fighting an important delaying action and later returning to the offensive against the Japanese.

Australia, its fine record speaks for itself.

Canada, same as Australia.

New Zealand, same as Australia.

The Philippines, loyalty to the United States, defense of Bataan, fought bravely as a free nation, for its independence was already promised, extremely effective underground, fought as freemen and not colonial subjects.

The Netherlands, heroic although hopeless defense against the Japanese.

No other nation should sign the treaty as they did not give any assistance noteworthy of rendering them eligible to determine the treaty provisions or sign it.

These nations should not have the privilege of signing the treaty for the stated reasons.

Burma, never at war with Japan as a nation and part of the British Empire until after VJ-day.

Ceylon, same as Burma.

India, same as Burma.

Indonesia, never at war with Japan as a nation and part of the Dutch Empire until after VJ-day.

Pakistan, same as Burma.

Soviet Union, 6-day looting of an already defeated Japan. Communist Russia has no right whatsoever to sign the treaty.

It is a complete farce to allow the above nations to sign while not allowing Nationalist China to do likewise.

In reference to Communist China, that government is merely a satellite of the U. S. S. R. so she can be included under the Soviet Union.

The "joker" in the treaty signing is the statement that Japan can refuse to sign with either Nationalist China or Communist China, the province of the U. S. S. R. As Japan wants to trade with the mainland, she must have relations with the controlling power there.

If and when Japan signs with Red China, then the clamor for admission of Red China to the pro-Communist United Nations will increase. The plan to recognize Red China and abandon Nationalist China takes another step near completion.

The administration is already pro-Communist with particular emphasis upon the State Department. If the Senate ratifies this treaty, then it also falls into this same classification.

This is an appeal to all Americans to protest this treaty designed to force Japan to go Communist and, with Japan, all of Asia will inevitably follow.

With her Asiatic flank secure, the U. S. S. R. will no longer have the threat of a two-front war thereby enabling her to concentrate against Europe.

THE WAR IN KOREA

Mr. EVANS. Now in reference to the peace treaty with Japan, regardless of whether the Senate ratifies this peace treaty or not, a glance at the map of Asia will show that the war in Korea will really determine the fate of Japan and largely the position of the United States in Asia.

Now, with the committee's approval, I would like to request that General Chennault's foreword in his book, "Way of a Fighter," be inserted in the record.

Senator GEORGE. We wouldn't care to insert it in the record. You may file it with the committee, and the committee will be pleased to look at it. There is no need to incorporate it in the record.

Mr. EVANS. I will file it with the committee, but in the meantime I would like to give a résumé, General Chennault—

Senator GEORGE. I will ask you to be as brief as possible. We have two other witnesses.

Mr. EVANS. I am taking that into full consideration in making everything as brief as possible.

General Chennault has pointed out that with China under Soviet domination, the fate of Japan and Korea is endangered and, their position is untenable, as we have found out now in the case of Korea.

Furthermore, the war in Korea to keep Japan in the western orbit or from going into the Communist orbit will have to be fought to a successful conclusion by following the MacArthur plan, inasmuch as Japan must trade with the Chinese mainland; and, furthermore if—as it is likely to happen—Japan goes Communist under this proposed treaty, if Japan goes Communist, all of Asia will follow, regardless of any propaganda to the contrary.

If all of Asia is under her control, Soviet Russia is no longer dreading a two-front war. She will concentrate against Europe, and Eisenhower's Maginot army will not stand up, and we will lose everything in Europe as well as in Asia.

Europe is our primary concern, but we have to fight a two-front war to save Asia. An air and sea blockade on China, as General MacArthur pointed out, and I think Admiral Sherman very well confirmed in his testimony before the MacArthur hearings, will defeat Soviet China.

Otherwise, regardless of whether or not you ratify the treaty, the fate of Japan will be settled; it will be drawn into the Communist orbit.

NEW TREATY PROPOSED FOR JAPAN

Now I would like to propose a constructive Japanese peace treaty, inasmuch as I have said quite a bit about what is wrong with this one. I implore the Senate of the United States and this committee to reject the Japanese Peace Treaty as proposed now in the interests of the United States of America, with which we are all primarily concerned—not with the United Nations or anything else.

The Kurile Islands and Southern Sakhalin are still part of the Japanese Empire, and also the Ryukyu Islands south of Japan, of which Okinawa is a part, Okinawa being retained as a United States base, the Volcano and Bonin Islands, less Iwo Jima, a United States base.

Serious consideration was given to having the entire Island of New Guinea fairly transferred to Japan along the lines recommended by Dr. E. Stanley Jones. I would like to give a very brief résumé of that. It is pages 100 to 102 of Pearl Harbor, the Story of the Secret War, by George Morgenstern.

In 1941, Dr. E. Stanley Jones, who was a missionary of long experience in the Orient, served as unofficial mediator between the Japanese and President Roosevelt. Dr. Jones evidently was sent by President Roosevelt to see if we could deter Japan from its course of aggression in 1941. They had a plan at that time—with Dr. Jones attempting to arrange the buying of the island of New Guinea from Australia and the Dutch and giving that island to Japan in order to have an outlet for the surplus Japanese population.

Australia and the British were agreeable to it, but it was the Dutch who blocked the plan. The Dutch said that no part of the Dutch Empire is for sale. That scheme then was dropped.

Gentlemen, there is one point that the treaty misses entirely. Japan must have territory, legitimate territory, for those 82,000,000 people crowded on those four small home islands. They cannot exist otherwise.

This treaty, while on the surface it may sound generous and conciliating, is simply a second Versailles Treaty. If you will compare the Versailles Treaty with the proposed Japanese Peace Treaty, you will see the similarity.

Not only are the Japanese limited to those four islands, their main trade area is cut off, and they are practically defenseless. The proposed peace treaty as written is a pro-Communist treaty under any circumstances, and not only should this be given serious consideration—the transfer of the Island of New Guinea—but it must be pointed out that in 1941 there were only 300,000 primitive natives on the island, the Island of New Guinea, and Dr. E. Stanley Jones points out that the Island of New Guinea could sustain up to 40,000,000 Japanese.

If we want a dictated peace, such as we had at Versailles—the United States Senate in those days wisely rejected the Versailles Treaty for that reason—we can sign this treaty. It was a dictated peace, a victor's peace. If we pass this proposed Japanese Peace Treaty, we are sowing the seeds of a third world war in Asia and forcing Japan into the Communist orbit.

The Japanese naturally have no choice except to sign this treaty and say that it is a good treaty, since it is the best that they can get at the present time.

Further, in my proposed Japanese peace treaty there should not be any reparations from Japan. I concur with General Devereaux that all Americans should be taken care of as it seems to be "American last" in the policy of the present administration.

The claims of all Americans against Japan should be taken care of, but in reference to any other nation, there should not be any reparations.

There should be a fully rearmed and industrialized Japan to regain the balance of power in the Far East, deliberately destroyed through the policies of Tehran, Yalta, and Potsdam and those following.

Now, as history has well pointed out, from the Conference of Vienna in 1815 to the First World War in 1914, the balance of power was the only thing that kept the peace. The balance of power was deliberately destroyed in World War II and the United States is already paying the consequences in the blood bath without victory called Korea.

DEMAND FOR CUTTING OFF CEASE-FIRE TALKS

Now in conclusion I would also request the committee and the Senate to demand immediate cessation of the appeasement policies at Kaesong and Panmunjon and immediately follow up with the MacArthur plan for victory against Soviet China and North Korea, the provinces of Soviet Russia.

Otherwise Japan will inevitably fall into the Communist orbit. Therefore, we should have an immediate air and sea blockade over Soviet China. This KAESONG thing and the Panmunjon thing are the worst disgraces that has ever fallen upon the United States, it is waving a white flag of appeasement.

I was in Japan at the time that General MacArthur was relieved, and the Japanese felt like it was a dagger stuck into their backs. They were rather fearful of the Japanese Peace Treaty to come. I think their fears have been realized now.

We want Japan on our side, and I think we had better scrap the entire treaty and have Americans write a pro-American Japanese Treaty in the interests of the United States and the peoples of a free Asia.

Thank you, gentlemen.

Senator GEORGE. Any questions?

Senator SPARKMAN. Mr. Chairman, I would like to ask many questions, but the time is so short. There are one or two things I would like to suggest to Mr. Evans.

DEFINITION OF "ALLIED POWERS" IN TREATY

You made the statement a while ago that even Russia or Soviet China might have certain rights under the term "Allied Powers." I call your attention to the fact that article 25 defines the term "Allied Powers," and makes it apply only to those governments signing the peace treaty.

So, under the definition of the term as used all the way through the treaty, it would be impossible for either Russia or Communist China to get the right to which you refer.

Mr. EVANS. Yes, sir. I would like to add something, Senator Sparkman, that I forgot on that. If I remember correctly, the April

9 issue of Time magazine contained an article wherein Mr. Dulles pointed out—this was April 9, 1951—that if Russia did not sign the Japanese Peace Treaty as a whole, we would not recognize the cession of the Kurile Islands and southern Sakhalin to Russia.

Russia did not sign that treaty at all. Now why is Japan being stripped of the Kurile Islands and southern Sakhalin? Haven't we the courage to say that those territories still belong to Japan, as they legitimately do? Are we following Yalta again?

CESSATION OF KURILE ISLANDS AND SOUTHERN SAKHALIN

Senator SPARKMAN. I would just like to mention the correct record on that, too. Under the surrender terms at Potsdam it was specifically provided that Japan would be stripped of the Kuriles and southern Sakhalin as well as various other islands that remained.

This provision in this treaty carries out the surrender terms of Potsdam without giving any right to Russia or anybody else, just as it does with other islands which may be disposed of later. The disposition is left pending so far as the treaty is concerned.

Mr. EVANS. If Japan is being stripped of them, what nation is going to get them? It doesn't make sense.

Senator SPARKMAN. Of course, it is not complete. We would all like to have it complete; but if you were here the other day when Mr. Dulles testified, or if you read the record, you will see that he answered that question, that it was a matter of future determination, even though we much preferred that the matter be settled right now.

YALTA, TEHRAN, AND POTSDAM AGREEMENTS

Mr. EVANS. I would like to add one more statement on that. You pointed out these agreements—Yalta, Tehran, Potsdam, and so forth—I would like to know if the United States is going to be bound by the insane—I will give them the benefit of the doubt—the insane or Communist policy carried out at Yalta, Tehran, or Potsdam.

I have spent 4 years working on a thesis on Potsdam alone, and I have gone back into it. The preceding conferences as well as those treaties are a betrayal of the United States for the sole purpose of making the world safe for communism. I will debate that conclusion with anyone. Are we bound by it?

A traitor in our midst condemns our country to national suicide. Is the Senate of the United States or the American people bound to follow that road to national suicide? I think not.

Senator SPARKMAN. When I think of some of the people who participated in the Potsdam agreement, I do not subscribe to any extent to the statement you make because I know them as patriotic Americans.

That doesn't mean that I favor everything that was done there or at any other conference. I don't suppose any of us could. I do not like the treaty 100 percent, but when we remember that there were a great many nations that were interested in this matter, nations for instance, like the Philippines that suffered certainly great damage at the hands of the Japanese, I think we can understand that it was not an easy matter to work out. It was full of complexities and complications.

I am rather impressed with your statement. Did you say this was not a document of peace, but that it was a document that would lead to war?

Mr. EVANS. Yes, sir. I will try to make a summary of it for the record there.

Senator SPARKMAN. The thing that attracted me to that statement was the fact that I sat in the San Francisco Conference and heard Gromyko make exactly that same statement time after time. He tried to instill the fear into the hearts of little Asian countries, that this did mean war instead of peace, but they didn't accept that theory.

I just can't understand your pointing up the same thing.

Mr. EVANS. I will try to explain that to you. You have heard the old, trite expression that actions speak louder than words. San Francisco was really a three-ring circus. It is my belief that a deal was made long before that, such as the secret deal at Yalta.

President Roosevelt came back here and told you gentlemen in Congress on March 1, 1945, that there was nothing secret at Yalta, that it was a high tide of friendship and what have you.

A year later one Yalta secret protocol was released. I contend there was a deal made before San Francisco that Russia would go up on the stage, so to speak, and be made a monkey of, and we would win a verbal victory, but the actions—Russia got everything that she wanted on that Japanese Peace Treaty.

Senator SPARKMAN. I don't know whether you fully recognize the full implications of your statement there.

Mr. EVANS. Yes, sir, I fully do.

Senator SPARKMAN. If a deal was made, the United States was a party to it all?

Mr. EVANS. Were we not a party to Yalta, Tehran, and Potsdam? Senator SPARKMAN. I am limiting your charge to San Francisco.

Mr. EVANS. I am not saying that I know definitely.

Senator SPARKMAN. You say you believe it.

Mr. EVANS. I believe it.

Senator SPARKMAN. You know Mr. John Foster Dulles negotiated this treaty, devoted a full year's hard work to it. I don't believe you would sit there and say you believe Mr. Dulles would be a party to any such agreement as that, would you.

Mr. EVANS. How can you explain the other ones, going back to that? To answer your question, and not deviate from it, How can you explain Yalta and Tehran? Alger Hiss at Yalta, at Potsdam, there is still evidence of secret agreements unrevealed.

How can you explain Tehran, Yalta, and Postdam? I am not accusing Mr. Dulles of anything. I am saying the treaty he has written is a pro-Communist treaty, and I will go into that later if the committee so desires.

I am looking out for the interests of the United States. I do not care anything about the United Nations which is a Communist organization. That is beside the point at this time.

RUSSIAN PARTICIPATION IN SAN FRANCISCO CONFERENCE

Senator SPARKMAN. Of course, you know that the Russian delegation would not participate in the signing of the peace treaty.

Mr. EVANS. Yes, sir.

Senator SPARKMAN. I am sure you know that their spokesman, Gromyko, as well as their puppet spokesmen from Poland and Czechoslovakia, hurled every charge and challenge that they possibly could against this treaty, trying to get an Asian block built up against it, not to sign it; don't you know that?

Mr. EVANS. Yes, sir. Now, Senator Sparkman, have you ever heard of Lenin's old saying, "Retreat, step back 1 or 2 steps and advance 10 steps"? That was the same principle here.

If you were Russian or if I were Russian, I would have done the same thing that they did at San Francisco. I would have allowed them to make a monkey out of me if I could have obtained all Asia eventually. I am certain that you would, too, if you were in Stalin's position. That was precisely done at San Francisco—the old policy of Lenin of retreating 2 steps and advancing 10 when the occasion demands, following the practices and theory of communism.

Senator SPARKMAN. You believe that Japan may well be the key to the Pacific?

Mr. EVANS. It is the key.

JAPANESE ATTITUDE TO THE PEACE TREATY

Senator SPARKMAN. You said when you left Japan, back last spring, you felt that the Japanese people were fearful of the peace treaty.

Are you familiar with the press reports on the reaction of the Japanese people since that time?

Mr. EVANS. I have read the press reports, saying they were favorable. It is my opinion, I would say, and I would emphasize that, that the Japanese people had no choice. If they protested they would follow the fate of China before them. They had to go along with it or else get stabbed in the back and betrayed. They figured that it was the best that they could get and they would hang on until a future date when they could rectify that.

Senator SPARKMAN. And you think the whole mass of the Japanese population could be swung over to that kind of maneuvering?

Mr. EVANS. Into the Communist orbit, sir, is that what you are referring to?

Senator SPARKMAN. You have just said, that they are just pretending to believe that this is a good treaty until an opportune time comes along.

Mr. EVANS. Yes, sir. I fully think that.

Senator SPARKMAN. You think the press of Japan, which has supported this treaty in very strong editorials, the whole press could be swung over to that kind of a maneuver?

Mr. EVANS. It is very possible. I would say it is because they have no choice in the matter. They have a dictated peace before them.

Senator SPARKMAN. Who dictated it?

Mr. EVANS. It is like Versailles. Mr. Dulles, of course, discussed it with the Japanese leaders but they had no choice in the matter.

Senator SPARKMAN. Who dictated the peace? You said it was dictated.

Mr. EVANS. Who wrote the peace? That is the one who dictated it and is presenting it.

Senator SPARKMAN. You know that the United States had a leading part in it, don't you?

Mr. EVANS. The United States, controlled by the temporary administration in power, but not in the best interests of the United States.

PEACE TREATY AND BEST INTEREST OF THE UNITED STATES

Senator SPARKMAN. You mean all the work that Mr. Dulles did was not in the best interest of the United States?

Mr. EVANS. No, sir; it definitely was not in the best interest of the United States.

Senator SPARKMAN. Do you believe Mr. Dulles knew it was not in the best interest of the United States? Or, was he just a puppet?

Mr. EVANS. Not knowing Mr. Dulles' mind, I would not say, in my opinion, the treaty—the treaty is not in the best interest of the United States and perhaps Mr. Dulles thinks it is in the best interest of the United States and does not realize the full implications of that treaty. You have to take everything into consideration, even the fantastic, just so it is possible. Quite often the fantastic is possible. Remember after Yalta, I know that you will remember, Senator Sparkman, and everyone else too does, it was said, that President Roosevelt was in favor of a strong China but he split Manchuria wide open and made it inevitable that China would fall into the Communist fold. The analogy is the same here. If you will compare the Versailles Treaty with this treaty I think you will see my point. My primary purpose in appearing before this committee is that I conscientiously feel that this treaty is not in the best interests of my country and I am an American first, last, and always, and I have no allegiance to any super government, or anything else—just the United States. I took the oath of allegiance to my country, to defend it against all enemies, foreign and domestic, and I intend to keep it. Otherwise I would not be here today before you gentlemen.

Senator SPARKMAN. Of course we all concede, not only the right, but the obligation to do those things and to do them in keeping with the very best dictates of your conscience. We all appreciate your coming here and making this statement. It seems to me, however, that you are seeking to play upon the imagination of the people when you make a statement here that a treaty that has received the time and attention of good, loyal Americans that this treaty received, is one that was written not in the best interest of the United States either because somebody willfully made it that way or because they were simply not smart enough to understand what they were doing. It just seems to me those are pretty serious statements for you to make.

Mr. EVANS. I still stick to them, sir.

Senator SPARKMAN. That is all.

Senator GEORGE. All right. Thank you, sir, for your appearance. (Additional statement of William Henry Evans, Jr., is as follows:)

WRITTEN STATEMENT OF WILLIAM HENRY EVANS, JR., EX NAVAL LIEUTENANT IN PROTEST AGAINST THE JAPANESE PEACE TREATY SIGNED IN SAN FRANCISCO, CALIF. ON SEPTEMBER 8, 1951

SENATE FOREIGN RELATIONS COMMITTEE,
Senate Office Building, Washington, D. C.

GENTLEMEN: As you undoubtedly remember, I was relieved of duty in the Navy because I warned on March 16, 1951, that the State Department intended to let the Kurile Islands and Southern Sakhalin remain permanently under Russian control because the Yalta secret protocol on the Far East gave them to Stalin.

Since my letter of March 16, 1951, correctly predicted this confirmation of Yalta and since the ultimate fate of Japan is dependent upon the outcome of the present war against Soviet China and North Korea, the provinces of Soviet Russia, it, therefore, is necessary to insert the following letter as it appears in the Congressional Record of November 9, 1951, on page A7164 in order to understand the future status of Japan under the proposed treaty:

FIGHTING ZONE, EAST COAST OF NORTH KOREA,
U. S. S. "ROGERS" (DDR-876),
c/o Fleet P. O., San Francisco, Calif., March 16, 1951.

Mr. ALFRED KOHLBERG,
New York 18, N. Y.

DEAR MR. KOHLBERG: Keep up the good work. I just received your questions to Red Dean Acheson. I post your open letters for all the officers on the ship to read and they feel the same way as I do.

Now that the time for a Japanese Peace Treaty is nearing, for the love of God, let's keep our pro-Communist and pro-Soviet State Department from again putting the interests of Soviet Russia or the pro-Soviet United Nations above the welfare of the United States.

I greatly fear that the Red Dean Acheson clique will allow Soviet Russia to retain Southern Sakhalin and the Kurile Islands because the insane or Communist Roosevelt (Alger Hiss) gave them to Russia. To hell with the Yalta betrayal. The Japanese Peace Treaty should be signed on American terms, as we did defeat Japan by ourselves.

Here is the essence of a sensible and pro-American Japanese Peace Treaty.

1. Japan still owns Kurile Islands.
2. Southern Sakhalin to be returned to Japan. (Eventually all of Sakhalin when the opportunity presents itself.)
3. No reparations from Japan to anyone (because the United States will have to foot the bill as usual).
4. A fully rearmed and industrialized Japan in alliance with the United States to regain the balance of power in the Far East.
5. A Japanese-Nationalist Chinese-American alliance against communism in Asia.

We are out here waiting for "Acheson's agrarian reformers" to attempt an invasion of Formosa. Now, instead of allowing the Nationalist Chinese and the Seventh Fleet to attack the mainland to break up any such plans before they start, we have to fight with both hands tied behind our back—one hand bound by Acheson and his pro-Red gang and the other hand by the pro-Soviet United Nations. When are the American people going to wake up? When it is too late, I guess.

That pro-Soviet one world administration of ours * * * would rather have Americans slaughtered than attack Red China everywhere. In the history of warfare, was any nation so restricted even though it could destroy its enemy readily if its hands were freed?

Damn the United Nations. Long live the United States.

The Roosevelt-Truman-Acheson-United Nations followers in the United States should be loaded onto ships and used as shock troops in Korea, instead of America's best citizens. Americans are dying by the thousands, thanks to the pro-Red administration.

If you desire, you may reproduce any portions of this letter and send an open letter to Congress in another appeal. I wish that you would because it is no fun getting shot at and exposed to mines without being able to destroy the source of attack.

God bless Alfred Kohlberg. There are too few like him, though.
Most respectfully,

W. H. EVANS, Jr.

THE KURILE ISLANDS

In addition to my oral testimony in reference to the Kurile Islands, I would like to add the following hitherto not publicized facts:

From volume II of The Memoirs of Cordell Hull, on page 1596, Cordell Hull recorded Roosevelt's viewpoint on the Kurile Islands on October 5, 1943:

"He mentioned Truk, the Bonin Islands, the Kurile Islands (although he thought the Kuriles should really go to Russia)" * * *

It can be readily seen from the above statement by Cordell Hull that Roosevelt was determined to give an integral and necessary segment of Japan to Communist Russia without any justification except to make the world safe for communism as well as endangering the main islands of Japan and giving the forces of world communism a strategic chain of air and submarine bases in the Northern Pacific Ocean. How many American lives will be lost as a result of this deliberate pro-communistic attitude of Roosevelt if Russia ever attacks us from bases in the Kuriles? Roosevelt felt this way even before the Moscow, Cairo, and Tehran conferences of 1943.

Even after the fatal conference in Secretary of War Stimson's office in the Pentagon on May 29, 1945, where George C. Marshall deliberately blocked an early peace with an already defeated Japan that was ready to surrender (for a completely documented account of this conference, see Did Marshall Prolong the Pacific War? by Forrest Davis in the November 5 and 19 issues of the Freeman Magazine, 1951), there still remained a possibility to save the Kurile Islands because Admiral Ernest J. King, USN, told the Russians at the Potsdam Conference that the United States could keep open a passage in the Kurile Islands but would not attempt any landings there, according to page 415 of I Was There, by Fleet Admiral William D. Leahy.

At Potsdam, Harry S. Truman, James F. Byrnes, and Ben Cohen not only confirmed the previous betrayals of Roosevelt but also added more of their own, as the record of this meeting clearly proves.

At the end of the Pacific war, Russia seized the Kurile Islands in accordance with the Yalta secret protocol.

THE INTRODUCTION TO THE PROPOSED TREATY

Paragraph No. 2 of the introduction to the proposed treaty of peace with Japan requires Japan to "apply for membership in the United Nations and in all circumstances to conform to the principles of the Charter of the United Nations; to strive to realize the objectives of the universal declaration of human rights."

Why is Japan being forced to apply for membership in a Communist-front organization of world government? This organization is comprised of Soviet Russia with two extra votes in its provinces of White Russia and the Ukraine, given to her by Roosevelt; soviet Poland, soviet Czechoslovakia, and other communally inclined nations. Alger Hiss was one of the important figures in the founding of this organization which was set up deliberately for the sole purpose of destroying the United States of America. With the United States and its system of government abolished, a world-wide Communist state would be established.

This treaty very cleverly is attempting to get the Senate of the United States to acknowledge the supreme authority of the United Nations over the affairs of our country. Do the freemen of the world find the governments-in-exile of Free Poland, Free Czechoslovakia, Free Estonia, Free Latvia, Free Lithuania, Free Bulgaria, Free Hungary, Free Rumania, etc., in the United Nations? Of course they do not. This organization is a group set up to enforce the present and future gains of world communism.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

This section of the treaty is a subtle way of getting the Senate of the United States to ratify the universal declaration of human rights by recognizing it as a legal law applying to Japan. With this precedent established, the Acheson Democrats and Truman Republicans will attempt to convince the Senate that it should ratify the universal declaration of human rights when and if they dare to present it to the Senate for consideration.

This declaration would automatically abolish the privileges of American citizens as guaranteed by our Constitution and Bill of Rights. Are not the Constitution and Bill of Rights to be preferred to a document that intentionally furthers the cause of a dictatorship? Why is this declaration in the treaty?

One must always consider the personality and search very thoroughly into the background of the author of this treaty.

J. F. DULLES

It has been continually stated that Mr. J. F. Dulles has spent over a year in preparing this treaty of peace. He has been credited with being the author of this treaty. Having observed Mr. J. F. Dulles throughout the hearings on January 23, 1952, I, therefore, must conclude the following impressions:

(1) Perhaps Mr. J. F. Dulles is sincere in his belief this is a good treaty and in the best interests of the United States, Japan, and the free nations of Asia. If this be the case, then Mr. J. F. Dulles is merely a puppet or showpiece for the State Department. His position, under such circumstances, apparently is to fool the Republican Members of the Senate (or enough of them to ratify the treaty) into gaining a false impression of the real purpose of this treaty; or

(2) If the above impression (1) is incorrect, then Mr. Dulles automatically falls into the same category as Dean Acheson, Philip Jessup, Owen Lattimore, etc. He then is classified as a Truman Republican representing beliefs contrary to either of the major parties of our American system of two-party government.

Mr. J. F. Dulles has been purposely built up as an authority on foreign affairs. But, if one examines the record very carefully, it will be found that Fair Deal propaganda is responsible for his widespread publicity. Why has this man been selected as the author of the proposed peace treaty? The answer is obvious: Because he represents the Dewey faction of the Republican Party. A Truman Republican is the same thing as an Acheson Democrat. The State Department realized that Mr. J. F. Dulles would give this treaty the best possible window dressing, under the circumstances. Consequently, the combination of Acheson Democrats and Truman Republicans hope to fool enough of their fellow Senators into ratifying this treaty.

COMMENTS ON SAN FRANCISCO, 1951

On March 1, 1945, Franklin D. Roosevelt told Congress that—

"* * * unless you here—in the Halls of the American Congress, with the support of the American people—concur in the general conclusions reached in the place called Yalta, and give them your active support, the meeting will not have produced lasting results."

Then, on August 9, 1945, Harry S. Truman told the American people:

"In the Conference of Berlin, it was easy for me to get along in mutual understanding and friendship with Generalissimo Stalin," * * *

At San Francisco on September 8, 1951, there was another Yalta betrayal. But this time the disciples of Russiaveltism did not dare to be as brazen as they were at Yalta and Potsdam so they had to find a smoke screen that would enable them to attempt to hide another deliberate sell-out of the free world. As a result, a deal apparently was made before San Francisco whereby Soviet Russia would lose the meaningless verbal victory at the conference in order to further its conquest of all Asia. The proposed treaty substantiates this assertion.

MESSAGE TO COMMUNIST RUSSIA

(1) Return the Kurile Islands to Japan.

(2) Return all of Sakhalin to Japan.

(3) When the MacArthur plan is followed in Asia, if Soviet Russia intervenes openly in Asia, then Japan will receive the following section of the Soviet Far East:

That section of the Soviet Far East south and east of a line from the intersection of the Amur and Shilka Rivers running approximately northeast through the Stanovoi Mountains, to Port Ayan in the Sea of Okhotsk, this territory was forcibly ceded to Russia by China in 1858 and 1860. Japan has more claim to territory in this region than Soviet Russia.

SUMMARY

This proposed treaty is not in the best interests of the United States, Japan, and the free nations of Asia so I request the Senate to reject it completely and authorize pro-Americans to write another treaty. Otherwise, Soviet Russia will move forward in her quest for world domination greatly assisted by this present treaty. For my final statement, I request the Senate to study And Now Japan in the January 28, 1952, issue of The Freeman magazine on page 264; this article conclusively proves that Japan is doomed to communism under the present far-eastern policy.

Senator GEORGE. Do any of the witnesses this morning desire to put their statements in the record? If so, we will be glad to receive them at this time.

The next witness is Rev. William R. Johnson. Mr. Johnson, is your statement lengthy?

Mr. JOHNSON. I am afraid, sir, I wish to continue the discussion that has just been going on here, not as my first point. I have four major points I would like to make and my last one will take up this very issue. I am afraid it would be lengthy if I may say as much as I wish. I have nothing in writing. I must ask the committee's permission if I may, to put what I have to say in writing. I received notice only 13 hours before I had to take a plane yesterday morning at 6 o'clock, that I would have a hearing. I have had no opportunity to prepare for this.

Senator GEORGE. We will be glad to have your full statement in the record if you wish to do so and make your personal appearance brief. I am making this inquiry now because we must go to the Senate floor very soon.

Mr. JOHNSON. I would hate to have to confine my remarks to either 5 or 10 minutes at the close of this session. Is there no possibility of further hearing?

Senator GEORGE. There may be a hearing later, and that is the reason I am making inquiry now of you, whether or not you would desire to make a lengthy statement.

Mr. JOHNSON. I would rather make it more lengthy than would seem to be practical.

On the other hand, if we have the full 35 minutes I would attempt to put it within that. I mean the 25 minutes before 1 o'clock. I do not know what your time is you are aiming at.

Senator GEORGE. I expect we will have to ask you to come back another day if you want that much time this morning.

Mr. Coston is an out-of-town witness. Is your statement lengthy?

Mr. Coston. It is three pages but I planned to shorten it and then request that the full statement be put in the record.

Senator GEORGE. You may have a seat and proceed. Your full statement will go in the record.

STATEMENT OF HERBERT COSTON, STOCKBRIDGE, WIS.

Mr. Coston. Thank you. I appreciate this opportunity very much to speak as a private citizen. I am not representing any large group, but I am representing a person who has lived in Japan with the Japanese. I was a missionary under the Methodist Board of Missions and just returned about 5 months ago. I am not an expert on diplomacy or dealing with foreign ministers and that sort of thing, but I lived with the people and I became friends with them. Though they are very formal to strangers they speak their mind freely to friends.

Right after the war I feel America won the true friendship of the Japanese people but gradually we are becoming less their friend. Cooperation is continuing, but I feel it is more of a surface cooperation which is based on necessity rather than true friendship. We need an active friendship in Japan rather than reluctant cooperation.

I agree with Mr. Dulles' statement yesterday: We need Japan. But I would qualify that statement—we need it to be an active

friendship in Japan. I have chosen three aspects of the treaty I would like to bring up and I will not substantiate them with my quotations and other data I have gathered, but I would like to ask permission, if I may, to add additional quotations to the record later besides those I have here.

Senator GEORGE. You may do so and furnish it to the clerk of the committee.

(The following additional information was supplied:)

SUPPLEMENTARY QUOTATIONS TO THE STATEMENT OF HERBERT COSTON, FORMER MISSIONARY IN JAPAN, CONCERNING THE PROPOSED PEACE TREATY WITH JAPAN

In support of my point that the Japanese people are becoming convinced that American policy is selfishly using Japan in her fight against Russia, I cite the following quotation from a letter written by a Japanese university student preparing for the Christian ministry (January 3, 1952):

"In my opinion, half of the present anti-United States feeling in Japan is groundless, and it is up to us Japanese to remove it, but the other half has fairly good reasons. One of them is the above-mentioned self-centered way of thinking (which sometimes amounts to a downright vainglory in our eyes) of the Americans. Also, we don't like an intimidation. 'If Japan,' says Mr. Sparkman and Mr. Smith of the Upper House, 'refuses to choose the Formosa government, America will also refuse to ratify the treaty,' as if America had not taken the lead in its preparation. Frankly speaking, I am against the two pacts, and so are most of the sincere young people in Japan. Again, we do not like to be treated like material manpower to be 'utilized in case necessity arises,' as Mr. Truman quite unconsciously and innocently blurted out."

In support of my point that it is doubtful whether a majority of the Japanese people favor rearmament, I cite the following quotation from a letter written in November 1951, by a Japanese law student:

"Nowadays, so-called public opinion is not trustworthy, for newspapers only only can make it after their repeated inculcation of 'facts.' Then if the result of investigation of public opinion shows majority of us are welcome to rearmament, it isn't significant."

Mr. Coston. Thank you.

UNITED STATES TRUSTEESHIP OF THE RYUKYU ISLANDS

The first point which I feel the Japanese people resent in the peace treaty is the granting of trusteeship to the United States under the United Nations of such islands and possessions as the Ryukyu group of which Okinawa is the principal island. Not only the Japanese people but other people in Asia read into this imperialistic ideas often which I am sure are not in the minds of the members of this committee or of Mr. Dulles, or of any American, but they are read into our actions by these very racially conscious people in Asia. The only reason I have heard given for our appropriation of these islands or a trusteeship of them is that it will be easier to appropriate money by Congress.

This was in the testimony Monday of General Bradley. The reasons against, I feel, outweigh the reasons for our taking this trusteeship.

Not only the attitude of suspecting us of imperialism, but also the very fact that you know the conditions on Okinawa under American rule are bad, so bad that they have been printed several times in American newspapers. These conditions are known in Japan and also the fact that the people of the Ryukyu Islands petitioned to be under the rule of Japan and it is the will of the people of the islands. If we are to respect the sovereignty of Japan, which is one of the

purposes of this peace treaty, I think we should also respect the sovereignty of the people of the Ryukyus and their request to be there under the rule of Japan.

RESTRICTIONS ON JAPANESE TRADE

My second point is concerning the possible curtailment of Japan's sovereignty by restriction, present and future, on shipping and trade relations. Mr. Dulles pointed out yesterday that our policy in Japan is following a world-wide policy of supporting economically and financially only the countries which will not send materials described on this list to Russia or any of the Russian satellites. This rules out communistic China.

A case was made that at least temporarily communistic China could be ruled out and the Japanese trade integrated into the western sphere. I believe this overlooks the actualities, because the extreme prosperity which has been achieved since 1945 has been achieved not as a result of this trade, but as a result of the American help which we have been giving which has kept Japan alive and we will have to continue getting this help for an indefinite time unless Japan is allowed to trade with the mainland of China. This we do not want to do, of course.

Senator SPARKMAN. Do you mind if I break in there?

Mr. COSTON. Not at all.

Senator SPARKMAN. I am going to have to leave in just a few minutes and I am probably not going to be able to stay until you complete your statement. I would just like to call your attention to this fact, that this is not an arrangement that is directed against Japan specifically.

Mr. COSTON. I understand.

Senator SPARKMAN. It is a general world policy and under the Battle Act which Congress passed in the last session, what we might call hardship cases, or where it is necessary to complement the economy of a country, arrangements can be made. It seems to me that is an answer to this particular point that you make. -

Mr. COSTON. I was at the hearing and I understood that fully before I made the point. But I am surprised that this committee is willing to continue for an indefinite period of time such large amounts of trade as will be necessary, I feel.

I might say that the press in Japan has been extremely critical of Premier Yoshida's assurances that he will not trade with China. I believe that the people who were my friends and who confided in me are also of that opinion. We, in America, may want to give them money in order to keep them from trading with China but they would prefer to trade with China, I believe.

POSSIBLE REARMAMENT OF JAPAN

My third point was concerning the rearmament of Japan. Of course the peace treaty does not make this mandatory, but it does go almost out of its way to make it optional, to make it sure that we will permit them to rearm. Of course, Mr. Dulles knows that there is great opposition to this in Japan, the stack of petitions he received while there and which all of you know about make it quite obvious there is

great sentiment against this. But I believe this has been soft-pedaled in America. It was played up in Australia for instance to get the Australians to agree that since the Japanese did not want to be rearmed, therefore it was fine and all right to rearm them. It was not played up in America and many Americans do not realize it. There are many reasons why the Japanese fear rearmament. The first is resurgence of "authoritarianism" which is a mild type of militarism or fascism. This is already coming out in types of thought examination going much further than the loyalty which we require in America.

I have quotations from college graduates who have been seeking jobs and who have been required to either endorse the peace treaty or keep quiet about it. Former Army officers are now in command of the national police reserves. The people fear this. Purged political leaders are back in power.

The people fear this.

I am presenting the views of the Japanese people as clearly and truthfully as I can.

The second point against rearmament is the prohibitive cost. We are asking Japan to make sacrifices which they feel we are unwilling to make ourselves, and they resent this. It may not be true, but they feel it is true and they resent it greatly. We are losing their active friendship even though surface cooperation is continuing.

I am trying to speak of grass roots people that were my friends.

Now all of you know the Japanese fear resurgence of militarism more than we do. I wonder that we think we understand Japan better than the Japanese understand Japan.

In summary I will simply say that all of us realize there is a great revolution going on in Asia which includes Japan, the revolution in China which ended in 1947, or 1948—well, it is still not ended—but that is all part of the revolution that has been going in China since even before the Boxer Rebellion in 1900.

The revolutions in Indochina—these are, as Life magazine so aptly put it, to throw the white man out of Asia. I am concerned that we remain friendly with the Japanese people and with the Japanese Nation and really be friends. I think that these three elements in the peace treaty are detrimental to our friendship.

Thank you very much.

Senator GEORGE. You may file your full statement with the reporter. It will be incorporated in the record.

(The statement is as follows:)

STATEMENT OF HERBERT COSTON, FORMER MISSIONARY IN JAPAN, CONCERNING THE PROPOSED PEACE TREATY WITH JAPAN

Mr. Chairman and members of the Senate Foreign Relations Committee, I appreciate the opportunity to exercise my democratic rights and responsibilities in presenting my views before this committee. It was particularly generous of the committee to hear my views as an individual, since in this hearing I represent no great organization. I believe I do represent a first-hand experience of living with the Japanese which ought to be shared with this committee in your consideration of the effects in Japan of the proposed peace treaty.

I returned to America about 5 months ago after 3 years in Japan as a missionary. I taught English in a mission night school in Kobe, so that I became acquainted with many of the more ambitious and intelligent workers in banks, trading companies, small-home industries, shipbuilding companies, workers with the occupation forces, etc. I became friends with many of these young Japanese; they are reserved, formal, and polite to strangers and are noted for their "expressionless" faces—but to a friend they reveal their true hopes and fears.

I am no expert on diplomacy and dealing with prime ministers or foreign secretaries; but the experience of seeing my country's policy through the eyes of my Japanese friends moves me to overcome my stage fright and try to present their ideas in this hearing, though, of course, I can hardly claim to represent them personally. I feel that I must speak out because others are afraid to speak: some Japanese, when receiving exit permits to study in America were told not to discuss political subjects while here; some Americans planning to go to Japan have been warned not to express political opinions.

Right after the war, we won the friendship of the Japanese. But gradually they are becoming convinced that American policy is selfishly using Japan in her fight against Russia. Cooperation is continuing on the surface but now it is becoming based on necessity rather than on true friendship.

We need the active friendship of Japan rather than her reluctant cooperation. I have chosen three aspects of the treaty which I feel Japanese resent. We cannot gain or keep their friendship if we force these three things upon them.

The first provision Japanese resent is the granting of trusteeship of most of her former Pacific island possessions to the United States, under the United Nations. I realize that you already are aware of this feeling, but I wonder if you have given proper weight to the importance of the implications of not only Japanese but also other reactions of other Asians. The loss of these islands is a bitter pill for Japanese to swallow, and it makes them wonder if we really mean it when we say we have no imperialistic desires in Asia. Other Asians, too, understand that we are maneuvering for strategic positions preparing for a possible war with Russia—but they see, too, a possible threat to themselves, and uneasy suspicion replaces friendship. I believe that this disadvantage of our assuming trusteeship of these islands far outweighs the advantage gained. The only advantage I have heard mentioned is the testimony of General Collins on Monday that it would make planning and building of installations and appropriation of necessary money by Congress easier than if we were to arrange for such bases through agreements similar to those contemplated for the use of the Japanese homeland by our forces. This committee is aware of the poverty, hunger, and dissatisfaction on some of these islands such as Okinawa, which is so bad that the American press has mentioned them more than once. Well-fed, happy Okinawans would work harder on our airfields; present living and working conditions negate in loss of good will what little security advantage may be gained.

If we are concerned to recognize the sovereignty of Japan, why should we not recognize the sovereignty of the people of the Ryukyu Islands and let them be under Japanese rule as they have requested? If we expect friendly cooperation from Japan rather than reluctant obedience, we must consider this point seriously.

The second provision of this treaty which Japanese may resent is our curtailment of Japan's sovereignty by restrictions—specifically provided for or implied—on shipping and trade relations. As Mr. Dulles pointed out yesterday, our policy in Japan is following established precedents throughout the world. We require promises that she will not sell certain items to Russia or any nation under the domination of the U. S. S. R., as a requisite for our granting financial, economic, or military aid to Japan. This causes some frustration in Japan, since Manchuria is her most natural source of such products as coal, iron ore, salt, soybeans, etc. For example, the Lytton Commission report to the League of Nations in 1932 pointed out that economically China could live without Japan, but that Japan could not thrive without trade with China. Unless and until Japan's trade relations with the mainland of Asia is restored, either the United States will have to subsidize the Japanese economy heavily, as we have done since 1945 in one way or another, or else the economic level in Japan will sink so low as to be a danger for the spread of unrest and communism. But real resentment against America will be lessened on the part of most Japanese if we help Japan obtain other sources of raw materials and other outlets for her manufactured products. I translated several Spanish letters for various friends working in trading companies in Kobe, and I found that many Japanese traders are putting high hopes in developing trade relations with Latin America. But, if we restrict Japanese competition in such areas previously dominated by our products, we will cause resentment against our selfishness.

A Japanese friend recently wrote upon this subject: "Unfortunately, our experience shows that your commerce has been a good job only when based on our sacrifices. When (America's) 'democratic fair dealing' is proved not lucrative, then what measures will be left to them?" His English may be somewhat un-

polished, but his point is clear. We must consider carefully before we put provisions in this treaty which allow us to place restrictions now or in the future on Japan's shipping and trade.

The third aspect of the treaty which I feel Japanese resent is its encouragement of rearmament and military cooperation with the west. Mr. Dulles stated yesterday that a majority of the Japanese favor rearmament. If this is true, it is certainly a grudging acceptance of what they have been led to believe is a necessity; such grudging acceptance cannot lead to lasting friendship. But I am not convinced that a majority of the Japanese people favor rearming, even grudgingly. I have here a translated quotation from the Kirisuto Shimbun (which means "Christian Newspaper") of January 20, 1951, stating the view, well known in Japan, of former Prime Minister Hitoshi Ashida: "If a general election takes place, there will be many people, especially women, who will be against Japanese rearmament. Hence an election will result in opposition to Japan's rearmament. Therefore, rearmament should be enforced, without holding a general election." Furthermore, a student studying law, preparing for a diplomatic career serving the Japanese Government, recently wrote in a letter that if we hear that the majority of the people favor rearmament it is not a reliable test, for the people have only the so-called commercial press opinion now. But, without arguing whether a majority or only a strong minority of the Japanese people oppose rearmament, the fact remains that we cannot build friendship with people who are pressured into rearming.

One reason many Japanese oppose rearmament is their fear of authoritarianism, which necessarily follows in Japan, and their dread of the possibility of the return of militarism and outright fascism. Already, tendencies in that direction are visible. I quote a recent letter of a young person working in a bank in Osaka: "In your letter you asked about a thought examination at the bank. Not only in the banks but also in any of great companies it is done before we can get a job, and at present it is especially strict." A college student who will soon graduate said: "The hardest part of getting work in a bank or office is the thought examination. Many have scruples about answering that they approve the peace treaty and the rearmament pact in order to get a job on graduating from college." (Meaning unchanged, though not a direct quote.) This fear of a return of militaristic rule is fed by the knowledge that former army officers, purged until recently for their activities during the war, are now officers in the National Police Reserve, which every Japanese knows is the beginning of their new "army." A group of women members of the Japanese Diet said in a memorandum presented to Ambassador Dulles, February 6, 1951: "We believe there is danger of the return of the old militarism if weapons are given to professional military men. Democracy in Japan and parliamentary rule will be threatened with bayonets." Already, less than a year after this prediction, a number of previously purged political leaders have been returned to public life, and it is believed that they will soon assume important places of leadership in Japan.

Another reason for the opposition to rearmament is its prohibitive cost. Japan is a poor country when measured by American standards, and the increased burden of rearmament would almost certainly be fertile ground for fascistic or communistic movements. Japan, similarly as in other countries which the United States is asking to live austere in order to rearm, looks at our "business as usual" and "politics as usual," our lack of adequate price and wage controls, our lack of rationing of staple foods, our high standard of living, and they resent the fact that we seem to be asking more of them than we are willing to sacrifice ourselves.

Now, all of you know that many Japanese fear resurgence of militarism, as do the governments of the Philippines, Australia, and other countries of Asia. But this fear has been discounted here in America so that we often think of it as only old ladies looking under the bed. Don't Japanese know more about their country than we know about their country? And though their leaders with whom our delegates talked tried to discount all the petitions which were sent to Mr. Dulles, my friends gave me the impression that the deep longings within the people who sent those petitions were widespread. And certainly this was the impression which Ambassador Dulles tried so successfully to give to the Australian Government when he visited there to obtain their agreement on rearming Japan. This was given wide publicity in Japan; and, whether Americans see it or not, the Japanese were most surprised that anyone would accept the fact they that didn't want to be rearmed as a valid argument for rearming them. Is this the

way to build permanent friends, or are we here, too, fostering temporary grudging cooperation instead of building lasting friendship?

Gentlemen, we cannot stop the movement now going on in Asia, which *Life* magazine (December 31, 1951) has described as a fight to "throw the white man out of Asia." To the extent we try to dominate Japan and limit her sovereignty by this treaty and future pacts and agreements, we are only aggravating this movement. We should not force these unwanted parts of the treaty on Japan. In his statement on Monday, Mr. Dulles said "We need Japan"; and, to me, this means we need Japan's friendship.

Senator GEORGE. There are some three or four witnesses who have not been reached today, including Mr. Johnson.

The committee will recess until Friday morning at 10:30, and all the witnesses will then be heard that have not been reached today.

(At 12:45 p. m. the committee recessed to reconvene at 10:30 a. m. Friday, January 25, 1952.)

JAPANESE PEACE TREATY AND OTHER TREATIES RELATING TO SECURITY IN THE PACIFIC

FRIDAY, JANUARY 25, 1952

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D. C.

The committee met at 10:30 a. m., pursuant to adjournment, in the caucus room, 318 Senate Office Building, United States Capitol, Washington, D. C., Senator Theodore Green presiding.

Present: Senators Green, Gillette, Wiley, Smith of New Jersey, Hickenlooper, and Brewster.

Present of committee staff: Dr. Wilcox, Dr. Kalijarvi, Mr. O'Day, and Mr. Holt.

Senator GREEN. The committee will please come to order. Some of the other Senators are on their way here, but we have a limited time. We hope to get through by 12:30. This is the fourth day of these hearings. If each of the speakers scheduled will take about a quarter of an hour, we will just about get through. I am not urging anybody to take a quarter of an hour. I would like to remind you that I believe most of you received a telegram when you asked for an opportunity to be heard which in part stated the committee wishes oral testimony to be as brief as possible consistent with adequate presentation of arguments with the privilege extended of submitting additional written statements, if that is desired, for consideration in the printed hearings on the treaty.

I hope you gentlemen will each bear in mind the necessity of being as brief as possible. I believe that the Reverend William R. Johnson had expected to be heard at the last hearing and had to be put off until today. Mr. Johnson, will you take the stand?

STATEMENT OF REV. WILLIAM R. JOHNSON OF POLO, ILL.

Mr. JOHNSON. Honorable Chairman and members of the Senate Foreign Relations Committee, I am deeply grateful for this privilege of stating my views relative to the treaty now pending. May I be permitted to say that I speak from a background of 35 years of residence in the interior of China, and that I have done extensive famine and war relief work, the latter in territories occupied by Communists both before and after their occupation. In 1941, I was in charge of the American Red Cross China Relief Unit office at Hongkong.

ALLEGED CONFIRMATION OF YALTA AGREEMENT

My first point relative to the treaty is that it is of the nature of the Yalta Agreement itself. It has been worked out at a conference from which China was excluded. It presumes to dispose of China's

territory, for which Britain and America presumably are primarily responsible, both of them being signers of the Cairo Declaration and the confirmation of that agreement at Potsdam, pledged specifically to the entity of the Republic of China, the same entity who had fought with us during the war, turning it back to the enemy for decision as to whether it shall be returned to the Republic of China or to the now enemies of China, the Soviet Union control through its satellite, Red China.

I think the treaty is also based on the assumptions that we continue, relative to the war in Korea, as if we are now in a police action fighting North Korea and Red China; just as if we did not know that there is a united command of the forces fighting against us in Korea, with General Malinovsky, a general of the Red Army, with united command headquarters at Mukden. The President, in his state-of-the-Union message a year ago, said very positively, and I quote:

The new imperialism—

referring to the imperialism of the Soviet Union—

has powerful military forces * * *. It has complete control of the men and equipment of its satellites.

That makes the Soviet Union responsible for the action in Korea. We are trying to fool ourselves that we are not at war with Russia as if we were not already 18 months along in world war III.

We propose to turn back to the enemy we fought to complete surrender—the decision as to whether Formosa and the Pescadores shall be ceded to the Republic of China or to Red China rather than standing on our own feet and making the decision according to the written agreements we have made and repeatedly confirmed.

I want to say it will take a lot of insistence on Yoshida's part, against the resistance of pressures I understand are being built up from Britain and from Japanese interests as well, to keep Formosa and the Pescadores from being given to Red China, for, unless we are to support her, either Britain must lose her markets in southeast Asia or Japan must lose her markets in the mainland of China, leaving one or the other or both still to draw on America for food supplies.

DISPARAGEMENT TO NATIONALIST CHINA ALLEGED

My second objection to the confirmation of the Japanese Treaty will be but one more of a long series of events which marks a continuous disparagement of Nationalist China and its interests, amounting almost if not quite to a traitorous betrayal of American interests as well.

I would cite as perhaps the first of those events the agreement made at an arranged conference in the State Department, at the demand of the chairman of the Communist Party, Earl Browder, and its secretary, Robert Miner. An agreement by Sumner Welles, Assistant Secretary of State and Laughlin Currie, representing the President, that substantially equal treatment would be given to the Chinese Communists and to the Nationalist Government of China. Reference to this agreement is to be found in the second volume of the hearings of the Senate committee under the chairmanship of Senator McCarran, recently published. That agreement was the opening wedge, apparently, marked the beginning of a change in American policy which

soon became in fact pro-Chinese Communist and a determinative element in the overthrow of the Chinese Republic on the Chinese mainland.

Another of these significant events is the manipulation of the deliveries of munitions to China including the specific failure of General Stillwell to approve General Chennault's request that he be allowed to supply cartridges for rifles and machine guns to troops making their last stand in the mountains of South China; in 1944, when they had only a 2- or 3-day supply, General Stillwell's refusal to approve that delivery was a major factor in the defeat of Chinese forces which left South China open to the Japanese. That denial of munitions was typical of what transpired from 1943 or thereabouts to the end of the war and continuing through the postwar period, except during General Wedemeyer's period of command, until the defeat of Nationalist forces before Nanking.

I would cite also the activities of General Marshall in China. After he had established the truce of January 10, the Soviet Union and Red China announced the formation of independent Soviet governments covering the territory from the Yellow Sea through the total of Manchuria and Eastern Inner Mongolia. By the end of 1946 they had announced the formation of a similar government in Western Inner Mongolia, extending a line of Communist Soviet controlled territories continuously across North China, from the Yellow Sea westward to Sinkiang province in Central Asia. No public mention was made of those seizures of China's territories so far as I know by the State Department or the administration at any time until on January 12, 2 years ago when the Secretary of State made his Press Club speech in Washington denouncing the seizure of North China by the Soviet Union; as if it had just occurred.

It was then 3 or 4 years after the seizures, but the speech was made just 2 days before the signing of the Russo-Chinese Treaty in Moscow between Stalin and Mao, apparently surrendering that territory to Russia—that is, to Russian satellites, other than the present Peiping regime.

The Secretary of State has made no formal protest either to Moscow or to the United Nations over this alienation of China's territory. The Press Club speech could have been intended as notice to both Moscow and China that the administration was informed of the seizures but intended to do nothing about it.

UNITED STATES CHINA POLICY

That being the case, it marks the surrender to the Soviet Union of the very territory over which arose our dispute with Japan, bringing us into World War II. It seems that this involves the complete abandonment of the open-door China territorial integrity policy by our State Department. Another event in the series occurred during 1946, while General Marshall was in China. The Chinese Government troops defeated the Communist troops of Lin Piao (the present commander of Chinese troops in Korea) in Manchuria and drove them northward. The insistence of General Marshall just at that time upon a further truce prevented the utter route and destruction of the Red troops and the recovery of Manchuria for Nationalist China.

For brevity I will only mention one further item of many that could be cited and without further comment, as additional evidence of the State Department's abandonment of the China territorial integrity policy, its failure to support China's charges against the Soviet Union before the United Nations of aggression.

I now cite this treaty as consistent with this line of evidence and which, if true, sir, I believe in itself parallels the evidence of the McCarran committee's investigations which I think fully establishes in the mind of any impartial reader the fact that the Institute of Pacific Relations is a captive organization of the Communist Party which used Soviet agents Guenther Stein, Agnes Smedley, Joseph Epstein, and others as the men whose writings cover essentially the attitudes toward China, Nationalist and Communist, that have spread throughout America.

The Institute of Pacific Relations records throughout all this period have been considered thoroughly impartial, objective, and trustworthy. As was certified in the Christian Century by a group of mission board Protestant officials and others, who are well represented in their attitude by that of Dr. Van Kirk who appeared before you here on Wednesday, to assure you that, speaking as an official of united groups, with millions of Protestant members, he asked that this treaty be confirmed.

I address you now, sir, as one of the constituents of that group. Throughout my experience in China, I have been with the Board of Foreign Missions of the Methodist Church. Eighteen months ago I published a pamphlet setting forth my views on China. I had dinner last month in New York with a missionary with whom I shared prison life, under the Japanese for 6 months at Hongkong, who went back to China in 1946 or 1947 and returned only a year ago. He is now on the staff of the National Christian Council, as, I believe, is Dr. Van Kirk.

As we discussed these matters he said to me, "Johnson, you told me this long ago but I had to go to China and go through what I have experienced since, before I could believe the truth of what you had to say."

I have had word from a number of missionaries confirming the same attitude of missionaries who changed their minds completely after their recent China experiences on the merits of Red China as an organization which the United States ought to recognize.

Senator GREEN. Dr. Johnson, I remind you, you have already had 15 minutes. If you can conclude your argument briefly, we will be glad.

Mr. JOHNSON. I would like to make two further points. The first one is our China policy seems to have completely changed from support of the open-door China territorial integrity policy to a new policy with the objective at this time of maintaining an island chain in the western Pacific as a defense line for our protection, a defense line made necessary only because we have an iron-curtain psychology on the mainland—a complete abandonment of the theory of the open door.

RETURN TO OPEN-DOOR POLICY ADVOCATED

I pass that and go on to my fourth point. The only possible successful policy for the United States today is a complete return to the policy of the open-door policy for China, a policy that substantially parallels the Monroe Doctrine for the Americas. A program for such a return to America's long-held policy should include the items mentioned in the New York Times this morning, quoting from Governor Dewey's address of yesterday, but I would add two or three things to that.

That line of defense marks the border where wars will begin down the generations if we include only the maintenance of that chain of defense as our policy. And any policy that continues our appeasement of Moscow will be equally fatal. We need to remind ourselves, as we think of Korea that, of six international wars involving the Far East during less than six decades, four began in this region, two of them started in Korea—I am including the present world war III as one of these—one of them started in Manchuria, and one began simultaneously in Korea and Manchuria.

Korea, with here circlet of farthest-north ice-free Pacific Asia ports, is a gateway comparable only to the Port Arthur-Dairen and Tientsin area for the hinterland of northeastern Asia.

Senator GREEN. Thank you. Are there any questions?

Senator SMITH of New Jersey. I have one, Mr. Chairman.

Mr. JOHNSON. I did not mean to stop there if I could say a few more words, sir.

Senator GREEN. What is the question.

Senator SMITH of New Jersey. I have a question if the witness is through.

Senator GREEN. You may ask the question.

Senator SMITH of New Jersey. The witness just said he had some more.

Senator GREEN. I know it. You may ask the question if you have one.

DECISION ON FUTURE OF FORMOSA

Senator SMITH of New Jersey. Mr. Johnson, I am very much interested in your testimony and with much of it I am in accord with your analysis of the China situation. I am not quite clear what you meant in your statement that we were turning some decisions back to the enemy. You take chapter 2 article 2 of the treaty, and in that "Japan renounces all right and title to these various areas." She is out of the picture.

How those are disposed of is a question—

Mr. JOHNSON. I am saying we turn back to her the decision as to whether she will deliver Formosa to Red China or to the Republic of China to whom we agreed to give it specifically.

Senator SMITH of New Jersey. She has renounced all right, title, and claim to Formosa and the Pescadores, so she has no say about turning Formosa back to anyone. Having been identified with Mr. Dulles over 12 months in developing this treaty, and having been a delegate to the San Francisco meeting which signed the treaty and having just

been to the Far East and discussed all these issues I do not share your view that Japan has any say at all as to what will be done with Formosa.

I agree with you that it cannot be turned back. I am definitely opposed to its being turned back to Communist China. I am entirely in accord with our recognition of the Nationalist Government but I do not think that this treaty gives Japan any such powers as you are suggesting.

I agree with you that it cannot be turned back. I am definitely opposed to its being turned back to Communist China. I am entirely in accord with our recognition of the Nationalist Government but I do not think that this treaty gives Japan any such powers as you are suggesting.

Mr. JOHNSON. May I ask a question, Mr. Chairman?

Senator GREEN. No; you are not permitted to ask questions.

Senator SMITH of New Jersey. If you want to submit questions that are on your mind I am sure the committee will consider having it appear in our report as to how those matters are considered, but we cannot answer questions from the witnesses.

Mr. JOHNSON. I confess my reading of the treaty has been hasty but I have listened to others giving testimony on the point here as well as my hasty reading, which has left the strong impression that Yoshida, as he has announced in the press recently, is expected to determine whether he will make a treaty with Formosa, recognizing Formosa to belong to Soviet China, or whether he will make a treaty with Nationalist China and Formosa will therefore remain with Nationalist China.

I may be mistaken—I hope I am—and if I am I withdraw the remarks.

Senator GREEN. Dr. Johnson, you are at liberty to supplement this statement with any written statement you would like to have in our record.

Thank you very much.

(The following statement was subsequently submitted:)

Honorable Chairman and members of the Foreign Relations Committee of the Senate of the United States, I am deeply grateful for the privilege of presenting my views to you as those of one who has long been a student of far eastern affairs.

Permit me to say that I speak out of 36 years of experience as a resident of the Orient, 35 of them in a provincial capital in the interior of China as a missionary of the board of missions of the Methodist Church. During 1941, I was loaned by the board for service with the American Red Cross China Relief Unit, in charge of their Hong Kong office. Previously, I had administered famine and war relief in China including extensive dike-repair projects, the setting up of war refugee camps with industrial and cooperatives features including the spending of a portion of the American wheat and cotton loan to China on dike repair in 1932. In New York in 1928, I was executive secretary of China famine relief through its first financial campaign.

I was for 6 months imprisoned by the Japanese at Stanley Prison at Hong Kong. There and in China I lost my possessions including a library of a thousand volumes, household furnishings, etc.

Furthermore, I am one of those millions of constituents of Dr. Van Kirk's organization; who has the privilege of speaking for himself.

My first objection to the confirmation of the Japanese Treaty is the grave injustice that it inflicts upon China and its only legitimate Government, the only one based upon constitutional processes and having a genuine program for China's welfare and progress. The Western World is only beginning to be conscious of the deplorable state to which China's mainland is being reduced—to despair, greatly increased poverty, and almost literal serfdom for the farmer,

slavery for the industrial worker, and death for the intellectual, the properties, former officials and those with western training and sympathies; who do not continuously demonstrate loyalty for the Communist cause. 15,672,050 executions and an additional 20,000,000 estimated deaths by suicide and starvation are the incomplete totals of lives destroyed in China during the 2 years prior to last August. The Christian churches are being reorganized to make their teaching, preaching, and practices conform to the Communist pattern to the satisfaction of the local Communist Party organization. The alternative is persecution, imprisonment until recantation or death for many leaders. The less prominent often are arrested and disappear without trace. This treatment is not peculiar to Christians, but equally characteristic of the so-called land reform, and other movements that, together, include everyone but the privileged official groups, including the military. Moscow's advisers and technicians are everywhere, "advising" and directing. There can be no question of Peiping's satellite status under the Kremlin's power. Brainwashing and discipline is so strict that no one dares to trust a friend. The obligation to report even slight vagaries of suspicion of disloyalty puts everyone under grave suspicion of his neighbor. Such statements regarding Chinese conditions are most difficult to accept. They are nevertheless, true. Destruction of life by such means continues at upward of 1½ million monthly. Such is the Red China that seeks entrance to the United Nations.

The world thought that China was practically out of the war with the disastrous defeat at Nanking in December 1937, yet China had recovered sufficiently to administer a stinging defeat to the Japanese during the following March on the railway north of Nanking. From that time they repeatedly fought the Japanese to a standstill in heavy campaigns as they withdrew gradually westward. Three times the Japanese were defeated in major campaigns before Changsha in the rice bowl of Hunan on the railway south of Hankow, where the Chinese held their position for more than 4 years. It was in 1944 in the mountains farther south that lack of ammunition finally permitted the Japanese break-through into south China. Six months after Lt. Gen. Albert C. Wedemeyer took over his command sufficient divisions of the Chinese troops had been rearmed and defeated the Japanese in a considerable battle. China would soon have recovered its control in the south had the Japanese not surrendered in August 1945.

For several years China contained more Japanese troops than the total of Japanese forces met up with by American troops during the whole of their island-hopping Pacific campaigns. During the war more Chinese civilians were driven from their homes than in all the rest of the Allied nations. China's losses in human life were in like proportion to the rest of the Allied nations. She fought Japan 4 years longer than we did. Yet China held on. Her record of achievement and loyalty to the Allied cause gives her every right to full recognition and participation in the negotiation and signing of the peace treaty, in spite of these later defeats at the hands of foreign-armed, trained, and technically assisted troops, which are unequal to the puppets of a foreign state.

It was for the integrity of China's territory that we fought the Pacific war. The treaty under consideration leaves our great Pacific ally outside the peace settlement, as if in ignominy. China's people are now being purged, murdered, driven to suicide, and starved to death in the greatest genocidal holocaust in history, without even a protest from us to the former ally responsible for it. We have spent more money since the war to feed our enemy, Japan, that precipitated the Pacific war than the total value of all American supplies actually delivered to China during the whole course of the war and since. Much of the supplies charged to her account were not delivered to her. Much was demilitarized before delivery, out of repair, etc., yet it was charged at full cost values on our books.

We now insist on making a treaty with that enemy that goes far to insure Japan's future well-being, while China is left standing outside the door, to alone make the best terms she may. How could we give greater offense to China and to China's neighbors living in fear of a like fate, not at China's hands, but at the hands of Moscow, using Chinese and Korean levies as pawns in Korea and elsewhere, in its war and mass murder of unarmed civilians, in its determined drive for world conquest.

For the United States to go to war in defense of China's territorial integrity against the Japanese aggression, and now to give assent to the exclusion of China from the Peace Conference and there to negotiate a treaty that gives precedence to payment of American and British held prewar bonds over the payment of Chinese reparations, is not only a serious injustice and affront to a

loyal ally, but it brings to a climax a series of like betrayals that will long rankle in the minds of millions.

My second reason for opposing the confirmation of the Japanese Treaty is that it seems to mark the emergence of a new American policy as a substitute for the open-door policy—the establishment of an island chain of defense in the western Pacific. Admittedly, the earlier abandonment of the open door and the Soviet attack in Korea and the widespread infiltration of its agents into this country and elsewhere, have brought us to a pass where this country most seriously needs to look to its defenses, including this Pacific line. Adequate defense is urgent. This necessity for defense is the corollary to our earlier seeking of Moscow's aid against Japan, bringing in its wake this lowering of the iron curtain over China's mainland, the very danger foreseen by the founders of the China territorial integrity policy, a situation that now requires much more than a western Pacific line of defense.

The fundamental concept of the open door-China territorial integrity policy is that a securely established, constitutional Republic of China on the western shore of the Pacific and the United States on the eastern shore, both loyal to concepts of human rights, constitutional government, and peaceful international relation, would be able to so dominate the Pacific area as to make long periods of peace, if not lasting peace the norm for the area.

This policy, closely paralleling the concepts behind the Monroe Doctrine, was only brought into force in the first place by strong American support; and the fact that John Hay was able to convince the nations that China's control by any one power or China's division among a number, or all of them, could not possibly be accomplished without an exhaustive world war, involving them all. Such is the catastrophe that now confronts us in the Far East.

I am not unaware of the false claims of Red puppet China to inherit the benefits of American assistance and the benefits that accrue under the pledges and long-standing treaty obligations to China. But Red China has no more right to these benefits than the Soviet Union itself. They are determined upon acquiring the immediate fruits of conquest, and have no sympathy for the objectives for which those pledges were given. Any benefits received from reparations or other settlements would only be devoted to furthering their conquests, and be of no benefit to its subjects who sustained the losses.

As for Britain's objections to the presence of representatives of the Republic of China at the Conference and as a signer of the treaty, our claims and China's are paramount on this issue, even more than on any other; for it raises the fundamental issue in the Far East of peace in our time. The underlying reasons for State Department departure from fundamental American foreign policy at this point deserves the closest scrutiny of this Senate committee and of the Congress.

My third reason for opposing the confirmation of the Japanese Treaty is that, when made effective, it will fall into place as another of a long series of events, policy declarations, and subversions; whereby the long-established open-door policy has been secretly displaced by a contrary policy involving the delivery of China to the Kremlin as a forward step in a continuing program of world conquest. This new policy has been but gradually coming to light, though the fact that the scheme was in the making was long ago plainly written into the projected plans of Moscow, and numerous voices have warned us from time to time of dangers ahead. In embryo, this conspiracy was brought to this country by the first organizers of the American Communist Party.

The facts already revealed by congressional investigating committees are adequate for certain definite conclusions to be drawn and in the opinion of this witness, such conclusions as cannot much longer be neglected without the gravest peril.

For instance, the reports of hearings being conducted by the Senate committee, of which Senator McCarran is chairman, make it reasonably clear that the Institute of Pacific Relations for nearly two decades has been, as Mr. Budenz alleges, a captive organization of the American Communist Party. Throughout this period the public generally has accepted, in spite of occasional challenge, the institute's claims that its publications are thoroughly impartial, objective, and trustworthy. Assurances to that effect were certified in a letter to the Christian Century, for instance, by a group of leading Protestants and others last June. Their attitude on Chinese affairs parallels the position presented by Dr. Van Kirk, who appeared before you here on Wednesday morning.

Throughout my experience in China I have been under the board of missions of the Methodist Church. Eighteen months ago I published my views on China in a pamphlet. I had dinner last month in New York with another Methodist

missionary with whom I shared prison life under the Japanese in Hong Kong, and who had gone back to China in 1946 or 1947 and returned a year ago. He is now serving on the staff of the National Christian Council, as is Dr. Van Kirk. As we discussed these matters, he said to me, "Johnson, you told me long ago about the Chinese Communists; but I had to go back to China and live through what I have experienced since, before I could believe what you said." I have had word from a number of missionaries confirming the same attitude. Methodist Bishop Carleton Lacy died last month in a hospital at Foochow, a city on the China coast opposite Formosa. He had been restricted in his movements for more than 2 years; and had been given a so-called public trial. Though details have not been given out, insofar as I know, he seems to have been long under house arrest at the hospital. After restrictions had been placed upon his movements, he wrote me, "You certainly have a right to say, 'I told you so.'" Both these quotations have to do with my insistence that the Chinese Communists are what they are now proving themselves to be, and that American policy and the American public have been unduly influenced in their favor by false propaganda in their favor.

The Institute of Pacific Relations' literature relative to the countries of East Asia has presented an ideological line, in spite of its protests that it presents all sides, rather than the plain, objective, and impartially presented facts that it has claimed to give its readers. Known Soviet espionage agents have presented fully and unmistakably, in their published writings for the institute, the Kremlin design for directing American thinking and policy in the Far East, in which the determined destruction of the fundamentals of our long-held far eastern policy is paramount. Agnes Smedley, Gunther Stein, and Israel Epstein are typical examples of this rather numerous group. Serious variations from the indicated line is the exception rather than the rule among the institute's authors and specialists, according to the testimony. The records of the hearings reveal the story, for instance, as to how serious consultations were held by members of the institute's staff and others, in correspondence and interviews, to make sure that the individual most influential with General Marshall that could be enlisted should induce the general to read a particular book on Chinese affairs written by Soviet Spy Israel Epstein, with its weighted testimony in support of the Chinese Reds and to the detriment of President Chiang Kai-shek and the Nationalist Government.

In a 7-month lecture tour for the USO in 1944-45 I found such books in general use for the orientation of officers and soldiers in the Army training camps. Guenther Stein, a proven Soviet agent, served as Chungking correspondent of the institute, and also as correspondent for the Christian Science Monitor. He had a long article in the usually authoritative magazine, Foreign Affairs, in October 1945. Like Foreign Affairs, whether knowingly or not, many American newspapers and magazines publish such material as authoritative. Officials, researchers, mission boards, students, and governmental agencies have been widely influenced by such institute publications. All unsuspected by the public as to these subversive influences, its publications are in use in all colleges, high schools, libraries, and generally accepted as authoritative, as you of course know.

The hearings of the Senate committee under Chairman McCarran become must reading for those who need or wish to know the story of the subversion of our far eastern policy.

To illustrate with a few significant events or statements of policy with which the treaty seems to have direct relation in establishing such objectives as those of Yalta, I call to your attention the following:

1. The agreement to the effect that it is American policy to give equal treatment to the Chinese Communists and the National Government of China, secured from Sumner Welles, Under Secretary of State, and Lauchlin Currie, personal representative of the President, at an arranged conference at the State Department on October 12, 1942, by Earl Browder, head of the Communist Party in America, and Robert Minor, its assistant secretary. This is the first admission or official declaration of such a recognition of the Red satellites of Moscow that has come to my knowledge.

2. The unnecessary and fatal betrayal of Chinese and American interests in the war by the limitations, largely by administrative manipulation it seems, of essential arms and ammunition suitable for use of ground forces in China to, not \$3 billion, but to well under \$300 million worth during the whole war and postwar period up to the defeat of Chinese Central Government troops before Nanking in December 1948.

3. As an instance of such manipulation in the delivery of arms to China, mention is here made of General Stilwell's refusal to assent to General Chenault's appeal to be permitted to deliver rifle and machine-gun cartridges to Chinese troops making their last desperate stand in the mountain passes around Hengyang in southern Hunan in 1944. The resulting defeat opened all south China to the Japanese. A differing attitude and policy under General Wedemeyer gave the Chinese a substantial victory within 6 months.

4. The successive dismissal or displacement from the Far Eastern Division of the State Department of men who were known supporters of the open-door policy and their succession by supporters of the coalition of Communists and Nationalists. In each case dismissal followed public attack upon the individual for his anti-Soviet attitude, organized and led by the Communist Party through the columns of the Daily Worker. Men displaced by these means included Joseph B. Grew, Under Secretary of State; Eugene C. Dooman, head of the far eastern activities; Gen. Patrick J. Hurley, Ambassador to China; A. A. Berle. Lt. Gen. Albert C. Wedemeyer, of the Army, suffered a like fate.

The wrecking of the Chinese Republic's great superiority over the Reds by the fatal policy of General Marshall in withholding American arms from the Nationalists when the Reds were being supplied and trained by the Soviet Union and again by the general's insistence upon a truce immediately after a major defeat of the Red forces in Manchuria. In this way the utter rout of Lin Piao's troops was prevented. General Lin commanded practically the whole of the Communist troops then in Manchuria.

The failure of the administration to protest the announced establishment of independent satellite Soviet governments, amounting to effective seizure by the Soviet Union, throughout the provinces of Manchuria and Inner Mongolia. The establishment of these governments involved a broad area extending right across north China from the Yellow Sea to Singkiang Province in the heart of Asia. It appears that no official notice was taken by the State Department of this seizure of Chinese territory by Moscow until Secretary Acheson's Washington Press Club speech of 3 years later, just 2 days before the signing in Moscow of the Russo-Chinese (Reds) Treaty on January 14, 1950. Unaccompanied by any protest whatever to Moscow or to the United Nations, the apparent purpose of the Secretary's address was to reassure the American public that due regard was being taken of American interests in that region; and, of course, it would assure the Chinese Reds and the Kremlin that the facts were known and that nothing would be done by Washington about it.

The failure to accord to the Chinese Republic even American moral support against the aggressions of the Kremlin and of the Chinese Reds either (a) in the United Nations, or (b) in the end projection of an adequate policy of technical aid and the prompt delivery of adequate arms and ammunition for resistance either as a diversionary activity in south China, to aid U. N. forces in Korea, or by giving China her rightful place in the treaty-making processes with Japan. In fact, the State Department's publicity has consistently favored Red China as ever against the Chinese Republic.

In presuming to make such an all-inclusive attack upon the treaty arrangements now before the committee for confirmation, and the administration's policies, one feels the necessity to indicate in a few lines the skeleton of an alternative policy, which, as it seems to this writer, is indicated to secure a better and more permanent result for peace in our time and a promise for a more secure future.

1. It should be recognized that it is the Soviet Union, whose Red army General Rodion Malinovsky, commands the Communist forces fighting in Korea, that is the enemy we are fighting in Korea and not primarily puppet North Koreans and Chinese.

2. Such a program should involve announcement at the proper time of the denunciation of the Yalta Agreements.

3. Full and unqualified support of the open door-China territorial integrity policy should be announced and demonstrated.

4. Strengthening and maintenance of the island defense chain.

5. The items mentioned by Governor Dewey in his address of yesterday as reported in today's (January 25, 1952) New York Times should be effected: A Pacific pact to include all nations in that area willing to join in the common defense.

6. Effective technical and munitions aid to Formosa, Indochina, Malaya, and other nations being subjected to Communist pressure. This aid should be given as aid to the local national governments, so related by liaison with other nations giving like or even closer assistance in each case, as to give close cooperation. A

constant reiteration of this relationship to Asiatic countries is essential to success. We must go into Asia only to support the national government in each case, not as in support of France or Britain or Holland. Any policy in Asia that supports only or primarily Japan, Britain, France, and Holland is doomed before it starts. It is against just such aid to "imperialistic" powers that China and Asiatics generally have been conditioned.

Japan is neither the "key" to Asia or more than one of the "keys" to the island defense chain. All the territories now in need of defense against Soviet power except Japan can be better defended by projecting a line across China from the coast opposite Formosa to the mountains of Yenan and Burma, than by any plan to defend separately the rest of the countries named.

7. China remains the "key" to Asian defense from Formosa to India. But such a line cannot be successfully defended except by (7) primary use of Asiatic troops. The \$800,000,000 pay raise voted the other day by the Congress for our present military forces, might better have been used to place 2,666,000 new native troops into training for defense of that China line. These troops could have been outfitted and maintained on that sum. It would take, probably, several times that many Asiatic troops to match those now trained or in training in China for the attack that threatens. That attack in Asia is near. It could very possibly begin in Japan, and/or Indochina and/or Thailand any day; or in Malaya, the Philippines and/or Indonesia, reasonably soon thereafter.

8. Unqualified, open, constantly proclaimed moral support must be given to the Republic of China and each of the national governments involved through the Voice of America and all agencies concerned.

9. When A-bombing is used, it should be used primarily against the power that ordered North Korean and Chinese troops into battle and continues to command them there.

That a large portion of the captured Chinese "volunteer" troops in Korea, seek to return to Formosa is a revelation of the present overwhelming desires of the Chinese people were they correctly informed. Doubtless, large numbers of the remaining prisoners are restrained from like declarations by the certain knowledge that vengeance will be meted out to them by their superiors if they make their choice and are later returned to Red Chinese authorities. Of course, many are just too dazed and suspicious to attempt individual action. The Soviet Union as the nation responsible for the aggression should be dealt with accordingly.

I thank the committee for the privilege of being heard on these issues, one of the most vital we have to face in this generation.

Senator GREEN. The next witness is Miss Elizabeth Kendall. Is she here?

STATEMENT OF MISS ELIZABETH A. KENDALL, WASHINGTON, D. C.

Miss KENDALL. Mr. Chairman, and members of the committee, I appreciate the opportunity to be heard at this important time.

My name is Elizabeth Kendall, Washington, D. C. I am here as a private citizen. Of course, in a republic, an individual taxpayer is important in his own right, but I would like you to know I am not exactly here by myself, because there are people in the country interested in the whole general question that I would like to bring up, not necessarily on the specific points I want to speak on, but in the general question and I will be as brief as I can because I know that probably all of you know my views, anyway.

Now, in regard to the Japanese Treaty—first I would like to say this: That a little string of fortified islands is not really our first line of defense. Our first and our real line and our sure line of defense, of course, is our trust in God and our understanding of His purposes, and we do not sometimes use that line of defense as a protection so we take human footsteps which are these treaties. I think the next best thing to relying on spiritual protection is to take these human steps with a great deal of care and with a great deal of attention to detail and also with a great deal of explaining to the public of exactly what the human footsteps are.

There are points here that I believe we have not brought up at all, have not brought up in these hearings, have not been brought up by anybody that I can find—that may have more bearing on our economic well-being and our military well-being than the points that have been discussed.

CLARIFICATION OF UNITED STATES ANTARCTIC POLICY NEEDED

Now the first one in the Japanese Treaty, under "Territorial material," chapter 2, we find, paragraph (e) [reading]:

Japan renounces all claim to any right or title to or interest in connection with any part of the Antarctic area, whether deriving from the activities of Japanese nationals or otherwise.

As far as I can tell, that has not been explained to the public. It is the sort of thing that is just left up in the air. As it is written it is not too clear. It has been left up in the air and there are three points or three questions I would like to ask.

First, does the import of that paragraph mean that our Antarctic policy as expressed in our encyclopedia and by our State Department has been reversed, completely reversed? Is that what it means? If so, that might be a good point.

I would like to have it explained thoroughly to the public.

My question No. 2: Does it mean that it is the first step, or concrete step, in the State Department's project of internationalization of the Antarctic Continent? If it is a first step in that line, it is a point that should be presented to the public and have it turned over in their minds.

I think 150 million people are the ones who should, at least, discuss the matter and maybe decide the matter whether internationalization of the Antarctic should go forward.

Question No. 3: And this has two little subheads: Has an arrangement been made between the makers of the treaty and another power regarding disposal of the section that Japan was claiming in the Antarctic? Under that there are two points.

If we handle it a certain way there could be very, very great common sense. It would show shrewdness politically and it would be a matter of kindness if we handle it a certain way. Then another way that we might handle it would be—it would just mean disaster to South America and to us probably. I would like to have that cleared up for the public.

I do not want to talk any more about that now but you know what I mean but you would know what I mean if you had noticed the little items scattered through the New York Times in the inside pages, very small items, the last 3 years, you will know what disposition might be made. I am talking strictly from the standpoint of the United States, and not from the standpoint of Japan at all, because she is not in this picture here in the disposal of territories.

If you are a loser in a war you have to expect probably certain territory to go somewhere else. I think all honor should go to Admiral Shirase and his hard work, it is hard work to go 160 miles into the Antarctic; it is hard work to go 10 miles into the Antarctic. All Antarctic explorers deserve all the acclaim they can have. But I think it is right that this territory should be taken away from Japan.

If I know what I am talking about, it is a very small amount of territory. It has never been explained to the public exactly what it is but I think it is just that small area down there that they covered.

RELATIONSHIP OF PACIFIC PACTS TO ANTARCTIC

Now about the Pacific Pact. You all know that the United States never has claimed one square inch of Antarctic territory. We do not have any now. That is the official policy of the United States, together with the fact that we do not recognize any other nation's claims, but we reserve our rights, whatever that means. That is in all encyclopedias, and it is the expression of the State Department and the present policy, and has been for most of the twentieth century. It hasn't much meaning—hasn't any meaning in connection with our technological progress.

Well, now, I would like to say that I think probably the Pacific Pact with Australia and New Zealand is a good pact more or less. It reads pretty well. There are two or three territories left out of it.

The point is, I think we are putting the cart before the horse by ratifying a treaty like this before we claim our Antarctic territory, because the whole South Pacific is dominated by the Antarctic Continent.

We are rushing down into the South Pacific in this pact with Australia and New Zealand. We are not staying in the North, we are not staying in the Far East, we are going right down into the South Pacific. You can say, "But there are no people in the Antarctic," and that makes a point showing the advisability of our attention to the matter.

If there is some subversive activity going on down there, we cannot get telegrams and cables about it. The penguins do not send us warnings. We should go down there in person, have surveys continually and have our intelligence thoroughly conversant with that part of the globe, if we are going into a pact like this especially. There are two areas that I do not believe are in the Pacific Pact with Australia and New Zealand; as far as I can understand the language we are leaving Alaska out of that and we are leaving the Cape Horn area out of that.

It might be that it could be explained that Alaska is in there, although Alaska is not an island; Alaska is not metropolitan territory if you consider that to mean mother country; or if you consider it to mean where there are cities where there is population, why then Alaska would be in the pact, and also the Antarctic would be as soon as Australia and New Zealand have settlements there on their own Antarctic properties. So it is all involved and I think it should be all explained in black and white to the American public and I think that the Senate should consider these points prior to ratifying a treaty of this nature.

Then the Cape Horn area you cannot divorce from the Pacific and it is not covered in the treaty as far as I can tell. It does not come under island territory or metropolitan territory of the United States.

Of course the Cape Horn area may be taken care of in the Rio Pact of 1947 and if it is taken care of then, maybe that is all right, because we are pledged there to offer mutual protection to a zone in the Antarctic between, I think it is the twenty-fourth and the ninetieth

meridians with a point pointing down to the South Pole. We still have not claimed our rightful Antarctic territory. It just seems to me we are putting off something that is very important. That is all my oral testimony and I would like to submit a few things to go into the printed matter if I may.

Senator GREEN. What is that?

Miss KENDALL. May I submit a few things which may go in the printed part of the record at the committee's discretion?

Senator GREEN. Yes.

Miss KENDALL. First, it is important that we have the Department's press release of August 28, 1948.

Senator GREEN. You may leave that for the record.

(The press release referred to follows:)

DEPARTMENT OF STATE,
August 28, 1948.

For the press.

No. 689.

The Department of State has approached the Governments of Argentina, Australia, Chile, France, New Zealand, Norway, and the United Kingdom informally with a suggestion that a solution for the territorial problem of Antarctica be discussed. It is the viewpoint of the Department of State that the solution should be such as to promote scientific investigation and research in the area. The Department of State has suggested that this can perhaps be done most effectively and the problem of conflicting claims at the same time solved through agreement upon some form of internationalization. The Department of State expects that the question is one which will require an extended exchange of views, consideration of suggestions and probably reconciliation of varying viewpoints. Until such exchange of views and necessary further study is completed, it is not believed that any useful purpose could be accomplished by a conference on the subject and no such conference is contemplated at present.

Miss KENDALL. Then there is an article supplementing that I would like to have put in. It is regarding the Antarctic but it is the first thing I have seen in print. There are only three lines and it is from a foreign correspondent.

Senator GREEN. That will be put in the record as part of your remarks.

(The article referred to is as follows:)

[From the Christian Science Monitor, August 26, 1950]

WHAT COMES NEXT IN ANTARCTICA?

AUSTRALIAN SMOKE SIGNAL

(By Albert Norman)

SYDNEY.—If anybody ever thought that Australia was blowing hot and cold over Antarctica, he has another thermostatic think coming. Australia is in the Antarctic business for keeps. There are lots of reasons why. Some of them are impressive, stirring world scientific interest. Others of lighter impact are none the less significant.

Take that new polar ship, for example, and the related idea of putting Australia's Antarctic exploration on a "permanent" basis. The Federal Government now has decided on the construction of what surely will be the world's most modern polar exploration vessel. This after unsuccessfully poking around the world's creeks and breakers' yards for a make-do model.

According to one tentative work schedule we've seen, the new ship will run almost continuously between Australia and what's ambitiously described as the "first permanent Australian settlement on the Antarctic Continent."

To most grizzled polar old-timers, that sounds as if the old voyages of Antarctic derring-do now are to give way to just a humdrum ferry service, with a three-piece band playing California. Here I Come and other request numbers to while-

Of course, all this talk about an Australian "permanent settlement" in Antarctica gets a good deal of inspiration from the fact that Australia holds international title to a chunk of country down there about half the size of the United States. And that is a lot of land even in the Australian language. So much so, that in these days of the veto, the Government obviously feels obliged to keep its antarctic interest, to turn a diplomatic phrase, "continuously in the affirmative."

Actually, the Australian "title" is internationally doubtful; at least the United States State Department hasn't recognized it to date, notwithstanding that Australia's formal claim dates back to 1933.

But, along with Australia's close interest in the sprawling polar continent, something has happened in recent years to spark a sudden sustained burst of interest by all nations having Antarctic "possessions" and some not having them, such as Soviet Russia.

For example, in recent months the French have landed an expedition in Adélie Land in the so-called "French enclave" which is a thin slice cut into the enormous Australian territory.

At first, the French expedition had trouble in reaching Adélie Land owing to heavy pack ice. But the Australian Government graciously gave the French leader, M. André Liotard, permission to make a temporary base in Australian territory, a concession which M. Liotard graciously accepted.

These meticulous observances of diplomatic protocol in remote howling polar wastes would be incongruous if they didn't underscore the growing international interest in and respect for polar "possessions."

Right now the center of this lively international interest is the joint British-Scandinavian expedition, with Australians in its complement, which recently has entered Norway's Queen Maud Land for a 2-year stay.

Actually, it was some chance photographs taken by a German Luftwaffe ship-based plane engaged in an illegal air reconnaissance over Queen Maud Land in 1938 that started the present British-Scandinavian expedition on its way.

The Nazi pilot's report and photographs, found in the German archives in 1945, surprisingly revealed a 30,000 square mile ice-free "oasis" of valley and range in the hear of Queen Maud Land.

This discovery of an extensive ice-free area in the Antarctic Continent seems to be the major piece of evidence that the southern polar climate gradually is changing. But is it just a remarkable coincidence that this surprising discovery is accompanied by an intensified international exploratory trend with various nations dusting off old "claims," and even thinking in terms of "permanent Antarctic settlement"?

Of course, the people who see a natural sequence in these indications of added polar warmth and intensified interest in "permanent" settlement could be inaccurately anticipating their history.

Climatologists, for example, point out that "added polar warmth" is a very comparative term in a region where some folk still have to beat hard to thaw out on summer mornings.

But that doesn't gainsay the fact, climatologically speaking, that things appear to be warming up down Antarctica way.

Future teachers in Antarctica high schools may yet tell young Antarcitics that it was the Australians who first began to suspect a serious shrinkage in the country's icecap.

Australian interest in Antarctic weather can be called traditional. And since 1947 it has been on a 24-hour basis when two A-class weather stations with elaborate scientific staff were established bordering Antarctica itself.

It is not clear whether these stations were put there following the discovery of the Luftwaffe report on the Queen Maud Land oasis. But the fact is they are there and are producing the kind of arithmetic needed to solve this modern mystery.

The British-Scandinavian expedition now in Queen Maud Land certainly will have its own findings to make on a possible changing Antarctic climate when it breaks camp in 1952. But it probably will be the patient continuous figuring of the Australian Antarctic meteorologists which finally will answer the polar continent's climatological riddle and whether in consequence the country will have an ordinary civilized future.

And judging by things we hear, that new polar ship with the three-piece band is going to have more to do than just ferrying new settlers southward. The Australian Department of National Development wants it to start surveying Antarctica's marine wealth as soon as it is built. The department has the idea there are lots of potential dollars floating around in the region, mostly carried in the

hides and blubber of sea cows and emperor penguins. Could be. Along with weather statistics that certainly is a feasible beginning for industry. What comes next in Antarctic?

Miss KENDALL. Then there is an article about Australia's plans for her Antarctic territory. Then there are several letters, my letters to the committee.

Senator GREEN. Would it not be sufficient that those latter papers be filed with the letters of the committee?

Miss KENDALL. May I date them, please?

Senator GREEN. Those can be filed for reference.

Miss KENDALL. Not in the hearings?

Senator GREEN. Not the long papers.

Miss KENDALL. Well, all right. There are two letters, one to your committee and one to Mr. Connally, well, three, one to the Armed Services Committee when they sat with you.

Thank you very much.

Senator GREEN. Thank you.

(The article referred to is as follows:)

[From the Christian Science Monitor, December 8, 1951]

BRITAIN, ARGENTINA, AND CHILE RENEW ANTARCTIC AGREEMENT

(By a special correspondent of the Christian Science Monitor)

MONTEVideo, URUGUAY.—Britain, Argentina, and Chile have renewed their formal agreement not to send warships south of latitude 60° during the present Antarctic summer, and Washington, for the third time, has nodded in approval.

The decision is little more than a statement of intention, to avoid the risks of incidents which are apt to result from naval demonstrations.

The first declaration was made in January 1949, after "incidents"—usually no more serious than soccer matches between warship crews on snowy island pitches—involved the three powers claiming the same Antarctic territory.

TENSION RAN HIGH

But tension ran high at times, before agreement was reached. There always was the risk of an unpleasant incident. The Argentines sent their squadrons and admirals down to roam the far southern seas. The Chilean President, Señor Gabriel Gonzalez, himself went in the same direction.

Both countries, although with their own Antarctic differences, have signed a pact to settle these bilaterally, and meantime are barking at John Bull's Antarctic coat-tails. Each has established bases on lands which the British have incorporated as dependencies of the Falkland Islands colony.

Before the agreement to avoid naval demonstrations, Sir Miles Clifford, the Falkland Islands governor, used to dash ashore from his sloop or a specially despatched cruiser, delivering notes of protests to the South American squatters, some of them separated by many hundreds of miles in those isolated waters.

Without the risks, the situation might have been regarded as full of comedy, but the Antarctic contains something more than ice, penguins, and whales. Latterly, there have been reports of mineral findings, including coal and perhaps uranium.

The Chileans and Argentines, especially the latter, also resent foreign interference in what is considered a natural prolongation of their territory. The Argentines have never recognized British occupation of the Falklands.

ANOTHER BYRD TRY?

The announcement of a new American expedition to the Antarctic by Admiral Richard E. Byrd has come at a time of special local susceptibility. Although no definite plans have been announced—the admiral speaks of going south for the fifth time when world tension has eased—the South Americans feel that further American explorations and discoveries will prejudice their claims of sovereignty.

Officially, the United States encourages the goal of Antarctic internationalization. The Argentines, particularly, are opposed to this conception. They are as nationalistic in their Antarctic as in their Peronista outlook at home.

American expressions have been aimed at an eventual solution of Antarctic problems through scientific research—an aspect invariably stressed in Byrd and other expeditions—but this is an aim which has gained little foreign support. The South Americans emphasize the scientific side in exclusively nationalist form. The British have been mainly associated with the Scandinavians in joint scientific expeditions.

The British have their eyes turned anxiously on the latest Argentine "task force" which sailed for Margaret Bay in the Antarctic in the last days of November. Although the primary aim of the recently renewed tripartite declaration is to avoid the risks of naval demonstrations, the hope was also entertained that it would avoid further encroachments on what is considered British territory.

Senator GREEN. The next witness is Mr. Roy G. Allman.

STATEMENT OF ROY G. ALLMAN, ATTORNEY, WASHINGTON, D. C.

Mr. ALLMAN. Gentlemen, members of the committee and of the Senate, my name is Roy G. Allman. I practiced law in China for some 8 or 10 years and my remarks are solely for Americans. It has no geographical limitations, and it has no other nationality other than American.

Senator GREEN. You are addressing the committee, and we are all Americans.

Mr. ALLMAN. Thank you. I am here to protest on behalf of myself and other Americans similarly situated against the treaty with Japan as it now stands. The treaty with Japan is an outrage as it is now written.

I disagree, and if it is finalized, it is a fraud on Americans who lost their property and in some cases their lives at the hands of the Japanese.

On page 18 of the treaty—

Senator GREEN. May I interrupt? Are you speaking here in your own behalf or in behalf of clients?

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Senator GREEN. Are you speaking in behalf of clients?

Mr. ALLMAN. Yes, sir.

Senator GREEN. That is all right. It is perfectly proper. I wanted to know.

Mr. ALLMAN. On page 18 of the treaty with Japan, beginning on the first line of that page—the last line of that page—under section (b), it is as follows.

Senator SMITH of New Jersey. Do you mind stating what article that is? We have another edition, the committee print, which doesn't follow those pages.

WAIVER OF REPARATIONS CLAIMS AGAINST JAPAN

Mr. ALLMAN. Chapter V, article 14, section (b), second line in section (b). Under section (b) it is as follows [reading]:

Except as otherwise provided in the present treaty, the Allied Powers waive all reparations claims of the Allied Powers, other claims of the Allied Powers and their nationals arising out of any actions taken by Japan and its nationals in the course of the prosecution of the war, and claims of the Allied Powers for direct military costs of occupation.

hides and blubber of sea cows and emperor penguins. Could be. Along with weather statistics that certainly is a feasible beginning for industry. What remains next in Antarctica?

Miss KENDALL. Then there is an article about Australia's plans for her Antarctic territory. Then there are several letters, my letters to the committee.

Senator GREEN. Would it not be sufficient that those letter papers be filed with the letters of the committee?

Miss KENDALL. May I date them, please?

Senator GREEN. Those can be filed for reference.

Miss KENDALL. Not in the hearings?

Senator GREEN. Not the long papers.

Miss KENDALL. Well, all right. There are two letters, one to your committee and one to Mr. Connally, well, three, one to the Armed Services Committee when they sat with you.

Thank you very much.

Senator GREEN. Thank you.

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Gentlemen, that covers the field. There is nothing left. When they said waive the right to the claims and waive all other claims, they made sure that if an individual lost some property by the Japanese stealing it, this American Government waives that individual's rights to file a claim against that individual Japanese or his Government.

Gentlemen, if you will analyze this just a little, you will see that the hidden or the weasel clauses throughout this treaty—this is one of them—what I call illegal acts of this government against its own nationals by waiving the claims of Americans and other claims of Americans.

This prevents these citizens from filing a claim against the Japanese Government or its nationals. It forever shuts them off.

A treaty with the United States is the supreme law of the land; we observe them; and in my observation other nations do not observe them except if it is to their benefit to do so. This Government does not act that way.

These Americans who lost their life savings and in most cases were imprisoned and harassed and prevented from carrying on their lawful commercial pursuits in China and the development of trade and commerce and the western ways of life—this treaty steps right in and waives their rights.

In the opinion of the writer, it is a violation of the fifth amendment to the Constitution of the United States in the letter of the law if not the spirit wherein it deprives American citizens of their property without due process of law.

The treaty being the supreme law of the land, the Senate has the final say in this matter, which is now for some unknown reason being urgently and energetically urged upon the Senate for quick ratification, perhaps so it can be done without too much thought on the part of the Senate or the American people as to this treaty; and when it is done, the promoter of this treaty will probably have a nice job representing the United States in Japan because of the efforts they are supposed to have put forth in negotiating this treaty, a very small group that drew up this treaty—they didn't want too much information, too much truth, about it.

This treaty as it stands is a fundamental violation of contractual rights of the American people who lost their rights in China when their property was confiscated.

AMERICAN PROPERTY SEIZED BY JAPAN

Here is a certificate of seizure by the Japanese Government of American property in Tientsin, China. This I consider, and the American owner of this property considers this was a contractual obligation. It reads in part as follows. It is in Japanese and signed by the gendarmes in Tientsin, and it is also in English—probably printed long before Pearl Harbor for just such a situation. It reads as follows:

The above articles shall be taken over by the Japanese Army solely for military necessities.

They listed this and there are 17 items in Japanese and English, and the total amount of this property is approximately \$498,000. The person who lost it lives in Irvington, N.J., and he has a wife and

two children and he is having a hard time getting along because the Japanese took everything he had, his home in Pehtaiho, his home in Tientsin. He was a contractor. They took his steel beams, his concrete reinforcement, took it some place in the South Pacific and used it against our men, Americans. He is eking out a living now the best he can because he lost everything he had.

The certificate goes on [reading]:

After restoration of peace, shall be returned to respective owners or disposed by appropriate means under prevailing circumstances.

That is pretty good English language for the Japanese. The Japanese military garrison in Tientsin signed that. They weren't very good spellers in English, and so they spelled Tientsin wrong—T-i-e-n-t-s-n-i—in place of "i-n".

If the members of the committee would care to see this, I would be glad for them to take a look at it. I have several photostatic copies of it. Here is a photostatic copy listed by the Japanese and gives to the Chinese in Tientsin—this American was in jail, so the Chinese held it for him until he got out of jail, and gave it to him, and so he gave it to me, to file his claim with somebody in the hope that he could spend the rest of his days—he is about 65 years old and having a tough time making a living up there in New Jersey. There is no place to file it.

If this treaty stands as it is, this Senate waives his right to claim this against the Japanese when the Japanese agreed with him in part that he could file it, it would be returned in kind or some adjustment would be made so that he could get compensation for it.

By waiving the rights of Americans it shuts off this company from collecting from the Japanese when the Japanese stated in the receipt for the property they took that they should return the property to the owners or dispose of it by appropriate means.

This is the most anti-American document I have ever read, this treaty, with respect to that particular phase of it, cutting off their rights to claim, civilians, in the Japanese courts or any courts. This shuts them off.

Mr. Dulles and his assistants went to great length—

Senator WILEY. What is the date of that instrument there, the instrument where you say there was an obligation on the state of Japan? Was it before Pearl Harbor?

Mr. ALLMAN. No. Just a minute. I have the date here.

Senator WILEY. This receipt that you read.

ABILITY OF JAPAN TO PAY CLAIMS

Mr. ALLMAN. The date is blurred out, but it was January 1942, during the month of January 1942. If Mr. Dulles and his assistants are concerned about the economic fate of Japan, I can assure him that the Japanese will come out of this doldrum they are in. They are rather progressive. They can produce goods to bring their finances up to date.

When Mr. Dulles and his assistants wrote this up, I asked Mr. Allison, his assistant, if I couldn't submit some program where the Japanese could issue bonds or something to pay for that, but they didn't go for that. They didn't care about receiving anything from me, or apparently, any other American who knew what this was all about.

If he is concerned about the poverty of the Japanese nation, he can rest assured they will be all right. If he has visited a 5- and 10-cent store in America anywhere, particularly in Arlington County, he will find that the 5- and 10-cent store has a considerable amount of things in there, both cheap and fairly good.

When the Japanese bonds were permitted to be traded on the Stock Exchange in New York, the British were buying them at about 25, and when we started buying them about 1950 or 1951, they were 46. A couple of days ago they were 91.

That isn't bad. The people have confidence in the Japanese in respect to paying their bills. They will pay their bills. The Japanese are progressive, they are patriotic—to Japan, of course. They are industrious, they are energetic, they are patriotic; and the people who deal in their bonds, their commercial transactions, their shipping they have confidence in the Japanese.

Senator GREEN. If you would confine yourself to criticism of the treaty—

Mr. ALLMAN. That is what I am doing. Mr. Dulles apologizes for the Japanese, in this treaty, the Japanese being so poverty stricken that they don't have their finances up to date and they can't pay reparations.

To me that is right on the treaty.

On the other hand, he waives the Americans' rights to file claims against the Japanese, the Government or otherwise. If you would strike that word "waive" out of this treaty, the American people would have a way of getting along with the Japanese, could get the Japanese Government to honor these obligations they signed.

Senator GREEN. Is that your specific request, that that language be changed?

Mr. ALLMAN. Yes.

Senator GREEN. Have you any other specific requests?

Mr. ALLMAN. The request for the Americans to have the same right to file claims for reparations as other countries who signed the treaty in San Francisco, like the Indonesians, like the Philippine Islands. They are very cagey in couching this in double-talking language, what I call weasel clauses, in that they said any territory occupied by Japan, they would have the right to take it in kind or in labor or in some other form of manufacture.

There was no territory of America occupied by Japan except probably a couple of rocks in the North Pacific.

That is a clever piece of work. It is against American interests.

Senator GREEN. I hate to have to remind you that the quarter hour is up.

Mr. ALLMAN. Is it up?

Senator GREEN. Yes. If you have anything further you would like to submit to the committee, we would be very glad to have it.

Mr. ALLMAN. Would you indulge me just a minute, please?

Senator GREEN. Yes.

LIST OF AMERICAN CLAIMS AGAINST JAPAN

Mr. ALLMAN. I have a letter here from the American Chamber of Commerce in Shanghai, written to me, submitting a list of the Americans who had claims. This is part of the Americans, not all of them; but I would like permission to file this with the committee, I would like to file a list of claims that I have for Americans against the Japanese.

Senator GREEN. You say all these are waived by the treaty?

Mr. ALLMAN. Yes, sir.

Senator GREEN. You represent all these? These are all clients of yours?

Mr. ALLMAN. Most of them are.

Senator WILEY. What is the total?

Mr. ALLMAN. The total in this letter here from the American Chamber of Commerce is: Individual claims, the total is \$2,279,168.53; corporation claims—that is, American corporations, it isn't British, French, Japanese, or some other, it is American—

Senator HICKENLOOPER. Is that dollars or yen?

Mr. ALLMAN. United States dollars. The figure would be fantastic to put it in any other kind of dollars. Corporations, \$32,238,074.44.

Just in glancing through the list—you understand this is not the complete list, this is only from the chamber of commerce in Shanghai—R. T. Bryan, Jr., 149 Yuen Ming Yuen Road, \$50,000. He is in jail in Tientsin right now if he isn't dead. He was formerly with the State Department for a while after 1946. His wife is on her way from Hong Kong now. She had to leave from over there.

Senator GREEN. We haven't time to hear of the family details.

Mr. ALLMAN. C. S. Franklin, 149 Yuen Ming Yuen Road, \$20,000; Louis Henkel, 451 Kiangse Road, Room 211, \$504,980: American Asiatic Underwriters—

Senator GREEN. You have given us an example.

Mr. ALLMAN. I would like to read you two more, Senator, if I may.

Senator GREEN. All right.

Mr. ALLMAN. American Asiatic Underwriters, which is an American corporation, \$123,202.60; Shanghai Power Co., \$21,509,067.16. That means General Motors, General Electric, and other companies supplied materials that the Communists are now using in Shanghai. The Japanese made the most of it when they took it over, and used it and dissipated it.

The Shanghai Telephone Co., a subsidiary of the Bell Telephone System, \$7,339,109.00.

That is some of the corporations. I would like to comment right there—

Senator GREEN. Would you like to include the whole list in your remarks?

Mr. ALLMAN. Yes, I would like to submit this whole list with the letter from the chamber of commerce, and with your permission, I would like to have the letter back, because it is addressed to me.

(The documents above referred to are as follows:)

AMERICAN CHAMBER OF COMMERCE,
Shanghai, May 8, 1950

Mr. R. G. ALLMAN,
Federal Resident Agents, Inc.,
Washington 5, D. C.

DEAR MR. ALLMAN: With reference to your letter of April 1, 1950, we enclosing herewith list of both individual and corporate claimants in connection with war damage claims and losses. It is understood that the American Chamber of Commerce in Shanghai cannot supply proof or details of these several claims. Each claimant, of course, will have to prove his or its own claim.

The chamber will be glad to render any assistance feasible in connection with inducing the Congress to ask appropriate legislation to pay these claims.

On March 23, 1950, we radioed you that these claims amounted to the following:

Individuals.....	US\$2,000.00
Corporations.....	11,000.00

Since that date, however, additional claims have come in and the correct figure now stands at:

Individuals.....	US\$2,279,168.53
Corporations.....	32,238,074.44

Will you please submit the revised claims to the Commission?

Very truly yours,

CORNELL S. FRANKLIN,
Vice President

War claims
INDIVIDUALS

Name	Address	Amount
Allman, N. F.	208 Hamilton House.	US\$50,100.00
Avery, John S.	904 Grosvenor House.	25,000.00
Boyd, Ralph S.	365 Fah Wah Lu, House 6.	400,000.00
Blest, E. L.	311 Kiangse Rd.	112,128.00
Blest, Mrs. Lea		
Browne, J. R.	209 Foochow Rd., room 205.	28,000.00
Bryan, R. T., Jr.	149 Yuen Ming Yuen Rd.	50,000.00
Chang, Harry Chen.	1036 Bubbling Well Rd.	2,300.00
Coleman, Innabelle G.	University of Shanghai, Yangtzeopoo Rd.	2,000.00
Desmond, Walter.	150 Nanking Rd. West.	18,100.00
Dixon, Thomas.	Care of Postmaster, Boston, Mass.	12,000.00
Farnham, W. C.	Care of Allman Kops & Lee, 208 Hamilton House.	24,412.17
Franklin, C. S.	149 Yuen Ming Yuen Rd.	20,000.00
Franks, Martha L.	209 Yuen Ming Yuen Rd.	3,000.00
Flook, Mr. and Mrs.	Care of Allman Kops & Lee, 208 Hamilton House.	20,921.10
Hager, A. R.	263 Kiangse Rd.	120,000.00
Hallok, H. G. C.	480 Chaoop Rd.	334,612.00
Henkel, Louis.	451 Kiangse Rd., room 211.	501,580.00
Hilburn, J. E.	Care of Yee Tssoon Tobacco, 175 Soochow Rd.	1,000.00
Hines, W. E.	Foreign YMCA, 150 Bubbling Well Rd.	12,257.00
Javier, Mariano.	651/C21 Weihaiwei Rd.	15,000.00
Langdon, E. W.	30 Rue Cardinal Mercier.	6,644.00
Lawler, Rev. Emma B.	350 Hingkwo Rd No. 2.	10,000.00
Lazarovich, L. D.	219 Cardinal Mercier, Grosvenor House, apartment 202; 3507 South Norton Ave., Los Angeles 16, Calif.	19,000.00
	350 Hingkwo Rd., No. 2.	10,000.00
	17 Canton Rd, suite 202.	54,050.00
	90 Kinnear Rd.	2,110.00
	651/C21 Weihaiwei Rd.	15,000.00
Moll, Dorothy.	608/83 Yu Yuen Rd.	4,000.00
Oss, John.	515 Ningkuo Rd.	3,100.00
Pattison, A. P.	9 Chung Shan Rd.	143,320.00
Potter, J. S.	113/320 Kiukiang Rd.	19,000.00
Read, Vaughan.	306 Medhurst Rd.	18,825.00
Ross, Miss Julia B.	400 Ave., Haig, apartment 12.	12,000.00
Roth, Louis Frank.	227 Nanyang Rd, apartment 12.	18,500.00
Roth, Daisy.	do.	4,650.00
Smith, H. Maxcy.	Care of Standard Vacuum Oil Co., 94 Canton Rd.	3,000.00
Starr, C. V.	Care of American Asiatic Underwriters, 17 The Bund.	25,222.25
Wang, George K. T.	Care of George Young, 2145 Liliha St., Honolulu, Hawaii.	2,000.00
Young, Paul B.	48-12 194th St., Flushing, Long Island, N. Y.; 209 Sassoong House.	51,275.00
Young, I. J.	Care of Yee Tssoon Tobacco, 175 Soochow Rd.	2,000.00
Yung, Bartlett, Jr.	749/32 Yu Yuen Rd.	1,166.00
Total.....		US\$2,279,168.53

War claims—Continued

CORPORATIONS

Name	Address	Amount
American Asiatic Underwriters.	17 The Bund.	US\$123,202.60
Asia Life Insurance Co.	do.	34,118.17
Bakerite Co.	1432 Sinza Rd.	291,940.24
Cathay-Grand Corp.	263 Kiangse Rd.	190,481.38
Cathay Oil Co.	51 Canton Rd.	258,692.25
China Fibre Container Co.	Care of Allman Kops & Lee, 208 Hamilton House.	433,532.58
Cosmos Paper Co.	do.	147,785.00
Henningsen Produce Co.	51 Canton Rd.	450,000.00
E. W. Langdon & Co.	10 Mowming Rd.	57,235.93
E. W. Langdon & Co. (Hong Kong)	51 Canton Rd.	201,056.42
Poplar Grove Farms.	17 The Bund.	375,000.00
Post Mercury Co.	17 The Bund.	89,633.83
Radio Engineering Corp.	51 Canton Rd.	50,000.00
Reliance Motors.	17 The Bund.	110,613.55
Tesmenitsky Bros.	89 Foochow Rd., suite 307.	440,000.00
Shanghai Power Co.	181 Nanking Rd.	21,509,067.16
Shanghai Stevedoring Co.	Care of Allman Kops & Lee, 208 Hamilton House.	10,000.00
Shanghai Telephone Co.	232 Kiangse Rd.	7,339,109.00
Shanghai Wharf & Warehouse Co.	51 Canton Rd.	118,310.66
United States Life Insurance Co.	17 The Bund.	3,850.95
Underwriters Bank.	do.	4,414.72
Total.....		US\$32,238,074.44
Underwriters Bank.....	17 The Bund.	HK\$81,112.74
Total.....		HK\$81,112.74

Mr. ALLMAN. I would like to comment on the fact that the bank accounts of these soldiers on Bataan are comparable to the bank accounts of most all Americans in China. A lot of Americans had bank accounts, and they haven't seen them since, because the Japanese used them, took them and used them against Americans.

Now this treaty says we waive your right to get your bank account back. We don't care. We will waive it for the sake of getting something across through this Senate.

Senator GREEN. Thank you very much.

Senator HICKENLOOPER. I would like to question this witness for just a moment if I may.

Senator GREEN. Very well. You weren't here when I made my introductory remarks, and that was we hoped to get through by 12:30. This is the fourth day of these hearings, and there is a list of eight witnesses to be heard; so we asked them to limit their remarks to an average of 15 minutes. So far they have gone beyond that, and the questioning, I hope, will not be prolonged.

Senator HICKENLOOPER. I am sorry I wasn't here when you made the remark. Nevertheless, this witness has touched on a most important phase of the Japanese Treaty.

Senator GREEN. Of course, the Senator has a right to ask the questions.

WAIVER OF REPARATIONS CLAIMS ON JAPAN

Senator HICKENLOOPER. I would like to explore this point just a little bit.

Mr. Allman, I understand it is your contention that this treaty waives the right of American nationals who had their property seized or confiscated or taken under certain process by the Japanese; is that correct?

Mr. ALLMAN. That is correct, Senator.

Senator HICKENLOOPER. Now does your contention also go to the fact that American nationals, for instance, who were in China prior to 1941 and had their property seized by the Japanese in their invasion of China—that is prior to Pearl Harbor, in 1941 and earlier—that they are also barred from making any claim against the Japanese?

Mr. ALLMAN. Absolutely.

Senator HICKENLOOPER. Is it your contention that under this treaty, even though the Japanese at the time of seizure of this property gave a receipt acknowledging indebtedness or acknowledging the right of the individual to compensation for the property seized, that this treaty bars that right which the individual thought he had?

Mr. ALLMAN. It certainly does.

Senator HICKENLOOPER. Is it your contention that this treaty gives other nations the right to claim compensation in one method or another against the Japanese, while barring claims of American citizens?

Mr. ALLMAN. That is correct, Senator. It most surely does shut them off.

Senator Hickenlooper. One of the Senators wonders if I made my question clear. Your answer may not have been responsive to the question.

I will restate it. Is it your contention that other nations have preserved the right in this treaty for their own nationals to go into some forum, either a Japanese court, or international settlement, and get compensation for their nationals who lost property through seizure or otherwise to the Japanese, either before or after Pearl Harbor, and that that right is barred to American nationals?

Mr. ALLMAN. That is correct. I spoke to the First Secretary of the Indonesian Embassy the day before yesterday, and they are negotiating in Japan right now to receive compensation, reparations, for their Government and their nationals. Under this treaty they can do that. Under this treaty the Americans cannot do that.

Senator HICKENLOOPER. In other words, I understand your contention is that this treaty has preserved the right to those nations and their nationals who were occupied by Japan to go into some forum and present their claims and have their claims, not only of the nations, but of their nationals, adjudicated for the losses which they suffered.

Mr. ALLMAN. That is correct, Senator.

MOST-FAVORED NATION CLAUSE ON REPARATIONS AND CLAIMS

Senator HICKENLOOPER. Have you examined article 26, the last paragraph, which states as follows—the last sentence of article 26, which is as follows [reading]:

Should Japan make a peace settlement or war claims settlement with any state granting that state greater advantages than those provided by the present treaty, those same advantages shall be extended to the parties to the present treaty.

Have you examined that provision?

Mr. ALLMAN. Yes, sir. That is the most-favored-nation clause, and that is as full of gobbledegook as the rest of the treaty, because it does not have the binding effect, because it says the nations whose territory Japan occupied will have this right.

That is just like saying America—it doesn't say America didn't have any territory occupied, but there it is, that is the way out of it. That is the way I interpret that.

Senator HICKENLOOPER. Let me go a step further. In that sentence I just read to you it refers to a state. That is, "Should Japan make a peace settlement * * * with any State," using the word "State"—the words "national of that State" are not used.

In other words, even in this sentence the right of the state might be preserved in some way under the most-favored-nation theory, but the question of whether the national or the citizen of that state would have his private claims preserved so far as adjudication is concerned can be raised perhaps.

Have you thought of it from that standpoint? The reason I am asking you is you are a lawyer. You apparently represent—excuse me—you represent, according to your statement—and I didn't mean to qualify it—you do represent certain clients who have claims which they assert against the Japanese for seizure of their property at one time of another in the past. Therefore, I would like to get your considered opinion on that particular statement as a result of your investigation of this treaty.

Mr. ALLMAN. The other nations who signed this treaty at San Francisco, they dominate their nationals, they act for their nationals. In the United States there is a slight difference. The Government legislates for the nationals, but it doesn't enter into commercial transactions for losses; and in the case of the Indonesians, for example, if an Indonesian loses property, which he did, the Government negotiates with Japan—and is negotiating now—to pay the Government, and the Government pays the individual. There is a difference there.

That is choice language there. It doesn't say the nationals, but it comes back to paragraph 14 (b) and it says waives the claims, waive all reparations claims and all other claims.

AMERICAN CLAIMS FILED WITH STATE DEPARTMENT

Senator HICKENLOOPER. Mr. Altman, did you present these claims on the theory of protecting the right of the individual American citizen whose property had been seized by the Japanese to the State Department or to other persons in charge of the negotiation of this treaty?

Mr. ALLMAN. Most of them have been filed with the State Department, but it is a waste of time to do such things.

Senator HICKENLOOPER. May I suggest, Mr. Allman, that the conclusion that it is a waste of time, we can eliminate. I am trying to get at the facts as to the steps that have been taken.

Now these claims that were filed, were they filed prior to the final draft of this treaty? What I am trying to get at is this: Was the State Department fully conscious of the fact, were they fully cognizant of the fact that American citizens' property had been seized by the Japanese either subsequent to or prior to Pearl Harbor?

Mr. ALLMAN. They certainly were. The State Department had representatives right there; and the Americans would go to the consulate and file their claims for the loss of their property. The State Department would give them some double talk. All of the claims

have been filed with the State Department, and the State Department is cognizant of the losses by these Americans, I will say.

Senator HICKENLOOPER. Now about the double-talk business, can you give us the names at the moment of any representatives of the State Department who were talked to about this matter by any individual? Did you talk to any representatives of the State Department who were involved in this treaty making, or were you permitted to or were you able to?

Just give us the facts about that.

Mr. ALLMAN. I called for a conference three or four times to Mr. John Allison. He was busy; he was in conference. The answer is I didn't get to see him. I didn't get to submit anything. I wrote him a couple of short letters and got a couple of other letters back similar to the one the gentleman received yesterday about payment to these soldiers who lost their money in the Philippine Islands. I believe it is almost a copy of that letter.

Senator HICKENLOOPER. Now, Mr. Allman, you made the flat allegation here that our soldiers in the Philippine Islands and Bataan especially and in that action lost their deposits in the banks—that is, the Japanese seized them; is that correct?

Mr. ALLMAN. I didn't make the allegation, but I believe it, because General Devereux and the other general who was here stated from this microphone—and I believe what he said—and other Americans in Hong Kong, in Shanghai, in Tientsin, throughout China, had the same losses or similar losses, except they were greater.

LACK OF MACHINERY FOR SETTLEMENT OF AMERICAN CLAIMS

Senator HICKENLOOPER. Inasmuch as you have been looking into this matter, do you know of any provision, either by our Government or through treaty or through negotiation, with the Japanese, or from any other source, whereby our soldiers or their estates could recover or receive the money they lost through Japanese seizure, let's say during the period of the capture of the Philippines by the Japanese?

Mr. ALLMAN. They most certainly cannot recover because this treaty shuts them off.

Senator HICKENLOOPER. I say, Do you know of any negotiations or arrangements that were under way?

Mr. ALLMAN. I do not.

Senator HICKENLOOPER. By anybody, our Government or any other government, for reimbursing our soldiers who lost their money there?

Mr. ALLMAN. I do not. On the contrary, the War Claims Act of 1948 was supposed to be for the Americans, a few of the soldiers. That even doesn't cover it.

Senator HICKENLOOPER. I will say to you, Mr. Allman, that I have been interested somewhat in this particular provision of the treaty, and I raised substantial objection to the failure to protect the rights of American citizens whose property had been arbitrarily seized or confiscated by the Japanese.

I raised it after the draft treaty had finally been concluded, and apparently there was nothing that could be done except reopen all negotiations. But I had objection to this provision in the treaty, and I will say to you I think it is really a failure to take care in some manner

of the rights of American citizens who had their property confiscated and who are now poverty stricken not as a result of their own action, but as a result of Japanese seizure over there, both prior to Pearl Harbor on the continent of Asia and after Pearl Harbor in Japan itself.

I am very much concerned about this point of the treaty. I am not certain at the moment what can be done about it. The treaty has been negotiated. We were not completely aware of all its implications until some time after it had been completed and signed and agreed to by the various drafting powers.

So I think you have raised a very pertinent point. I am frank to say what can be done about it at this moment I don't know. The impracticability of overturning this treaty at the moment is very apparent to you, I am sure—I mean the difficulties involved.

But I, for one, just want to suggest that you have touched upon a matter which I have personally criticized in the treaty myself.

PREWAR DEBTS AND CLAIMS NOT AFFEFFECTED

Senator GREEN. Mr. Allman, in reference to your reply to Senator Hickenlooper that your claims relate both to the time before and the time after Pearl Harbor, may I draw your attention to article 18 (a) and ask you whether you think that has any bearing. In order to get it in the record I will read it. It reads:

It is recognized that the intervention of the state of war has not affected the obligation to pay pecuniary debts arising out of obligations and contracts (including those in respect of bonds) which existed and rights which were acquired before the existence of a state of war, and which are due by the Government or nationals of Japan to the government or nationals of one of the Allied Powers, or are due by the government or nationals of one of the Allied Powers to the Government or nationals of Japan. The intervention of a state of war shall equally not be regarded as affecting the obligation to consider on their merits claims for loss or damage to property or for personal injury or death which arose before the existence of a state of war, and which may be presented or represented by the government of one of the Allied Powers to the Government of Japan, or by the Government of Japan to any of the governments of the Allied Powers. The provisions of this paragraph are without prejudice to the rights conferred by article 14.

What meaning do you give to that?

Mr. ALLMAN. Article 14 precedes this statement. It says it waives the rights of reparations.

Senator GREEN. But this comes after article 14.

Mr. ALLMAN. It waives the claims. This J. E. Hayes Engineering Corp., Julie Davison, of New Jersey, owns that company. Is there any contractual right with the Japanese, either prior to that or after?

I don't mean to ask you a question, Senator. But I say "No; this does not apply to this particular loss."

Senator GREEN. I am talking about your general assertion, which you have made in response to Senator Hickenlooper's question, and I am asking you what meaning you give to this article 18, which I have read.

Mr. ALLMAN. I gave it the meaning, I interpreted section 14—

Senator GREEN. I am talking about article 18.

Mr. ALLMAN. I interpreted it as not to mean anything as far as practical effect is concerned for these Americans to collect their bank accounts or their losses in China or other places in the world against the Japanese.

Senator GREEN. You have read this article 18 before?

Mr. ALLMAN. Yes; I have read it several times.

Senator GREEN. And you give it no meaning whatever?

Mr. ALLMAN. For practical effect, none whatsoever.

Senator GREEN. That is all. Senator Gillette?

Senator GILLETTE. Mr. Chairman, I had two questions to ask, and one of them the chairman has already asked. The other question, Mr. Allman, is this:

SIGNATORIES ALL TREATED EQUAL

The subsection to which you referred here as precluding the rights of the nationals of Allied Powers, I understood in answer to one of the questions of my distinguished colleague, Senator Hickenlooper, that you said the nationals of other Allied Powers signatory to this treaty were placed in a preferred position and were not in the same position as our nationals, with us as a signatory power. Is that true?

Mr. ALLMAN. In the sense that the other powers that signed the treaty take care of their nationals from a commercial point of view. The government collects it and then pays it to their nationals.

This Government—

Senator GILLETTE. Without referring to the way the different signatory powers treat their own nationals, which is an entirely different question so far as the provisions of this treaty are concerned, this subsection provides that each Allied Power makes these same concessions relative to its claims and the claims of its nationals as the United States does, everyone that is signatory to this treaty; do they not?

Mr. ALLMAN. With the exception of the fact that they have the right to claim, to have the Japanese process goods, raw materials, from their country without charge from the Japanese.

Senator GILLETTE. I bring you back to this treaty. So far as this provision of the treaty is concerned, there is no differentiation made between the United States and its nationals under the treaty and the other nations and their nationals so far as the provisions of the treaty are concerned. Isn't that true?

Mr. ALLMAN. From a practical effect, no; it isn't.

Senator GILLETTE. It is not true?

Mr. ALLMAN. From the practical effect. I am talking about commercial transactions. I am not talking about the fancy language or about something some other nation would do for its nationals. This Government does not interfere with the commercial transactions of American citizens. If you pass this treaty, the American Government should pay the American nationals for their losses.

TREATY FORECLOSES COMPENSATION FOR WAR CLAIMS

Senator GILLETTE. Is it your opinion as a lawyer—and I am very much interested in this, I will say, along with my colleague—is it your opinion that this waiver, if this treaty is adopted by the United States, closes the door on all avenues of recovery of compensation for these property claims?

Mr. ALLMAN. It most certainly does close the gate, and it locks it; I might say that John Allison, in talking to me over the telephone, that is what he said in effect. He said there isn't anything we can do about it.

Senator GILLETTE. Who is John Allison?

Mr. ALLMAN. Mr. Dulles' assistant.

Senator SMITH of New Jersey. Mr. Chairman, I would like to ask Mr. Allman just one question.

Mr. Allman, you have referred to Mr. Hayes, of New Jersey. Naturally I am interested in that specifically because he is a constituent of mine. I have never heard from Mr. Hayes on this matter, but I am interested in knowing whether the articles taken over by the Japanese Army were in Japan or somewhere else.

Mr. ALLMAN. In Tientsin, China, where his place of business was.

Senator SMITH of New Jersey. If you could furnish me with copies of material bearing on that case, I would be glad to have it checked up, just from the standpoint of my personal interest in a constituent. I would like to follow it through. If it is a good, typical case you are citing, I would like to have a set of the papers just to see what the situation was.

Mr. ALLMAN. I will give you the whole thing, Senator Smith.

Senator SMITH of New Jersey. Let me ask you this question. If this property was in Tientsin, China, then article 15 wouldn't cover it. If the property happened to have been in Japan, there would be nothing to this case, because article 15 would send it back.

Mr. ALLMAN. It would go right back to the American if it were in Japan.

Senator SMITH of New Jersey. I am trying to see why there was a distinction made as to whether the article might have been in Japan or in China, which the Japanese seized. As Senator Hickenlooper says, that is a very relevant question, and I think we ought to explore it.

I think we ought to have the papers on that case and see what the particular circumstances were that prevented the recovery.

(The following information was supplied by the State Department:)

JANUARY 31, 1952.

The Honorable TOM CONNALLY,
Chairman, Committee on Foreign Relations,
United States Senate.

MY DEAR SENATOR CONNALLY: During the hearings on the Japanese Peace Treaty, witnesses presented to the committee the interests of several different groups of American claimants against Japan. Members of the committee have indicated the desire for further information on the effect of the treaty on such claims.

The question of claims against Japan is a complex one and involves the interests of other categories of claimants besides those represented at the hearings. The total of all potential claims by Americans is very large and the total of all potential claims by persons in various nations is far beyond Japan's ability to pay. It has been necessary, therefore, to give careful consideration to various kinds of claims to make as equitable provision as possible for the various groups of claimants.

In order that the committee may have the facts on the full scope of this matter of claims, I am submitting for the committee's consideration a memorandum explaining how the matter is dealt with in the treaty.

Sincerely yours,

JOHN FOSTER DULLES.

COMPENSATION FOR CLAIMS OF UNITED STATES NATIONALS FOR LOSSES INCURRED OUTSIDE JAPAN AS A RESULT OF JAPANESE MILITARY OPERATIONS AND OCCUPATION

Serious consideration was given in the drafting of the peace treaty to the claims by the Allied Powers and their nationals against Japan for losses incurred outside Japan as a result of the Japanese military operations and the occupation by

Japan of large areas of Allied territory. Japan conducted military operations against and then occupied the Philippine Islands and a major portion of Southeast Asia for almost 4 years, and waged war within and occupied a large part of China for twice that period. The problem of providing compensation from existing Japanese resources for the various public and private claims arising out of these acts is extremely difficult, particularly since the extensive loss of life and property and personal injuries suffered by our allies has to be considered on the same basis as those of the United States.

Japan ended the war deprived of its overseas possessions and of property abroad valued at more than \$3 billion and faced with the problem of supporting a growing population out of meager natural resources and an obsolescent and war-damaged industrial plant. It was obvious that adequate compensation by Japan for Allied losses would submerge Japan under liabilities in excess of \$100 billion. Clearly, under the burden of such reparations obligations Japan would face a hopeless economic situation in which its people would become an easy prey to totalitarian exploitation, and any attempt to exact adequate compensation in the form of foreign exchange payments would result in the imposition of an additional burden on the United States taxpayer. As the result of Japan's inability to earn sufficient foreign exchange to sustain a minimum standard of living, the United States has supplied economic assistance to Japan since the surrender to the extent of nearly \$2 billion.

Our allies have recognized these facts, and they also by the treaty waive their claims and those of their nationals arising out of Japan's acts in the prosecution of the war, except for the forms of compensation provided in the treaty. Notwithstanding these considerations, every effort was made by the drafters of the treaty to maximize the amounts which Japan could pay in compensation for losses incurred as a result of its aggression while maintaining a viable economy and the ability to meet its other obligations.

While by article 14 of the treaty the Allied Powers waive all claims against Japan on behalf of themselves and their nationals arising out of any actions taken by Japan and its nationals in the course of the prosecution of the war, it should be noted that article 18 provides that the intervention of the state of war shall not be regarded as affecting the obligations to consider on their merits claims for loss or damage to property or for personal injury or death which arose before the existence of a state of war. The Department of State is presently reviewing claims which have been filed with it by United States nationals with a view to determining which of them may be appropriately presented to the Japanese Government under article 18. The Department is prepared to receive additional claims of United States nationals of this character.

By article 14 Japan agrees to enter into negotiations with Allied Powers whose territories were occupied by Japan with a view to compensation in the form of Japanese services, and recognizes the right of each of the Allied Powers to retain Japanese property within its jurisdiction. The United States does not benefit from the first, which is designed to assist by services rather than by monetary compensation the areas occupied by Japan in repairing the damage done. The United States does benefit from the second provision.

In addition, by article 16 Japan agreed to transfer Japanese assets in neutral and ex-enemy countries to the International Committee of the Red Cross for the benefit of former prisoners of war. It was recognized that many civilian internees suffered undue hardships. However, in view of the limited funds which will result from the liquidation of Japanese assets in neutral and ex-enemy countries, it was not practicable to deal with all cases of hardship. Prisoners of war had protection under Geneva conventions not accorded to civilians and, therefore, in the allocation of limited funds it seemed that consideration of international morality called for recognition in the first instance of prisoners of war, as has been done in article 16.

By article 15 of the treaty Japan undertakes to return Allied property within Japan to the owners, and when such property has been damaged or cannot be returned, to make compensation in yen. This provision does not give a preference to property claims arising out of losses incurred within Japan over claims arising elsewhere, but is based upon the practical consideration that Japan can meet its domestic resources make whole Allied losses within Japan without impairing its economic stability.

The satisfaction by Japan of other types of claims is necessarily limited by its foreign assets and the services provided by articles 14 and 16.

Japanese property in the United States valued at approximately \$84 million as of October 1, 1951, has been vested by the United States. Certain debt claims of United States citizens and other claims payable under the Trading With the Enemy Act are payable from this amount. The Office of Alien

Property has turned over \$120 million of the proceeds of the liquidation of Japanese and German assets in the United States to the War Claims Commission. The War Claims Commission has paid out \$52 million to claimants under the War Claims Act of 1948.

It is not possible at this time to venture a prediction with respect to the amounts which may be realized from the liquidation of Japanese assets in neutral and enemy countries or the methods of distribution which will be adopted by the International Red Cross. On September 5, 1951, at the San Francisco Conference, Mr. Dulles, on behalf of the United States delegation, made the following statement with reference to article 16: " * * * The United States, in response to some Allied inquiries, has indicated that, since its own prisoners of war have received some indemnification out of the proceeds of Japanese property we seized, we would assume that equity would require first distribution to those who have had no comparable indemnification."

The basic concept underlying these provisions was, first, that adequate compensation by Japan was impossible; second, that compensation in those forms and amounts that were feasible should be made; third, that reparations for war losses is a matter between governments; and fourth, that it is the responsibility of each government to provide such compensation to the persons enjoying its protection as it may determine to be equitable out of reparations received from Japan or from other sources.

Allied Powers in whose territory United States nationals sustained property losses may make such United States nationals eligible to receive such compensation as they are able to provide for war losses. It does not appear, however, that American nationals who sustained losses in the territories of any of the Allied Powers can expect to receive compensation commensurate with their losses. Accordingly, United States nationals whose claims are not covered by the treaty provisions or by the legislation of other Allied Powers, must look for relief to the Congress of the United States.

Congress has provided that the proceeds of the liquidation of Japanese assets in the United States are to be paid into a trust fund in the United States Treasury known as the war claims fund which is available for the payment of war claims as provided by the War Claims Act of 1948 (Public Law 896, 80th Cong., 2d sess.), as amended.

The War Claims Act provides compensation for (1) claims arising out of the detention, injury, disability, or death resulting from injury of employees of contractors with the United States; (2) claims of American civilians who were captured by the Japanese at Midway, Guam, Wake Island, and the Philippine Islands, or in any territory or possession of the United States, or while in transit to or from any such place, or who went into hiding at any such place to avoid capture; (3) claims of members of the military or naval forces of the United States who, while imprisoned by the enemy, were not furnished with the quantity or quality of food to which they were entitled as prisoners of war under the terms of the Geneva Convention of July 27, 1949; and (4) claims of certain religious organizations for reimbursement of expenditures incurred for the purpose of furnishing aid to military personnel of the United States or to civilian American citizens during their imprisonment or internment in the Philippines. The War Claims Act does not presently provide for compensation for property losses of American nationals incurred as a result of Japanese action during World War II.

However, the War Claims Commission has recommended to Congress that legislation be enacted by the Congress amending the War Claims Act of 1948 so as to provide for the receipt, adjudication, and payment of claims resulting from loss of life caused by the illegal actions of an enemy government during World War II, and claims resulting from mistreatment, personal injury, disability, or impairment of health caused by the illegal actions of an enemy government during World War II. It also recommended that provision be made for the receipt and evaluation of claims for loss, damage, destruction, or seizure of property, real or personal, arising out of World War II. The Commission further recommended that payment be withheld in connection with property claims until all such claims had been received and evaluated, and a determination made as to the amount available for their settlement. The Commission is preparing a supplemental report for submission to the Congress which will contain comprehensive recommendations for the disposition of war claims, not authorized to be paid under existing legislation.

Mr. ALLMAN. Thank you Senator.

Senator GREEN. If there are no further questions, you are excused. The next witness is Mrs. Frederick Griswold.

**STATEMENT OF MRS. FREDERICK GRISWOLD, VICE PRESIDENT,
NATIONAL ECONOMIC COUNCIL**

Mrs. GRISWOLD. Mr. Chairman, I would like to discuss certain aspects of the treaty.

Senator GREEN. Please state first who you are and whom you represent.

Mrs. GRISWOLD. I am Enid Hall Griswold from New York. I represent the National Economic Council in New York. I would like to discuss certain aspects of this treaty which I have not heard touched upon at all this morning which, in my estimation, are extremely dangerous.

From a reading of the treaty I find that the proposed Japanese Peace Treaty and the Security Treaty have two dangerous provisions, both of which tie Japan very closely into world government, and give the United States of America rights in the Pacific only as a segment of the United Nations. This treaty fails to provide any military security for the United States in the Pacific and it has clauses which could actually work out greatly to the advantage of Red China—not our friends, Nationalist China—and to the Soviet Republic.

REFERENCES TO UNITED NATIONS OBJECTED TO

The preamble of the peace treaty commits Japan to becoming a member of the United Nations, agreeing, and I quote—

in all circumstances to conform to the principles of the Charter of the United Nations to realize the objectives of the universal declaration of human rights; to seek to create within Japan conditions of stability and well-being as defined in articles 55 and 56 of the Charter of the United Nations and already initiated by post-surrender Japanese legislation; and in public and private trade and commerce to conform to internationally accepted fair practices.

This provision has two important effects. It establishes Japan as a segment of world government, committed to a world welfare state.

It also constitutes formal approval by the United States Senate of the declaration of human rights, the international declaration of human rights, which is quite different from our American concept of human rights, the social welfare clauses, articles 55 and 56 of the United Nations Charter, and of interational trade agreements which are still to be negotiated.

You must remember we have already had one case out in the State of California where the court decided that merely because you gentlemen of the Senate had ratified the United Nations Charter, the laws of the State of California and the Federal laws of the United States of America had been invalidated.

Articles 55 and 56 of the United Nations Charter commit signatory powers to promote, and I quote again:

higher standards of living, fuller employment, solutions of international economic social health, and related problems, to aid international cultural and educational cooperation, universal observance of human rights and fundamental freedoms for all, without distinctions as to race, sex, language, religion—

and so forth. This provision limits Japan's future development, political, economic, and cultural, to the framework as instituted under the United Nations.

MILITARY PROVISIONS IN TREATY AND THE UNITED NATIONS

The second major issue is the military provisions which tie the present and future United States forces and bases in Japan into the military framework of the United Nations. This can be seen plainly only by looking at both the peace treaty and the security treaty together.

Chapter 3 of the peace treaty provides that Japan accepts the obligations in article 2, section 5 of the United Nations Charter, and I quote:

(iii) to give the United Nations every assistance in any action it takes in accordance with the Charter and to refrain from giving assistance to any state against which the United Nations may take preventive or enforcement action.

Under article 2 of the United Nations Charter Japan shall continue to aid the American forces in Korea in a war sponsored by the United Nations, but if the United Nations should accept the Communist peace terms in Korea and we did not, a not impossible situation, Japan would be barred from assisting us in any way under section 4 which says, and I quote:

All members shall refrain from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.

If we are in agreement with the United Nations we can have Japanese support, but if a left-wing government comes into power in France and a few other countries, we could not move a single man or a single weapon or any supplies whatsoever through any Japanese territory.

To understand the full potential of this clause we must read it in connection with the security treaty between the United States and Japan. In that treaty, article I, Japan grants the United States the right to dispose United States land, air, and sea forces in and about Japan; but in article 4, it says that—

this treaty shall expire whenever, in the opinion of the Governments of the United States of America and Japan, there shall have come into force such United Nations arrangements as will satisfactorily provide for the maintenance, by the United Nations or otherwise, of international peace and security in the Japanese area.

This means in unmistakable language that whenever the present American Government wished to transform our land, sea, and air forces in the Pacific entirely into United Nations forces, all right to keep any special United States forces there would come to an immediate end. The administration, if they should decide this transformation was satisfactory, without any consultation whatever with the Senate or the House of Representatives, could effect it. Our right to keep troops in and about Japan can be ended in a moment by either the President or the Secretary of State.

Perhaps it is part of the detailed plan to end our rights in this area. This treaty really gives the United States nothing tangible. Every concession by Japan is made to the United Nations rather than to us. We may be unable in a short time to take any steps for our defense in the Pacific except through the United Nations chain of command, which includes the Soviet Union and its satellites.

REPARATIONS IN LABOR AND PRODUCTION

Another clause which needs special attention is the provision for reparations and I consider this extremely important. The peace treaty provides in article 14 (a) that Japan is to pay reparations for war damage in the form of labor, of production, salvaging, and other work for the Allied Powers in question. Raw materials are to be supplied by the Allied Powers. This provision is hailed as a great forward step over monetary reparations but it is certainly not very clear to me just how. If the Japanese perform labor for their former enemies, someone must pay their wages. If these come out of the Japanese economy they are identical with any other monetary reparations in lowering the standard of living of the Japanese.

If there are hidden agreements by which these wages are to be paid by us, the people of the United States, in some form not yet revealed, or by the United Nations, will ours be the principal contribution?

It hardly seems possible that we are told the whole story and that the Japanese would consent to so slight a change from reparations which destroyed the peace of Europe after World War I.

JAPAN'S RELATIONSHIP TO CHINA

This brings us to China; the country with the greatest claim for reparations is China. China is also the country with the largest supply of raw materials and without means to process them and with the greatest need for both consumer and capital goods.

The treaty is conveniently silent about who is sovereign in China. The administration has already at times expressed willingness to let Red China into the United Nations provided it is not an aggressor nation.

In other words, the moment a peace treaty is signed in Korea, Red China can again apply for admission to the United Nations and be eligible for billions of dollars worth of Japanese labor set to producing war equipment of all kinds.

Japan's economy is geared to Chinese raw materials and Chinese markets. Such a provision could, during a peace lull in Asia, permit the arming of Red China at a rate far faster than either the Red Chinese or the Russians could possibly accomplish.

There is so far no commitment by Japan to recognize the sovereignty of our friends, the Nationalist Government of China, over continental China. There is a public statement by the Premier that he will recognize the sovereignty of Formosa but he is not definite whether that means only over Formosa, or over the mainland, also. It would be very easy for the masters of general and vague statements to leave that point quite unsettled. Japan is soon to hold elections and here we have a perfect opportunity for fifth-column violence or merely Communist political skill in winning a majority. What, exactly, would be the position of the United States militarily if a Socialist or Communist majority should come into office legally after this treaty was signed?

We know perfectly well that the objectives of Communist penetrations into Korea were to get a base for the attack on Japan. Japan, with its modern industrial power and its strategic position over the

whole Pacific area is Russia's real target. This treaty does nothing to weaken Russia's power in the Pacific. It even adds to its virtual possessions of Sakhalin and the Kuriles, each only a stone's throw from Japan's most northern islands. No experienced observer could possibly be taken in by the stage-managed objections of Soviet Russia to the peace treaty. Anyone who has heard Molotov, Vishinsky, or Malik in the United Nations could not possibly be fooled by any of their performances.

At best the two treaties make Japan a segment of world government and give us rights only as we occupy the same position.

At worst, the treaty greatly strengthens the position of the Soviet Union in the Pacific area.

OBJECTIONS TO UNIVERSAL DECLARATION OF HUMAN RIGHTS

As I consider that the tying of this peace treaty to this Universal Declaration of Human Rights, it is of tremendous importance. In fact, I think the whole scope of this treaty is very, very far reaching. I would like to ask the distinguished members of this committee whether you have ever had the time to really read and study this Universal Declaration of Human Rights?

It is a most amazing charter of social, political, and economic so-called rights for all mankind and I believe that in ratifying this treaty as it now stands, it would be plain later that you had approved and accepted this Declaration of Human Rights.

I do not believe it was intended to be merely an expression of high-sounding ideals. I believe it has been cleverly phrased and devised as a means of draining off the resources of the American people. I am sure some of you may consider this a very extravagant statement. But what other nations belonging to this supergovernment, the United Nations, possess the resources, together with the ability to produce wealth, which are to be found in the United States of America? What other nation would be willing or so naive as to expend so generously and so extravagantly its substance?

I venture to answer my own question in the negative. None, among them all.

Besides this world bill of rights is a complete contradiction of our United States Bill of Rights embodied in our Constitution. It is a complete contradiction of our principles of government, for our Bill of Rights reserves to the individual citizen certain specific inalienable rights, and upon those rights government may not trespass. You, who are in the Senate and in our Congress, are the servants of the people for, under our Constitution, the power still remains in the hands of the people—the people, high and low, rich and poor, who have placed their confidence in you as their agents to do their will and to protect their interests both at home and abroad.

In taking office, having sworn to uphold the Constitution of the United States, do you have the authority to nullify this great document and place all power and authority in the hands of the super-government which includes representatives of many countries whose nationals are unfamiliar with and quite uncomprehending of our way of life and our concepts of human liberty?

ALLEGED DANGERS IN THE TREATY

I wish you would consider whether you wish to further bind the American people in intolerable foreign entanglements such as I believe this treaty will prove to be. We have had our Tehran, our Yalta, our Potsdam, and we don't know yet just what Korea holds in store for us.

I feel that these have all been betrayals of our citizens and of our men who fought so valiantly to preserve peace and to bring harmony to mankind. I do not believe an agreement such as this can bring peace and security to the world, for peace can be won only through courageous and upright dealings. Security must be earned, it cannot be arbitrarily granted to any people or any nation. To me that is one of the most fundamental things in our American character and our American principle of government.

We were once afforded the opportunity to know Hitler's plans for world conquest far in advance of his assault upon other countries, but we could not believe Mein Kampf. Lenin also wrote down his plans for all of us to read. In his book Marxism and the Colonial Question you will find the blueprint for the conquest of the Far East and for the eventual subjugation of the West and of the entire earth, to the godless doctrine of the dictators, and the complete enslavement of world communism.

We have been following this plan which was long ago laid out to entrap us, and thus far we have obediently pursued it step by step. Must we go further or shall we recognize the dangers in this treaty for what they are and while there is still time try to retrace some of the disastrous steps which we have taken.

I should like to urge the Senators on this committee to weigh carefully the provisions of this treaty which so enmesh our Government and our destiny with the other nations of the world. Should we not, instead of this, on a realistic approach have a treaty which guards and upholds the interests of the American people?

I believe it was for America that our soldiers fought and died and brought victory in the Pacific. Let's not throw that victory away.

Senator GREEN. Are there any questions?

RELATIONSHIP OF TREATY TO THE DECLARATION OF HUMAN RIGHTS

Senator SMITH of New Jersey. I have one observation to make. The question you raise about the human rights declaration has been raised before, and the committee is having a statement from the framers of the treaty—the ones concerned with this—as to just what this meant.

I want to call attention to the fact that it is only referred to in the preamble where it says:

to strive to realize the objectives of the Universal Declaration of Human Rights. That is, Japan does that. There is no obligation for Japan in the obligational clauses.

It is just that one reference, but we are going to have for the record a complete statement from Mr. Dulles himself, who has made a long study of this, as to just what the significance is.

Mrs. GRISWOLD. I am very much interested in this, but of course in the case that was decided out in California it was decided merely on the human rights clauses in the United Nations Charter.

Senator SMITH of New Jersey. I am aware of that and that will be considered in this statement to be put in the record.

(The following statement was subsequently supplied by Mr. Dulles:)

MEMORANDUM REGARDING THE REFERENCE IN THE JAPANESE PEACE TREATY TO THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

There is nothing in the peace treaty which makes human rights a matter of international contract or which gives any Allied nation the right to interfere in Japan's internal affairs on account of human rights. There is no article of the treaty which mentions human rights.

The preamble of the treaty contains a number of declarations of intention as is customary and one of these is a statement by Japan that she intends "to strive to realize the objectives of the universal declaration of human rights." Some wanted the treaty to include a legal obligation to respect human rights and fundamental freedoms. This was done in the case of the Italian and satellite treaties. However, there has developed in the United States considerable objection to trying to make human rights a matter of enforceable treaty obligation because, under our Constitution, treaties become "the supreme law of the land" and a treaty on human rights might perhaps impair States' rights in relation to this subject. Therefore, we did not make human rights a matter of treaty obligation.

However, almost all of the nations of the world, except the Soviet bloc, have accepted the universal declaration of human rights as a statement of worthy objectives and the Japanese wanted to be in the same category. Also, almost all of the provisions of this declaration are already engrafted in the Japanese Constitution adopted during the occupation.

It would be rather absurd for the United States to oppose Japan's making the kind of declaration of intent that she wanted and that other free nations have made.

Mrs. GRISWOLD. I think that is tremendously important, Senator.

Senator SMITH of New Jersey. The other question I wanted to ask you is: Are you advocating the complete turn-down of this treaty by the Senate and a new start on peace in Japan?

Mrs. GRISWOLD. I believe it should be written so that it guards the interests of the United States. I don't think we should be so enmeshed in this United Nations Organization that we cannot take a step on our own.

The United Nations Charter in one place says it is an organization of sovereign nations.

Senator SMITH of New Jersey. You are implying that those who participated from the United States in getting this treaty together were not considering the interests of the United States?

Mrs. GRISWOLD. I do not think they considered our interests as paramount. I certainly do not. I think they considered them only in connection with other nations and that they would be definitely subordinated in the interests of the United Nations as a whole.

Senator SMITH of New Jersey. We are glad indeed to have your views even though some of us may not agree fully.

Senator HICKENLOOPER. Mr. Chairman, I merely want to say to Mrs. Griswold that I think several of us are concerned about declarations in a treaty of this kind which may affect our constitutional provisions internally in this country.

The California case, to which you refer, while we might disagree with the logic of that decision—I haven't fully made up my mind—tend to disagree with the logic of the decision in the California case

that is, the logic of the court, and of course it is the court's business and not mine. But nevertheless I think we are concerned, in the light of that decision as to what effect certain declarations in a treaty may have in superseding the internal limitations or provisions of the Constitution.

I assure you that point will be examined.

Mrs. GRISWOLD. I assume that eventually the Senators will take up the question of treaty making anyway, because that seems to have become a very important matter, whether they are going to change our Constitution or whether they are not going to be permitted to do so.

Senator BREWSTER. It was suggested on the agenda that you might present certain reservations. Have you incorporated those reservations?

Mrs. GRISWOLD. In my written statement; yes. Thank you, Senator.

Senator GREEN. Thank you. Next is Mr. Frederick J. Libby.

STATEMENT OF FREDERICK J LIBBY, NATIONAL COUNCIL FOR PREVENTION OF WAR

Mr. LIBBY. I am Frederick J. Libby, executive secretary for the National Council for the Prevention of War, with headquarters in Washington.

IMPORTANCE OF PEACEFUL CHANGE

Mr. Chairman and members of the Senate Committee on Foreign Relations, I support the ratification of the proposed treaty with Japan and the correlative pacts, but possibly from a different point of view from that of some, at least, of the members of your committee. It is not because I look upon the terms as just and enduring that I support ratification, but because I think they will serve well enough to meet the immediate situation until the inevitable changes in the direction of equal justice can be made.

Some 15 years ago, in May 1936, to be exact, I saw in the papers several paragraphs of a speech that had been made at Princeton on the topic, "Peaceful change within the society of nations." I had never heard of the speaker, but I wrote him and got a copy of the speech. It revolutionized my thinking on peace, although I had at that time been working in the cause of peace since 1921.

The theme was simple: That peace is not the maintenance of any status quo. The world is a world of change. No status quo will endure. The attempt to perpetuate things as they are is the road to war; or revolution, since violent change results when pressures are dammed up until they become irresistible.

Peace, on the other hand, is the name we give to peaceful change, when we permit the forces that are pressing for change to find an outlet without violence.

I was so impressed by this speech that I sought out the speaker and, with his permission, distributed 100,000 reprints of it. The man that made that speech was John Foster Dulles.

I want to begin my brief statement by congratulating Mr. Dulles on his success in eliminating punitive clauses from this treaty and above all, in giving it sufficient flexibility to permit the peaceful change that he rightly says is essential in a true treaty of peace.

It is from this standpoint that I support ratification. The Japan Treaty will not endure for 50 years, nor for 10 years, nor 5 years, nor should it endure at all, unless it proves to be to the mutual advantage of all parties concerned.

Mr. Dulles has said that Communist tyranny has within itself the seeds of its own destruction, because the hunger for liberty is one of the compelling impulses of human nature that will not permanently be denied. I think he is wrong in expecting Japan to refrain from trading with Communist China until this principle has worked. But the principle is sound and applies to this treaty. Insofar as the treaty rests solely on the military and economic power of the United States and is contrary to the enlightened self-interest of the Japanese people, it is foredoomed to revision, either by peaceful agreement or through violent overthrow at extremist instigation, either of the left or the right.

As Mr. Dulles says, in the little book he wrote in 1950 on somewhat the same theme, entitled "War or Peace":

Change is the law of life. If we set up barriers to all change, we make it certain that there will be violent and explosive change. Peace must be a condition where international changes can be made peacefully.

POSSIBLE CHANGES IN THE TREATY

Now what are some of the changes in this treaty, which may fairly be called inevitable, either by peaceful means or by violence?

1. The Japanese people must have more independence than the treaty actually gives them, fine phrases to the contrary. They must not look upon themselves as puppets of the United States, either economically or militarily. Americans, in the light of our history, can hardly conceive of Japan's acceptance, on a long-term basis, of subservience to the United States, such as many Japanese and many Americans see in the military and economic terms of the treaty and pact. Could there be any better handle for the growing Communist Party in Japan to take hold of, for stirring up violent change, than a cry for independence?

Your first concern, it seems to me, after the treaty and pacts have been ratified, should be to solve the problem of Japan's liberation from dependence on us.

You may find that this goal cannot be attained except as you push to fruition the Flanders resolution for universal disarmament, which some of you have signed, but on which your committee has as yet taken no action. It is the only solution of many problems that are troubling all nations.

THE BATTLE ACT AND CHINESE-JAPANESE TRADE

2. Let us take up next the economic strait-jacket which Mr. Dulles says is not imposed by any secret pressure the State Department is exerting on Mr. Yoshida but is due to our Battle Act, which prohibits nations that are receiving our aid from trading with Communist nations.

The Washington Post, in an editorial last Tuesday, January 22, discussed the stupidity of cutting off Japan's trade with Communist China with a realism, which your committee would do well to take under consideration. [Reading:]

Certainly, if the Japanese cut off all commerce with mainland China, we shall have to carry Japan on our backs indefinitely. Such a state of economic mendicancy and political satellitism will sit well neither on the American taxpayer nor upon the proud people of Japan.

It is denied that the State Department exerted any pressure in getting this letter out of Premier Yoshida. The denial squares neither with the circumstances nor with Japanese characteristics, as is shown by the article that Mr. Yoshida wrote in Foreign Affairs 12 months ago. "Red or white," he said, "China remains our next-door neighbor. * * * Economic law will, I believe, prevail in the long run over any ideological differences."

The Yoshida letter to Mr. Dulles, of course, is a pledge binding only Mr. Yoshida. It is said that his signature is equivalent to his political death warrant. The man who will come after the estimable Yoshida (who, assuredly would not have recognized the Peking regime formally if he had been left on his own) may not be so accommodating; and, in any case, the letter, whether upheld or discarded, will bedevil the relations between the two countries, and there should be no mistake about it.

I might add, the New York Times on January 11 of this year took a similar position [reading]:

But the problem of trade with China which drove Japan to war with that country continues to weight heavily on a nation suffering from serious population pressure, and it will take steadfast determination to resist new temptations. In this circumstance complete restoration of Japan's freedom as a nation and its return to the normal trade channels and raw-material resources of the world seems to provide the best and perhaps the only solution.

The Battle Act is an obstacle to peace which can be removed by Congress under the leadership of your committee. Japan cannot live happily and securely on the present war boom occasioned by the United Nations war in Korea nor on the United States dole under any name. This is not independence. This is economic slavery.

Our tariff arrangements constitute another potential economic hurdle for Japan that could deprive her people of the decent living standard they will rightfully demand. Possessing meager economic resources and producing only a part of the necessities of life for its 84,000,000 people, Japan subsisted on a low living standard, even when the riches of Manchuria were at its disposal. Now, confined to four islands, Japan, as the Congress must recognize it, will have to export and import on a large scale to survive.

Already our fisheries industry has taken alarm at the prospect of the importation into our country of the products of Japan's fisheries. Our textile industries, and even more the British textile industries, have begun crying for limitations on Japan's sale of textiles in competition with those of the Allies. Strong pressure will be brought to bear on Congress to exclude or limit to a trickle Japan's sale of fish and textiles, not only in our country but in competition with our exports in the world market.

Senator BREWSTER. Mr. Libby, have you seen the fish agreement that has been worked out?

Mr. LIBBY. I have not.

Senator BREWSTER. There is an agreement which I know has been consummated, but I do not know just what its status is in dealing with this matter.

Mr. LIBBY. I will be happy to see it. You have to watch that.

It will be the responsibility of your committee—will it not?—to maintain the long look-ahead and see to it that a continuing policy of "live and let live" succeeds the ratification of this treaty.

The promises that are made to one's foes during a war to induce their people to surrender are commitments that should not be for-

gotten, as men have forgotten the solemn declaration of President Roosevelt and Mr. Churchill on August 14, 1941, which was signed in January 1942 by all of our allies. It goes down in history as the Atlantic Charter.

Paragraph 4 reads as follows:

They will endeavor, with due respect for their existing obligations, to further enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world, which are needed for their economic prosperity.

POSSIBILITY OF JAPANESE REARMAMENT

3. And now we come to what seems to many Americans as well as many of the Japanese people a shocking violation of the Japanese Constitution, which Japan is required to ignore as a condition of our continued economic aid.

Mr. Chairman and members of the committee, you will recall, I think, that General MacArthur's testimony before the Congress on May 5 contained a moving account of the origin of the section of the constitution to which I allude.

Being asked by a Member of the Senate for some formula to "settle the whole matter," General MacArthur replied:

It is the abolition of war. When their [the Japanese] Prime Minister came to me—Mr. Shidehara—and said "I have long contemplated and believed"—and he was a very wise old man; he died recently—"long contemplated and believed that the only solution to this problem is to do away with war."

He said: "With great reluctance I advance the subject to you, as a military man, because I am convinced that you would not accept it"; but, he said, "I would like to endeavor, in the constitution we are drawing up, to put in such a provision."

And I couldn't help getting up and shaking hands with the old man, and telling him that I thought that was one of the greatest constructive steps that could possibly be taken. I told him that it was quite possible that the world would mock him—this is a debunking age, a cynical age, as you know—that they would not accept it; that it would be an object of derision, which it was; that it would take great moral stamina to go through with it, and in the end they might not be able to hold the line; but I encouraged him, and they wrote that provision in.

And, if there was any one provision in that constitution which appealed to the popular sentiment of the people of Japan, it was that provision.

The requirement that Japan rearm in violation of her constitution raises three important questions:

Senator SMITH of New Jersey. Mr. Libby, I do not recall any provision in the treaty requiring Japan to rearm.

Mr. LIBBY. I read quotations of what people understand is following from the treaty.

Senator SMITH of New Jersey. You say there is a requirement for Japan to rearm. As far as I know, it does not appear in the treaty.

Mr. LIBBY. Let me turn to the treaty.

Senator SMITH of New Jersey. You would not say that Japan would not be entitled to protect herself against attack from the outside world; would you?

Mr. LIBBY. What I have in mind, Senator, is article 6, in which we read:

Nothing in this provision shall, however, prevent the stationing or retention of foreign armed forces in Japanese territory under or in consequence of any bilateral or multilateral agreements which have been or may be made between one or more of the Allied Powers, on the one hand, and Japan on the other.

Now, you are correct in saying that that is a requirement of our troops, but may I just finish as to how people are reading it?

Senator SMITH of New Jersey. This, as you know, was the background of the security treaty which was to keep Japan from being invaded or aggressed against by Russia.

Mr. LIBBY. I know, but may I just finish?

Senator SMITH of New Jersey. You go ahead.

Mr. LIBBY. First, can she afford it? Mr. Dulles has fought hard, is his negotiations with the countries which Japan overran, to save Japan from being ruined by reparations which she cannot carry, and which would ultimately come back upon the American taxpayers. However, in her present impoverished state, is it not probable that the costs of rearmament will be so heavy a burden that living will be depressed to a point that may be dangerous?

BEST METHOD FOR STOPPING COMMUNISM

This leads directly to a second question intimately related to the first. This is the fundamental question how the spread of communism is to be halted. The foreign policy of our Government since March 1947 has been the Truman doctrine, the underlying theory of which is that communism can be stopped by military means. "The Communists recognize nothing but force" has been the governing slogan.

Our organization has fought this theory from its first announcement. We have maintained that the only way to defeat communism is to offer a better program, and that America has this better program to offer. We have maintained that communism thrives in misery and want; and, therefore, that militarism, which lowers living standards instead of raising them, plays into the hands of the Communists. The Marshall plan and the point 4 proposal were sound, but both have been subordinated to military considerations.

We believe that our Government and your committee, as the body which is primarily responsible with the President for the direction of our foreign policy, should now shift the emphasis, not only in our relations with Japan but also in our relations with Europe, from military aid to economic aid. The present concentration on arms is ruining the economies of other nations as well as our own and is alienating peoples everywhere because of the growing conviction that our Government intends war, a war which we cannot win any more than the Russians can.

UNITED STATES USE OF JAPAN AS A BASE

But there is a third aspect of this rearmament program that is undermining the cordial relations between Japan and the United States, which General MacArthur has done so much to cement.

Mr. Hanson Baldwin, in the New York Times of September 2 last, published a two-column article under the headline "Japan now cornerstone of United States Pacific strategy." The subhead was similar: "She is destined to fill the gap in our defense against aggression."

The article goes on to discuss Japan as our "bastion," "a base for United States power," and says:

For some time to come, Japan's chief military importance will be as a United States base—

but that eventually, if all goes well, we can shift from our shoulders to Japan's shoulders—

some of the burden of a strategic defense of the Pacific.

Now, Mr. Chairman, this is in partial answer to your question.

Is it not plain from this and many other similar articles that have appeared in the American press that our Government is using Japan for our purposes—for our military purposes?

Would any self-respecting people willingly tolerate being used like that by a foreign power? Walter Lippmann in his column last Tuesday, under the title "Some Self-Examination," took up this subject. Must we not agree with him when he warns us that we must not treat Asian peoples as "pawns in the strategic policy of military containment"?

That will not work—

he continued—

that is what is not working now. That is the main cause of the immense Asian feeling against us. The people there believe—and those who can read or listen to what is so commonly said in Congress and elsewhere find much to support them—that we think of them as means to our ends—noble ends, no doubt, but still our ends.

He ended this important column on the note that the peoples in Asia and Africa, to whom independence is now more important than life itself, understand by independence—

not merely universal suffrage or even a better standard of life but, above all, a new, personal self-respect.

Mr. Chairman, if our Government had borne this in mind the past 2 years in its dealings with Red China and, specifically, had refrained from contemptuous treatment of China's delegate to the United Nations, Dr. Wu, the world might have been spared the costly experience we are having now in Korea. The nations of Asia are clearly determined to be treated henceforth as equals. And this holds for China and India, as well as for Japan. Words will not deceive them. Only deeds will win their friendship.

These, Mr. Chairman, are my reflections, in qualified support of the Japanese Treaty. I hope it may be the basis for its own revision and for a fundamental change in our foreign policy, from leading an arms race to leading all nations in disarmament, which is the only hope of prosperity and of enduring peace through the processes and methods of the United States.

Senator GREEN. Are there any questions to ask of Mr. Libby? If not, we thank you very much for coming.

The hour at which I said we would have to adjourn is past and there are some witnesses still to be heard; so we will reassemble at 2 o'clock this afternoon in this room.

(Whereupon, at 12:35 p. m., the committee adjourned to reconvene in the same room at 2 p. m.).

AFTERNOON SESSION

(The committee reconvened at 2 p. m.; Senator Guy M. Gillette presiding.)

Senator GILLETTE. The committee will come to order. The committee meets pursuant to the recess taken over the noon period. Mr. Alfred Kohlberg.

Mr. KOHLBERG. Yes, sir.

Senator GILLETTE. Mr. Kohlberg, will you take the stand?

Mr. KOHLBERG. Thank you, Mr. Chairman.

Senator GILLETTE. Mr. Kohlberg, you are on the list of witnesses that have asked to appear, and we will be glad to hear from you.

STATEMENT OF ALFRED KOHLBERG

Mr. KOHLBERG. I appreciate appearing here, Mr. Chairman, and I want to say I would like to take the suggestion of Mr. O'Day and submit in writing for the record and without reading the letter to Senator Connally asking that I appear here. Attached to it is five pages of comment and questions on particular sections of the treaty, and then a letter to Mr. Dulles dated August 9 last and his answer referring to two particular sections of the treaty, because in my questions and comment I quoted from the letter and I think the letter should be there complete so that nothing seems to be taken out of context.

Senator GILLETTE. Is there any objection to including this matter in the record?

Mr. KOHLBERG. I would appreciate it.

Senator GILLETTE. It will be included.

Mr. KOHLBERG. Thank you very much, sir.

(The documents above referred to are as follows:)

JANUARY 17, 1952.

Senator TOM CONNALLY,
Chairman, Committee on Foreign Relations,
United States Senate, Washington, D. C.

MY DEAR MR. CONNALLY: Because of 36 years of business, and travel in, and study of, the Far East, and because I represent a viewpoint with some following in this country, I respectfully request an opportunity to testify before your committee during the hearings on the Japanese Peace Treaty.

Meantime I take the liberty of enclosing questions on certain points that do not seem clear to me. I trust these may be clarified during the hearings.

Awaiting your pleasure, I beg to remain,

Sincerely yours,

ALFRED KOHLBERG.

JAPANESE PEACE TREATY

GENERAL COMMENT AND QUESTIONS

1. This treaty has been hailed as a treaty of reconciliation. One of the greatest, if not the greatest, stumbling blocks on the road to Japanese-American reconciliation is the Japanese exclusion law.

January 6, 1952, in his 300 newspapers, George E. Sokolsky said:

"I can say, from my own long experience in Asia that if we spent billions upon billions on that continent to make ourselves popular and to engage the good will of these peoples, we shall fail as long as those peoples believe that we are superior because of race."

A repeal of the Exclusion Act, putting Japan on the quota basis, the same as China, passed both the Eightieth and Eighty-first Congress in the House, but failed of passage in the Senate. Could such a repeal be added as an amendment to the treaty, or at least passed by the Senate concurrently?

2. Which China shall Japan recognize?

Mr. Dulles is reported to have stated that the Foreign Minister of Nationalist China originally proposed the solution of having neither China at San Francisco and letting Japan sign up with one of them later. As Mr. Dulles did not visit Formosa he must have learned this second hand, if he made the statement. The Chinese deny it.

It is reported that when Senator Jenner made his original broadcast he was informed that the Japanese would sign up with the Nationalist Chinese before we

ratified the treaty. Walter Trohan reported this in the Times Herald of August 30, 1951. Is this correct and why has it not been done? Japanese visiting Washington have reported that Assistant Secretary of State Dean Rusk, in late November, advised the Japanese Government to delay action on this matter. Is that true?

3. By a vote of 91 to 0 on January 23, 1951, the Senate resolved "that the Communist Chinese Government should not be admitted to membership in the U. N." Would Japanese recognition of Red China act as a counterweight to the vote of 91 Senators?

4. Stalin's New Year's greetings to the Japanese people make it seem plausible that we fell into a trap when Secretary Acheson replaced Percy C. Spender of Australia as chairman at San Francisco last September. Did it give Stalin an apparent basis for charging Acheson's steamroller prevented his people from offering "trade and peace," as they wished?

DETAILED QUESTIONS

I. Preamble

What is the meaning of the promise by Japan "to strive to realize the objectives of the universal declaration of human rights"? Is that a pledge or a pious hope only? How will Japan strive so that "everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, and medical care * * *"? Does that impose socialism?

In reply to a question as to this human rights declaration in the treaty, Senator Dulles wrote me, August 11, 1951:

"In respect to the declaration of human rights, there were many who wanted to incorporate that as a treaty obligation. I feel as you do that we should not force upon the Japanese obligations which the United States itself may quite likely be unwilling to assume. Therefore, the reference to the human rights declaration was not incorporated in the treaty proper as an obligation. The preamble states that Japan will 'strive to realize the objectives of universal declaration of human rights' but there is no treaty obligation on Japan in this respect."

If this is not an obligation assumed by Japan, but only an indefinite hope, would it not be better to delete this clause to avoid later Communist charges of treaty breaking?

Chapter II, article 2

Paragraph C: Japanese renunciation to title to the southern half of Sakhalin and the Kurile Islands is based on the secret Treaty of Yalta. Both areas are now in the hands of the Soviet Union. To the knowledge of the writer no sound justification of this cession has ever been made. The promises of the Yalta agreement have long since been broken by Russia.

On this subject, Mr. Dulles wrote me as follows on August 11, 1951:

"With reference to the Kuriles and South Sakhalin, they are dealt with pursuant to the provisions of the Potsdam surrender terms that, * * * Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we determine." These Potsdam surrender terms were formulated without Soviet participation, the participants being Roosevelt, Churchill, and Chiang Kai-shek. The treaty expresses renunciation by Japan conforming to that. However, there is no cession of the Kuriles or South Sakhalin to the Soviet Union, or other endorsement of the Yalta provisions in this respect. Furthermore, the draft treaty provides that * * * the present treaty shall not confer any rights, titles, or benefits on any state which is not an Allied power as herein defined; nor shall any right, title, or interest of Japan be deemed to be diminished or prejudiced by any provision of the treaty in favor of a state which is not an Allied power as so defined." "Allied power" includes only states which sign and ratify this treaty, and as you point out there is "unlikelihood of Russian acceptance of the treaty."

Was this sop to the Soviet Union put in as bait to get Soviet signature to the treaty? If so, was it not naive in view of the fact that the Soviet Union now holds these territories? In short, it has those nine points of law that reside in possession.

The case of the Kuriles is especially pertinent, as they break the American defense line in the Pacific announced by Secretary Acheson in his press statement of January 5, 1950. The defense line he sketched from Alaska to the Philippines was broken by the omission of the Kuriles and of Formosa.

Should not some positive provision re the Kuriles be inserted in the treaty, looking to their restoration to Japan or to us, or alternatively, should not the present provision be struck from the treaty, leaving the situation fluid?

It should be noted that the phraseology "Japan renounces all right, title, and claim" to Formosa, the Pescadores, Sakhalin, and the Kuriles is a vague phrase that contains the germ of future conflicting claims. In the original draft the phraseology was used for Formosa and the Pescadores, while in the case of Sakhalin and the Kuriles they were "ceded to the Soviet Union." On objection of the Chinese Nationalists this was changed. This leaves the final disposition uncertain whereas in the very next paragraph (par. d) a definite disposition of the mandates is provided. Why not change paragraph B to read "Japan cedes all right, title, and claim to Formosa and the Pescadores to the Republic of China, the exact phraseology of the declaration of Cairo? And delete paragraph C?

Chapter III, article 6

This article does not mention the military forces of the Soviet Union now stationed in Japan, said to number about 60, in all. If the U. S. S. R. is an occupying power, who can force them to withdraw their force, or prevent them from increasing same to any extent, once the treaty has come into effect and we are no longer an occupying power? Could not the United States undertake the removal of all occupation forces when the "security treaty" is confirmed?

Chapter IV, article 7

Paragraph (b): Does this not permit the various Allied Powers to cut off Japan from normal trade relations with former Japanese and Allied controlled areas which are normal and needed Japanese markets and sources of supply? If Japan is to stand on its own feet, should it be so excluded?

Chapter IV, article 9

Fisheries: Could not this agreement to negotiate provide for arbitration by the International Court, or other body, in case of long-continued disagreement?

Chapter IV, article 12

Paragraph (a): A reading of articles 21, 23, and 25 seems to exclude both China (Nationalist and Communist) from the list of Allied Powers and hence from the terms of this article and of the entire treaty except for articles 10 and 10 (a) (2). Do not these articles make it impossible for Japan to sign completely with Nationalist China, even if it wished to?

Chapter V, article 14

What will be the status of Japan's prewar foreign debt? The language on this point seems somewhat obscure.

Chapter V, article 18

The same question as under article 14 arises here.

Chapter V, article 23

Does this permit the treaty to come into effect without ratification of the United States Senate? And would we have to withdraw our forces from Japan within 90 days after it came into effect in this manner?

Chapter V, article 24

Which paragraph (b) is referred to in the next to the last line of this article?

Chapter V, article 25

Again the question arises as to the status of the Soviet Union if it fails to qualify as an allied power under the terms of this treaty, but chooses to continue as an occupying power?

QUESTIONS ON BILATERAL SECURITY AGREEMENT WITH JAPAN

Article 1.—Why are United States forces in Japan limited to use of Japanese basis for "maintenance of international peace and security in the Far East and to the security of Japan"? Why not usable for offensive action against the U. S. S. R. or Red China if present Korean negotiations break down?

Also why limited to internal action in Japan only if riots and disturbances are caused by an outside power? How can that be proven or determined?

Article 3.—Will bases and conditions agreed on be sufficient for the United States forces during the Korean war even if same becomes an all-out war with Red China and the U. S. S. R.?

Will the use of bases for atom bombers or others be restricted to cases approved by Japan, as in the recent agreement between President Truman and Prime Minister Churchill?

AUGUST 9, 1951.

Mr. JOHN FOSTER DULLES,
Office of the Secretary of State, Washington, D. C.

MY DEAR MR. DULLES: I greatly appreciate your letter of August 8 and am happy to know that the rumors that I heard were inaccurate, and that you would not have hesitated for the sake of the anti-Communist cause to have remonstrated with me directly.

Other friends, who are equally anti-Communist, have remonstrated with me, as they think some of the charges I have made are too extreme. In each instance I have suggested they point to charges which they think go too far, and have offered, if they will point to one or two of them, to prove the particular charge. They all agree that the truth should not be suppressed, but in the several instances when this has come up, they have not been able, or have not taken the trouble, to point to a charge which they think is inaccurate. If you have noticed any public statement of mine which you think inaccurate, I would be happy to prove it, as I think, contrary to the opinion of some others, that I have been extremely careful.

There are two matters in the Japanese Peace Treaty which have puzzled me. The first is the writing in of the requirements of the U. N. bill of human rights, which we seem thereby to be forcing on the Japanese, although it is very questionable whether our own Senate will confirm it when it finally comes before them. The other is the question of cession of the Kuriles and South Sakhalin. Why they should be forced on the Japanese, in view of the unlikelihood of Russian acceptance of the treaty, also puzzles me. Both questions, I am sure, will arise when the treaty finally comes before the Senate. I wonder if you are free to explain these points now.

Very sincerely yours,

ALFRED KOHLBERG.

OFFICE OF THE SECRETARY OF STATE,
Washington, August 11, 1951.

Personal and confidential.

Mr. ALFRED KOHLBERG,
New York 18, N. Y.

DEAR MR. KOHLBERG: I have your letter of August 9, 1951. I am glad to explain at once the two matters in the Japanese Peace Treaty which have puzzled you.

In respect to the declaration of human rights, there were many who wanted to incorporate that as a treaty obligation. I feel as you do that we should not force upon the Japanese obligations which the United States itself may quite likely be unwilling to assume. Therefore, the reference to the human rights declaration was not incorporated in the treaty proper as an obligation. The preamble states that Japan will "strive to realize the objectives of universal declaration of human rights" but there is no treaty obligation on Japan in this respect.

With reference to the Kuriles and South Sakhalin, they are dealt with pursuant to the provisions of the Potsdam surrender terms that "the Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we determine." These Potsdam surrender terms were formulated without Soviet participation, the participants being Roosevelt, Churchill, and Chiang Kai-shek. The treaty expresses renunciation by Japan conforming to that. However, there is no cession of the Kuriles or South Sakhalin to the Soviet Union, or other endorsement of the Yalta provisions in this respect. Furthermore, the draft treaty provides that "the present treaty shall not confer any rights, titles, or benefits on any state which is not an Allied power as herein defined; nor shall any right, title, or interest of Japan be deemed to be diminished or prejudiced by any provision of the treaty in favor of a State which is not an Allied power as so defined." "Allied power" includes only states which sign and ratify this treaty, and as you point out there is "unlikelihood of Russian acceptance of the treaty".

Sincerely yours,

JOHN FOSTER DULLES.

Senator SMITH. I might ask, Mr. Chairman, if Mr. Kohlberg ~~plan~~ to comment on these things or just put them in the record.

Mr. KOHLBERG. Just put it in the record and then I have two brief suggestions that I would like to present for your consideration. That will take just a few moments.

Senator GILLETTE. Do you have copies of the material that you just put in the record so that they are available to the members here, if they wish to interrogate you?

Mr. KOHLBERG. I have some extra copies, yes.

Senator GILLETTE. I wish you would make them available to the members of the committee.

Mr. KOHLBERG. Yes, sir. I previously sent a copy to each member, but in the vast mail you receive, it may not have come to your attention.

Senator GILLETTE. All right, Mr. Kohlberg, will you proceed with any further statement you wish to make?

Mr. KOHLBERG. Thank you very much, sir. I merely want to make two suggestions for consideration. The first suggestion is that General MacArthur testify publicly, giving such information, opinion and advice as he may have on all the various questions raised in connection with this treaty, for the benefit of the Senate and the public.

DEFERMENT OF RATIFICATION ADVOCATED UNTIL CHANGE IN WORLD SITUATION

My second suggestion, sir, is that the ratification of the treaty be deferred for the following reasons: that the interests of Japan and the United States equally, or almost equally, call for this deferment.

I recall that other peace treaties that have been signed since the war, that with Italy and with three nations of Eastern Europe, have now turned out unsatisfactorily, not because they were not good treaties at the time but because of the change in the world situation, and we are in the middle of a change in world situation with the war in Korea. Japan is the base for that war, and our security treaty with Japan as made public, this security agreement that is before you now, limits us to a defensive position, and if this war in Korea were to spread, as it may, there would be a question about the use of those bases for purely offensive action where no question of the defense of Japan was concerned.

Maybe in China, maybe in Indonesia, maybe in Siberia there would be a question. And furthermore, those bases that are being agreed on by the State Department and the military with Japan may seem suitable and ample, but in the unforeseeable future they may not prove that, and it would seem to me that for that reason also it might be well to defer consideration and ratification of the treaty.

Senator GILLETTE. Mr. Kohlberg, may I interrupt you? If treaties of peace were not negotiated because of change in world conditions until the conditions of the world would cease to change, we would not have very many peace treaties, would we?

Mr. KOHLBERG. That might seem so except that this is a world situation and it might be that a world peace treaty, that is treaties with all our former enemies and present enemies might be more profitably concluded at one time, as was done more or less after World War I.

Senator GILLETTE. Do you have any target date to suggest when that condition might justify the negotiation of a peace treaty?

Mr. KOHLBERG. No, sir; I do not, not in the near future I am certain, but for another reason I also think that ratification might well be delayed, and that is that no irrevocable commitments in the Far East should be made at this time.

It may be that next year we may have a new administration with a new over-all policy in the Far East and a new State Department to implement it. If that should be the case, it might prove very unfortunate if we made irrevocable commitments now which might not seem suitable to that new administration and under that new policy.

For that reason I suggest, sir, that this is a good time to follow a policy previously stated in regard to the Far East, that is to let some of the dust settle first. Thank you, sir.

Senator GILLETTE. Before, Mr. Kohlberg, I turn you over to the members for any questions they may have to ask, I omitted for the record establishing your identity. You reside in New York City?

Mr. KOHLBERG. Yes. My address is 1 West Thirty-seventh Street, New York City.

Senator GILLETTE. In what capacity do you appear here, as an individual or in a representative capacity?

Mr. KOHLBERG. I appear as an individual. I am chairman of the American China Policy Association and also national chairman of the American Jewish League Against Communism, but I would like to make clear that neither organization has studied this treaty, and I do not represent them in appearing here.

Senator GILLETTE. You appear just in an individual capacity?

Mr. KOHLBERG. Yes, sir.

Senator GILLETTE. Senator Wiley?

Senator WILEY. I have no questions.

Senator GILLETTE. Senator Smith.

Senator SMITH of New Jersey. Mr. Chairman, you very ably made certain suggestions here, but I have one or two questions I would like to ask Mr. Kohlberg.

QUESTIONS RAISED BY WITNESS

In the first place, Mr. Kohlberg, I read these questions you sent to Senator Connally, and I think you raised some very interesting points, and I hope that we will be able to provide the replies to your questions. The record will show clearly that the questions were raised and that the replies were made.

Mr. KOHLBERG. Yes, sir.

Senator SMITH of New Jersey. I do not know whether you received any reply as yet to any of them.

Mr. KOHLBERG. No. I did not expect replies to come to me personally. I merely thought that the committee in its consideration might take them into question.

NEED FOR RATIFICATION OF TREATY

Senator SMITH of New Jersey. I think the points are very wisely raised because other people have raised similar questions, and I am glad to have them raised and have the record show them. I could

not gather from your statement here, Mr. Kohlberg, whether you are opposing the treaty.

Mr. KOHLBERG. No, I should not say I am opposing the treaty. I think probably there are some amendments that may seem necessary, but I think that it is premature for the ratification of the treaty.

If this war out there becomes an all-out war, this treaty will be binding on us in ways that we may regret, at least that is my opinion, sir.

Senator SMITH of New Jersey. Of course that ought to be very carefully considered by the committee. As one who has been working on this with Mr. Dulles for the past 12 months, and as a delegate to the San Francisco Conference when the treaty was signed, I am one of those who feels the treaty not only should be ratified but should be ratified promptly if we are going to move toward a settlement of conditions out there. I think the Japanese are somewhat restless over present conditions. Our occupation is restless because it has been going on pretty long now.

I remember General MacArthur said to me 2 years ago he felt very strongly that we should have a peace treaty soon and put an end to our occupation. What happens after that with reference to the defense of Japan would then be up to Japan to determine with us, as they have, and I want to emphasize here that the security treaty was at the request of Japan. They asked us to protect them in the post-treaty period against possible aggression by Russia.

Now unless that is settled pretty promptly, we are going to be between sea and sky as to our whole Far Eastern policy, and I am rather surprised to hear from you an approval of the dust-settling idea.

Mr. KOHLBERG. I said I thought at this time.

Senator SMITH of New Jersey. I thought you had been very much opposed to that in your past writing, which I follow religiously.

POSSIBLE TESTIMONY FROM GENERAL MAC ARTHUR

Mr. KOHLBERG. That is correct, I am opposed to it. That was the reason that my first suggestion was that General MacArthur be called to express his opinion on this treaty in great detail.

I asked these questions in there. I do not have the answers, sir, but I think they need answers. I think that there may be a whole new Pacific situation and a whole new Pacific policy in the very near future, and when that comes about we may find that some of the decisions and agreements made in this treaty may not fit, just as we find now for instance that we wish we could let Italy have more forces than that treaty binds her to.

I think maybe we are acting too late or too soon on this matter.

Senator SMITH of New Jersey. I understood that Mr. Dulles worked very closely with General MacArthur on this whole treaty, and a great deal of it is General MacArthur's own suggestions. At least, he suggested the approach to the kind of settlement in the Far East with Japan that would be most effective in bringing about the right relationship between our country and Japan as a free and independent sovereign nation, as a member of the western democratic group, which we hope she will be.

Mr. KOHLBERG. Yes, sir. Well, I have understood that from the newspapers, but I think it would be well if General MacArthur would confirm it. You will remember he was dismissed or recalled in April, and there may have been changes since then in the treaty itself. It was submitted to many nations and may not be just what he approved of at the time. I really do not know.

If he approves of it, I feel sure that it is the best that can be done.

Senator SMITH of New Jersey. Then you almost would be willing to leave it to General MacArthur's approval as to whether you would approve it, is that the implication?

Mr. KOHLBERG. I would say that he knows so much more that not only I but the country would accept it if he approved it completely.

Senator SMITH of New Jersey. I would tend to agree with you on that, because I have the highest regard for General MacArthur and his views would be all right with me. I go along the line of his own thinking.

As events have proven, he appears to me to be very right, but whether he should appear before this committee I just do not know, but I would be very glad as far as I am concerned to take your suggestion.

Mr. KOHLBERG. It is a suggestion submitted to your committee for your consideration, sir.

Senator WILEY. Mr. Chairman, I thought because of our experience in the Italian peace treaty provisions, which have been considered outmoded at this time, that we drew a different kind of a treaty here. Now you mentioned specifically one instance where you thought if the world picture changed that there might be need for a different approach. Have you any other instances?

Mr. KOHLBERG. Yes, sir. In that memo that I put in the record, I take some of these up in detail. I could go into many of them, but I do not want to take so much of your time.

I think the question of the recognition of Communist China or Nationalist China, or Nationalist China for Formosa only, is a very important question, and if Japan recognizes Nationalist China for Formosa only and then later recognizes Red China for mainland China, we have another situation that might prove very embarrassing to us if that war spreads.

We might not then be able to use those Japanese bases under this treaty for offensive war against mainland China. There are so many things there. I think the country would feel much reassured if they had General MacArthur's opinion and judgment on these matters.

Senator GILLETTE. Well, thank you, Mr. Kohlberg. The committee appreciates very much your contribution.

I might say in connection with your suggestion that we take advantage of it in calling General MacArthur, this committee I am advised has not called any witnesses excepting those concerned in drafting the treaty, and so far as I am advised, General MacArthur has not asked to appear. Of course, if he should ask to appear, the committee would give that request or any similar request their most earnest consideration. Thank you very much.

Mr. KOHLBERG. Thank you very much, Mr. Chairman.

Senator GILLETTE. Rev. Willard Uphaus.

**STATEMENT OF REV. WILLARD UPHAUS, ON BEHALF OF THE
AMERICAN PEACE CRUSADE**

Senator GILLETTE. Your name is what, please?

Reverend UPHAUS. Willard Uphaus.

Senator GILLETTE. Are you here in a representative capacity, Mr. Uphaus?

Reverend UPHAUS. Yes, sir, Mr. Chairman, I am representing the American Peace Crusade.

SENATOR GILLETTE. And what is that organization?

Reverend UPHAUS. It is a peace organization to which many Americans belong who are working for peace in Korea, who are encouraging negotiation among the nations working for disarmament and other peace purposes.

SENATOR GILLETTE. And what is your official relationship, if any, to that organization?

Reverend UPHAUS. I am a national codirector. There are two national directors. I am a codirector of the Crusade.

Senator GILLETTE. Who is the other codirector?

Reverend UPHAUS. Mr. Thomas Richardson.

Senator GILLETTE. Where is the headquarters of this organization?

Reverend UPHAUS. In New York City.

Senator GILLETTE. And its objective you say is promoting world peace?

Reverend UPHAUS. World peace, that is true.

Senator GILLETTE. You have a formal statement which has been made available to the members of the committee. Do you desire to read this into the record?

Reverend UPHAUS. I think, Mr. Chairman, if I may I will follow the suggestion in the wire of invitation, make a few remarks and then submit the two page report for the minutes.

Senator GILLETTE. I am sure there will be no objection to that. You may proceed, Reverend Uphaus.

Reverend UPHAUS. The American Peace Crusade feels that it is very close to the hearts of men and women in America, particularly the workers, Negro people, the grassroots folks out across America who profoundly long for peace in the world, not only in the Orient which we are concerned mainly with now, but in the entire world.

I think probably that the people I speak for remain more than others—I would not say that for sure but, anyway, the common people of America remember the fact that their sons and fathers, relatives paid a heavy price, Corregidor, Pearl Harbor and other places in the Orient, in the thought that they were destroying fascism, totalitarianism in the world, and that their sacrifices would result in peace. So it is a profound concern that brings me here to speak for the Crusade and for them.

I should say that through the committees and councils of the Crusade, I would be speaking for several hundred thousands of our American people. We are concerned about the immediate ratification of the Japanese Treaty, and I would like to indicate four or five points very briefly, if I may, that trouble us in connection with ratification.

NONSIGNATORIES OF THE TREATY

In the first place we believe that too many of the people in the world are not involved in the signing of the treaty, too many people in the world who are not legally or morally or spiritually a part of it.

I suppose that the people in India, Burma, the Soviet Union and China on the mainland, the Peoples Republic of China must approximate something like a billion people, and it would be our position I am sure that even though ratification would have to be deferred for a considerable time, it would be much better if a treaty finally were signed to which all those countries that had fought Japan were permitted to attach their names.

I say in the first place that we would like to see all the peoples of the Orient through their representatives attach themselves wholeheartedly to this treaty, and we do not see any future for peace unless the emerging desires and normal revolutions of these people are fully taken into account.

JAPANESE ATTITUDE TOWARD PEACE TREATY

Now I believe despite conditions that make self-expression rather difficult in Japan at the present time, some 5,000,000 people, that is Japanese people, have signed a petition urging the rejection of the treaty at the present time.

Senator WILEY. On what basis?

Reverend UPHAUS. Well, there are a number of bases, and I think that some of them are probably best expressed in the document that I have here entitled "The Women of Japan Speak."

It is a document, a memorandum, which was addressed by the Japanese women members of both houses of the Japanese Parliament to Mr. Dulles on February 6, 1951, and in this document you have, if I may very hurriedly lift a few sentences, I think the substance of this fear or this misgiving. These Japanese women say in the memorandum [reading]:

Our first and the last prayer is to avoid war—war of all kinds, civil, international, or class war. We, mothers and wives and sisters, simply hate war.

Thus, believing it a great honor for U. S. A. too, that it should help Japan to keep its constitution unchallenged and be faithful to the Potsdam Declaration under which Japan has surrendered, and striven hard to fulfill every item of the demands upon it. We urgently wish you to take all possible measures to persuade all nations, not excepting U. S. S. R. or China on the mainland, to sign a peace treaty with Japan.

At another point these parliament members say:

We must develop Japan into a real, trustworthy, democratic nation, not under military supervision. * * * We can only survive as a heartily repentant, disarmed nation.

Then at another point these women indicate in the memorandum that they have—

no definite fear of the much discussed immediate military invasion by Communist neighbors—

but indicate a little later on that the way to resist penetration or totalitarianism is to fulfill the major problem to feed the hungry,

the starved, feed even the enemy until there will be no hungry and frustrated man or child. Then they praise our country by pointing out—

the U. S. A. taught us this by feeding us, the former enemy. Therefore we cannot forget that kind of Christianity forever.

I submit this as one expression of misgiving on the part of a representative group of the people in Japan itself. Then there is a second problem.

FUTURE ECONOMIC PROBLEMS OF JAPAN

I notice it was stressed a number of times this morning, but I speak of it again, and that is the economic question as to whether the treaty will tear the Japanese people away from their neighbors with whom they have basic social, cultural, and economic ties.

One of the insecurities of the treaty it seems to me in time will come at this point that despite any ideological differences between the Japanese people in the future and the regime on the mainland or in the Soviet Union, the sheer elemental drive to survive that must arise in an industrial nation will compel the Japanese people, it seems to us, to seek economic ties with the people on the mainland, and we believe that the treaty as at present written would rather discourage than encourage rather, which is all right too; Japanese trade relations with the West, but too much at the expense of the constant dole of the West by upholding her economy.

Now one very direct economic bearing here it seems to me—and I speak for the moment as a trade unionist not representing any trade union organization—is I wonder what will happen to the standards of the American people as these relationships develop, as American interests develop enterprises on the islands and as goods go to all corners of the earth competing with even our allies, the British industrialists. We wonder what will take place.

For example last night an eminent attorney in speaking in New Haven pointed out the fact that a western auto concern is manufacturing autos in Japan at the present time. The workers receive a monthly wage of \$40. That is a simple illustration of one of the basic economic problems that I think the treaty makers and those who are ratifying it will have to think about, what will be the repercussions for the trade union standards that the West has built up.

STATIONING OF TROOPS IN JAPAN

Then we feel also as representatives of the Crusade that the self-respecting oriental, the Japanese people, and of course peoples closely bound to her, that is in Indochina, China and other southeastern countries proper, they will be bound to feel a sense of resentment at what seems to us to be a condition of rather prolonged occupation.

At this point I read certain sections of the treaty rather carefully and then certain sections of the later bilateral security treaty with Japan, and it would seem that we have taken care to provide for an indefinite occupation. There is one section there that troubles me a great deal, and troubles our movement, and that is that the Japanese military forces, presumably aided and abetted by our own who are there, would be there to put down insurrection inspired from outside sources:

Well, now the inference there is clearly of course that the Communist penetration would be responsible for revolutionary feelings and actions on the part of the Japanese workers, but we know from the history of the development of antilabor forces and of fascism generally in different countries of the world how very often the natural homogeneous drive of workers to improve their own lot through normal, even nonpolitical trade unionism is interpreted as Communist penetration, and we feel very deeply concerned there as to whether the final byproducts of the treaty will eventuate in lifting the standards of the Japanese people, or whether really our major concern is the development of the military, with the unfortunate result that the old industrialists, the old generals will by necessity be revived more and put back into power to cooperate with us.

NEGOTIATION AND REARMAMENT

Now two more points, very briefly. One has to do with the President's budget. It would seem at first that to bring this in there would be no relationship to the problem we have at hand, but we do see, Mr. Chairman and members of the committee, a very definite relationship from the standpoint of the future history of our relationship with nations in the Orient, and that is that here is a budget, here are recommendations that clearly ostensibly indicate that the United States puts its present and main trust upon the military, upon armed might to the extent that at least 85 cents out of every dollar goes in that direction, and I recall with considerable pain the absence or neglect of reference to patient negotiation to iron out some of the difficulties in the Orient.

I read from this theoretical position, this philosophy in the message, the idea that might is right, that negotiation, patient, long-suffering negotiation will take secondary place.

I agree very, very much with the women who wrote this memorandum to Mr. Dulles, that if the President had put emphasis upon the social and economic redemption of the people of Japan and of the impoverished of the Orient, that indeed would have been the way to peace.

I would say in closing that the heart of the American people today is nearer to Korea than at the moment it is to the ratification of the Japanese Treaty. As important as that is, we believe that that is the first duty that the world has, that America has with its prestige and power, at the earliest possible moment to bring the Korean struggle to a successful conclusion, because that will have a very, very direct bearing upon the final solution of the problems in the Orient that are written into the ratification of the treaty.

That I think would summarize the feelings that the American Peace Crusade has relative to the treaty, that is that ratification be deferred, that much more emphasis be given to the social and economic factors in the Orient, much less dependence upon the military and armed might to face these vast problems that concern the world.

Senator GILLETTE. Thank you, sir.

Senator Smith?

Senator SMITH of New Jersey. I just have a couple of questions, Doctor. How recently have you been in the Far East yourself?

Reverend UPHAUS. I have not had the privilege of being in the Far East. My wife was a missionary in China for 15 years, and my closeness to the oriental scene I feel largely through her experience and her reading and thinking. I regret that I have not had that privilege.

Senator SMITH of New Jersey. Has she been there since the Japanese war was closed?

Reverend UPHAUS. She left just at the beginning of the war between China and Japan.

Senator SMITH of New Jersey. Then neither you nor your wife has been there since VJ-day as we call it.

Reverend UPHAUS. That is right.

ATTITUDE OF JAPANESE PEOPLE TOWARD PEACE TREATY

Senator SMITH of New Jersey. You have not been there since the MacArthur regime in Japan, and you have not personally talked with the Japanese as of today in Japan. I am only asking you this because I have just come back, and my conclusions as to the feeling of the Japanese people are quite different than the picture you have presented to us.

Reverend UPHAUS. I feel confident, sir, that as in America, the Japanese people are divided into segments of opinion, and that there may be many people who have been under the influence of Christian missions, mothers, women as represented here, and industrial workers who would have some misgivings. I do feel that.

Senator SMITH of New Jersey. I am not suggesting that they are all agreed. There are lots of differences of opinion there. I am just suggesting that it is very helpful to be on the ground and talk personally with people who are doing the thinking in this postwar period on the whole question of peace, and so on.

I can say that the Japanese people are very anxious to have peace, and generally speaking they seem to be very much pleased with the kind of treaty that has been presented.

REALITIES OF FAR EAST SITUATION

Now the other question I want to ask you, you seem to be unhappy about this particular treaty, and you thought we ought to have a treaty that other neighbors of Japan might sign, and suggest that Russia ought to be brought in to sign a treaty. Were you familiar with the discussions in San Francisco at the time the treaty was ratified and the conditions of signing that Mr. Gromyko presented to that assemblage?

Reverend UPHAUS. Insofar as I was able to understand them from the press, though I was not able to be there in person.

Senator SMITH of New Jersey. Then you would have yielded to his demands as the price of Russia's signing, would you?

Reverend UPHAUS. Well, regardless of Mr. Gromyko's particular position, I would argue for a deferment until the rough and difficult problems of negotiation would take the Chinese people on the mainland and the Soviet Union into account.

I recognize the intransigence on all sides in reaching agreements, but nevertheless we still feel that those people, by virtue of their

geography and their relationships, must be involved socially, culturally and economically.

Senator SMITH of New Jersey. I assume, Doctor, if you have not been in Japan you have not been in Korea. You have not talked to the people in Korea, of their yearning for freedom and to have a free and independent Republic of Korea set up.

You probably have not been on the island of Formosa where they have made a wonderful comeback in setting up a free China presentation of civilization that seems to me to hold great prospects for the future. I assume you have not been able to see those things at first hand.

Reverend UPHAUS. I have seen them only through motion pictures and through the testimony of the people. I have a very very close trade union friend who was to Korea only recently and gave his version of the picture as he saw it, and I think, to sum up for him and myself, our way of "saving," I say in quotes, or liberating, was not the best way that could have been found.

Senator SMITH of New Jersey. Well, I do not disagree with you that the rehabilitation of those people, their economic plight and all that, to me all those questions are much more important than the force of arms, but sometimes you get to a place where the aggression is such that you have got to stop the burglar in his tracks before he goes to far. I am just suggesting that we can't overlook that difficulty in the world situation today.

Reverend UPHAUS. If I may speak to that very briefly, I think history will have to indicate for us in time the relationship between aggression and provocation.

I think not nearly enough thought has been put upon that, and somewhere or other I remember our own history, and I am not surprised that emotionally, temperamentally the oriental has his own type of Monroe Doctrine, regardless of injustice on either side.

The impulse, the racial impulse as never before now is to kick the white man out, and I am the first to believe that he fails to appreciate much that the Christian missionary and other people have made by way of contribution, but that is one of the eventualities of a revolutionary period. I am not surprised at all that the Chinese and the Koreans, the North Koreans have the psychology that they do, in view of our own attitude.

If we were being approached below the Rio Grande, or if bomber bases were at Habana, I can scarcely imagine the psychology of the American people.

Senator SMITH of New Jersey. That is all I have, Mr. Chairman.

Senator GILLETTE. Senator Hickenlooper?

EFFECT OF BETTER COMMUNICATIONS ON AMERICAN SECURITY

Senator HICKENLOOPER. Doctor, that last statement of yours about being approached south of the Rio Grande, bomber bases in Central America I think perhaps is an apt suggestion, but I wonder if it might not have been more appropriate 50 years ago when we did not have the fast moving communications.

I am wondering if in your mind there is any comparison between bomber bases in China for instance which might threaten us, and

bomber bases in north Africa which might threaten us now, which might affect our attitude.

In other words, what was close to us or what is close to us today might have been very far removed 30 years ago, with modern transportation. So perhaps the bomber bases in China today are just as close to us, just as threatening to us as the bomber bases in Mexico would have been or military bases, let us say in Mexico of a hostile power would have been 30 or 35 years ago.

Reverend UPHAUS. I think you are perfectly right in indicating the change in transportation, but to follow through the same thought, if you are going to measure it in distance of miles, the people of Moscow have several times more reason for fear than we do, because our bombers can reach Moscow in a matter of 3 or 4 hours, and I do not think any Chinese or Soviet bomber could reach us in that time.

I am speaking about not what is right or wrong. I am speaking about human reaction to the situation in the world in which people react to the imminence of danger when it is very very near.

Senator HICKENLOOPER. I need not argue the point except to suggest that there might be something to the idea that communication, speed of access has changed a lot, and what might have been no threat at all 35 or 40 years ago might be a very real threat today.

ENDING THE KOREAN WAR

But you made one statement that you earnestly hope for a satisfactory solution in Korea, which of course we all hope for. Would you care to state what you believe a satisfactory solution in Korea would be?

Reverend UPHAUS. I believe that on the whole the enemy has made some major concessions. I think that one was made with respect to the thirty-eighth parallel.

I would I think consider a situation in which truce discussions are going on, a situation in which there would be a complete secession of killing, dying, and hostility. That would include the ravishing of property and people on the part of our planes.

I think we could, without running any risks due to the bases that we have in Japan and our armed equipment, show the Korean people that we have a deeper desire than we have shown.

Senator HICKENLOOPER. I did not quite understand what you meant by the thirty-eighth parallel. That is where we are now.

Reverend UPHAUS. No, not exactly.

Senator HICKENLOOPER. Well, to all intents and purposes. They are below the Thirty-eighth parallel on one end and we are above it a little bit on the other, but we are generally along the thirty-eighth parallel.

It is only alleged to be a militarily defensible line rather than on the thirty-eighth parallel itself which has certain difficulties, so I am just wondering about what concessions if any that the Reds have made in these whole negotiations. They never changed any territorial rights below the thirty-eighth parallel when this matter began. I don't quite follow you on the concessions that they have made.

Reverend UPHAUS. Wasn't that in the early stages of the truce discussions very much to the fore, and they did withdraw. I have a

very, very definite picture of Korea with the west line being below the thirty-eighth for a very small segment of Korea, but on the east the line being far, far above.

STRUGGLE FOR THE MINDS OF MEN

Senator, I would like to take it out of that category and say as a Christian minister that if the President in his address to Congress and in his budget proposals had made some breath-taking policy with respect to the social and economic uplift of the people, that we were ready to spend through the U. N. for the alleviation of all kinds of suffering, I have enough faith to believe that that would have been more startling.

After all Moscow, the Kremlin, and Washington both respond to world opinion, and the struggle in Korea is not just a struggle under two tents. The struggle is a world struggle among world opinions.

My great fear is that in this struggle of world opinion we are losing the high regard that we had in the minds of the millions and millions of colonials, the colored people, and we could recover it if we took the whole thing out of the hands of generals, out of the hands of the military and made a magnanimous electric proposal for a completely new life for the people in the Orient. I know it sounds idealistic, but maybe a minister is idealistic on the question of peace and war.

Senator HICKENLOOPER. I think idealism has a very proper place.

If we lose idealism we have lost everything. But I am frankly at a loss, in the light of the experience and patience that we have had in trying many of these things, to know just how we should proceed along that line that would have any substantial effect. Certainly I hope we can do something that has an effect. I am always looking for someone that has the solution.

Reverend UPHAUS. Don't you think that it comes down to this: That we get what we pay for, and I refer to the simple illustration of the \$85 billion budget, which incidentally 2 or 3 days ago the Wall Street Journal editorial I think rather mashed to smithereens. Certainly it represents the business interests of the community.

We are saying in that budget to the world that our solution for international tension and for the griefs and sorrows and the economic needs of the hungry, our solution is, well, they ask for, as the Bible says, bread and we give them a stone.

Senator HICKENLOOPER. The only thing I can say to that we have already spent about \$50 billion on peaceful things, aiding other nations feeding their people, attempting to tend the good things to them or the opportunity to do better, so we have not been derelict.

We have done more by many many times than any other nation has ever done to vanquished and destroyed peoples in the history of the world, as far as I know, so that I do not think we could be criticized for being derelict in our humanitarian activities around the world, at least since World War II has been over and even after World War I when we were very generous with our aid. The American people sacrificed a great deal which they otherwise might have held selfishly for themselves, in peaceful gestures, in economic help, moral uplift and so on. There are those who believe that it has not borne much fruit.

Senator GILLETTE. Is that all, Senator?

Senator HICKENLOOPER. Yes.

Senator GILLETTE. There are just two matters that I think ought to be corrected in the record before you are excused, Reverend Uphaus. You were perhaps in the room when I stated to a prior witness that with reference to the calling of General MacArthur we had not requested the appearance of these witnesses that were here. They came at their request.

I understood a statement by you in the early part of your testimony to be that you were appearing here at the request of the committee, and I wanted to correct that. I am informed by the staff that all of these witness requested the privilege of appearing and were accorded that privilege, and I wanted that corrected in the record.

SIGNATORIES TO THE TREATY

The other matter I wanted to clarify, I do not want to leave this statement of yours in the record without some reference to it, and I am quoting, when you asked:

How was the treaty negotiated? The United Press reported on July 13 that "When an ally balks the United States does some arm twisting." The fact remains that despite all arm twisting almost half of the people of the world have refused to sign * * * 1 billion people including Japan's nearest neighbors, India, Burma, the Soviet Union, and the People's Republic of China.

I am sure that that statement is inaccurate, if I may say so, because I do not believe that the People's Republic of China by which you refer to so-called Communist China, was urged to be a signatory to this treaty. Isn't that correct insofar as you know, sir?

Reverend UPHAUS. I think it is true that Communist China was not urged, but that fact is true because of our present relationship to her and our failure up to date to recognize her.

Senator GILLETTE. Whatever the reason, there was no arm twisting of the People's Republic of China to get them to sign this treaty, was there?

Reverend UPHAUS. With that particular reference, that one country should be excluded. The point intended to be made was that 475,000,000 people are not parties to the treaty.

Senator GILLETTE. Because of the fact that I wish the matter corrected and clarified with reference to the People's Republic of China, I do not want to have it deduced from that, that I, as acting chairman, admit the charge that there was arm twisting of these other nations. I wanted particularly to correct that statement.

Thank you very much, Reverend Uphaus. We appreciate your coming before us and giving us the benefit of your comment.

(The prepared statement submitted by Reverend Uphaus is as follows:)

STATEMENT PRESENTED ON BEHALF OF THE AMERICAN PEACE CRUSADE BY
REV. WILLARD UPHAUS, OF NEW HAVEN, CONN., NATIONAL COEXECUTIVE
DIRECTOR OF THE AMERICAN PEACE CRUSADE

It gives us a great deal of pleasure to be able to discuss the proposed Japanese Peace Treaty before this committee. Throughout our Nation a most fervent desire for an end to war and threats of war is felt among those of us who went through the horrors, the privations, and the strain of the war with Japan. If those who made the supreme sacrifice at Pearl Harbor, Bataan, Corregidor,

Okinawa, and Iwo Jima shall not have died in vain, an agreement must be reached by all of the peoples of the Pacific and of Asia that will prevent mankind from ever again undergoing the same horrors. Those of us who follow the teachings of the Prince of Peace and of the Ten Commandments hope never to have placed upon our conscience again the responsibility for the use of the atom bomb, that most fearful weapon of destruction. It is our feeling therefore that a peace treaty with Japan is of life and death importance to all of us and requires the most searching and sober examination. We do not believe that this treaty meets the needs of the situation as we see it. It will not serve the best interests of our people and for peace. We take this position for the following reasons:

Stripped of all verbiage we find that the treaty places no ceiling on Japanese rearmament. In whose hands are the weapons to be placed? The very men who engineered Pearl Harbor have been cleared and are back in power, the group of militarists headed by Emperor Hirohito. In fact there is not even a word about Japan's war guilt.

How was the treaty negotiated? The United Press reported on July 13 that "When an ally balks the United States does some arm twisting." The fact remains that despite all arm twisting almost half of the people of the world have refused to sign—1 billion people including Japan's nearest neighbors, India, Burma, the Soviet Union, and the People's Republic of China.

Nor is the treaty acceptable to the Japanese people. Despite repression, over 5,000,000 have signed a petition urging a rejection. The treaty in fact requires the Japanese people to nullify their constitution which provides that "land, sea, and air forces, as well as other war potential, will never be maintained."

As part of the treaty arrangements, Japan's trade with China, her principal source of iron, coal, and other necessary raw materials is to cease. Japan has to date received from the United States over \$2 billion. Cutting off trade with China will mean that she will remain on this American dole indefinitely. The economic consequences of this treaty to the American people will add to the already unbearable burden of high prices and mounting taxes. One-third of Japan's national revenue is to be used to cover "the expenses of the United States garrison and the new Japanese militia" (New York Times, January 24, 1952).

Under the treaty Japan is implicitly required to enter into an agreement for the retention of United States troops and bases. This will be presumably on a 99-year "lease" similar to the arrangements under which the United States bases are now held in the Philippines.

The American people have demanded peace. In prayer meetings, public-opinion polls, letters to the press, ballots and every form available they have expressed their desire for an end to the war in Korea. A speedy conclusion is urgently needed to the armistice negotiations now taking place and a settlement of those major differences in the Far East which were the cause of the fighting in Korea and can become the cause of "new Koreas." It has been shown that this treaty we are considering here today does not negotiate differences, does not eradicate the causes of war in the Far East but intensifies them. For these reasons it is our considered proposal that this treaty should not be ratified by the United States Senate. The American people, the Japanese people, and all those nations vitally concerned should have the opportunity to negotiate a genuine peace treaty which advances the cause of peace, democracy, and security for the peoples of Asia and the world.

Senator GILLETTE. There were two witnesses on the list that was made available to the acting chairman here by the chairman of the committee: Marion U. Mansen, national president, Daughters of the Revolution, and I understand that this lady is not present but has submitted a brief statement, and if there is no objection it will be included in the record.

(The statement above referred to is as follows:)

JANUARY 25, 1952.

To the CLERK OF THE COMMITTEE ON FOREIGN RELATIONS.

Whereas the omission of Nationalist China is a grave injustice and will arouse hate for the United States in all Asia not under Communist control; and

Whereas the text of the Japanese Treaty of September 8, 1951, contains no termination date and no means for its revision; and furthermore article 22 states that all parties to this treaty concerning future disputes regarding its interpreta-

tion bind themselves to accept the decisions of the International Court of Justice and; Therefore be it

Resolved, That the national society, Daughters of the Revolution urge the United States Senate to refuse to ratify the Japanese Treaty of September 8, 1951; and be it further

Resolved, That the United States Senate be urged to ratify only a wise and just treaty with Japan which would leave no loopholes for a subsequent Japanese Treaty with Red China and future Russian ownership of any former Japanese islands, possessions, fishing rights, and Antarctic claims (see arts. 2, 9, 10, 23, and 25); would not legalize past and future Allied war crimes courts outside and inside Japan (art. 11); would not publicly accept the legality of the secret Potsdam agreements (art. 6b); would not endanger our sovereign rights by accepting the jurisdiction of the International Court of Justice (art. 22); and the dangerous United Nations Universal Declaration of Human Rights. (See Preamble Par. 2.)

Senator GILLETTE. Another witness that asked the privilege of appearing was Mrs. Elise French Johnston, of Williamsville, Vt., representing the National Society for Constitutional Security, and I understand that she is not present but has submitted a one-page statement which, without objection, will be included in the record.

(The statement above referred to is as follows:)

**STATEMENT OF THE NATIONAL SOCIETY FOR CONSTITUTIONAL SECURITY IN
OPPOSITION TO THE JAPANESE PEACE TREATY OF SEPTEMBER 8, 1951**

Whereas the omission of Nationalist China is a grave injustice and will arouse hate for the United States in all Asia not under Communist control; and

Whereas the text of the Japanese Treaty of September 8, 1951, contains no termination date and no means for its revision; and furthermore article 22 states that all parties to this treaty concerning future disputes regarding its interpretation bind themselves to accept the decisions of the International Court of Justice; and

Whereas parties signing this treaty specifically force upon Japan and therefore themselves acceptance of the legality of the objectives of the United Nations Universal Declaration of Human Rights which could supersede the Bill of Rights in our Federal Constitution (preamble par. 2); and

Whereas article 11 commits Japan and cosigners to accept the legality of past and future actions of Allied war crimes courts both within and outside Japan; and

Whereas article 12 grants to all Allied Powers who do not sign the treaty extremely generous most-favored-nation treatment for a period of 4 years and in addition article 12 confers upon Allied Powers nonsigners for a period of 4 years the benefits accruing from Japan becoming a party of the Convention on International Civil Aviation; and

Whereas Russia, by abstaining from ratification of this treaty will reap all the benefits for a period of 4 years this treaty confers upon nonsigners among the Allied Powers, and she will not be caught in the confusing provisions and dangers to sovereign rights clearly endangered by those parties who do sign the treaty: Therefore be it

Resolved, That the National Society for Constitutional Security urge the United States Senate to refuse to ratify the Japanese Treaty of September 8, 1951; and be it further

Resolved, That the United States Senate be urged to ratify only a wise and just treaty with Japan which would leave no loopholes for a subsequent Japanese treaty with Red China and future Russian ownership of any former Japanese islands, possessions, fishing rights, and Antarctic claims (see arts. 2, 9, 10, 23, and 25); would not legalize past and future Allied war crimes courts outside and inside Japan (art. 11); would not publicly accept the legality of the secret Potsdam agreements (art. 6b); would not endanger our sovereign rights by accepting the jurisdiction of the International Court of Justice (art. 22); and the dangerous United Nations Universal Declaration of Human Rights (see preamble par. 2).

Mrs. ELISE FRENCH JOHNSTON,
Corresponding Secretary.

WILLIAMSVILLE, VT.

Senator GILLETTE. That completes the list that was presented to the acting chairman as those who had been cleared under the rules under which we are proceeding.

If there is nothing additional to present, the committee will rise and reassemble on the call of the chairman.

(Whereupon, at 2:55 p. m., the committee rose; to reconvene at the call of the chairman.)

(The following statement, submitted by Mike Masaoka, national legislative director, Japanese American Citizens League, Anti-Discrimination Committee, Washington, D. C., was received after the conclusions of the hearings:)

STATEMENT OF THE JAPANESE AMERICAN CITIZENS LEAGUE

The Japanese American Citizens League—the only national organization representing persons of Japanese ancestry—joins with the overwhelming majority of our fellow Americans in urging early ratification of the Japanese Peace Treaty.

We believe that the treaty has been carefully worked out, with proper regard for the spirit of reconciliation and justice that such a precedent-setting document must demonstrate and with appropriate attention to the harsh realities of a troubled world. We do not suggest that the treaty is a perfect one, or that it begins to please every party concerned. But, we do believe that under the circumstances it is as good for all parties concerned as one can reasonably expect.

As Americans—and all of our members are American citizens—we are primarily interested in the specific benefits which will accrue to the United States as a result of the prompt ratification of the peace treaty.

At the same time, because most of our members are of Japanese ancestry, we are especially interested in promoting lasting friendship between the United States and Japan, believing that in such amicable international relationships lie our best hope for peace and security in Asia.

It is our conviction that the best interests of our country are served by making and keeping Japan a friendly and willing copartner in the new Pacific era which this treaty inaugurates.

Japan, by every conceivable yardstick, is our natural ally in the Far East, for she has a traditional animosity towards the common enemy, Soviet Russia, and the productive capacity to be a helpful partner in the common defense against world communism. Moreover, Japan has the best orientation of all the Asian countries to democracy and to the so-called western way of life. And her strategic position off the Asia mainland cannot be overlooked.

During the late war, more than 10,000 American soldiers of Japanese ancestry fighting in the Pacific discovered that the Japanese were a worthy foe. After the surrender and during the occupation, thousands more serving in Japan itself found the people eager to embrace the democracy which Gen. Douglas MacArthur and our Government exemplify.

For the first time, according to reports from our own members among the occupation personnel, the Japanese learned the meaning of personal freedom and dignity, the value of the ballot for both sexes, and the security of social legislation. And, the reports unanimously indicate that the Japanese people liked what they learned.

Early ratification of the peace treaty will confirm to the Japanese that we do not in fact seek to impose our occupation on her, that we have confidence in her ability and willingness to make her own destiny in partnership with the free nations. No occupation, however benevolent and well-meaning, is long welcomed by any people. And Japan has been occupied now for almost 7 years.

Early ratification will also serve as a concrete demonstration to the peoples of southeast Asia that this Government does not intend to keep dominion over even the most strategic territories longer than necessary for the maintenance of peace and the containment of the present threat of communism. It will help to prove the sincerity of our motives to the native peoples of many lands who today are beginning to feel the urge of national aspirations.

We are told that Japan is anxious to work out her own salvation and to become as self-sufficient as possible. We suggest that it is to our own self-interest that she be encouraged to do so, for a strong and friendly Japan will not only be our greatest defense against aggression from the East but also less of a drain on our

National Treasury. But, in the interim, we must be realistic; we must continue economic and other aid until Japan once again has easy access to needed resources and the industries and the trained manpower to make her own way in the world of nations with honor. We believe that the Japanese are too proud a people to allow needed aid to deteriorate into international charity.

We are not suggesting here that the ratification of the peace treaty will solve all of Japan's problems, nor ours in the Far East. But national sovereignty will enable Japan to take the initial steps to put into actual practice the new concepts and perspectives which we, as the occupying power, have presented her. Americans can responsibilities, too, should be correspondingly decreased.

While we deplore the admonition of some that the United States must build up Japan as our first line of defense in the Far East as unworthy of our ideals and traditions and because it creates the impression in some Japanese minds that our only interest in them is as possible "cannon fodder" in the event of a future war, we do subscribe to the long-range view that a strong, independent, and friendly Japan can be the most formidable deterrent to the ambitions of the Communists.

Looking at the matter even more positively, we envision a Japan that will be helpful not only in maintaining the peace but also economically and socially in "westernizing," in the best sense of the word, the undeveloped areas of Asia and the Pacific. We see a great new era of civilization, if you will, being created around the so-called Pacific basin in which the United States and Japan, partners in a heroic enterprise, will work together for the greater good of all mankind.

Recalling that prior to the outbreak of war Japan was our best "customer" in the Orient, we look forward with confidence to increased trade and commerce with her on a mutually advantageous basis. But, more important, we can visualize both nations developing new markets and locating new sources of materials in the many countries that border the Pacific and Indian oceans, countries whose peoples need the industrial output of both the United States and Japan.

The more quickly the peace treaty is ratified and goes into force, the more quickly can Japan assume her place in the community of free nations and assert her leadership in the Orient as the champion of democracy. Her background and her potential, among all the nations of Asia, qualify her for such leadership.

The longer ratification is delayed the greater the chances for the relatively few dissidents and malcontents in Japan to foment discord and anti-American attitudes. Delay plays into the hands of the Communists, particularly those in Japan. Delay prevents Japan from instituting her difficult program to prove her right to sovereignty. Delay means more in occupational costs and supplementary aid and weakens American prestige.

Thus, because we are convinced as Americans that the best possible insurance against aggression from the East is in a potent and self-sufficient yet friendly Japan and because we believe that Japanese-American friendship of a real and enduring character can make for a more peaceful and prosperous world, we urge the early ratification of the Japanese Peace Treaty.

At the same time, we feel that in all honesty it should be pointed out that as long as our immigration and naturalization laws continue to single out the Japanese for discriminatory treatment, a source of irritation and humiliation which was one of the major causes of World War II in the Pacific remains to threaten the future international relations between the United States and the new Japan. As long as her people are stigmatized as "inferior" by our Federal laws, the Japanese may rightfully question the sincerity of our proffered friendship and doubt the wisdom of sharing in the defense of a way of life that denies to them equal opportunity with other nations.

Along with the early ratification of peace treaty, we urge the speedy enactment of legislation that will extend to the Japanese immigration and naturalization privileges at least equal to those granted other Asian countries. To the Japanese, this is a matter of principle, and we who have always insisted upon equality of treatment and opportunity can ill afford to deny to the Japanese these minimum privileges.

We ought to couple recognition of Japan as a sovereign nation through ratification of the peace treaty with recognition of the Japanese people through repeal of discriminatory statutes that contradict the violate the very spirit of the peace treaty we seek to promulgate.

International friendships, like personal ones, must be based upon mutual admiration and respect. And, in these tension-filled, troubled days, we need friends as never before in the common cause of freedom and human dignity.

We Americans of Japanese ancestry hope and trust that in the spirit of mutual cooperation the United States and Japan will blaze a new path in international fellowship in the coming Pacific era which holds so much promise for both nations.

(The following letters were also received for insertion in the record:)

Senator TOM CONNALLY,

Chairman, Senate Foreign Relations Committee,

Washington, D. C., January 28, 1952.

Senate Office Building, Washington, D. C.

DEAR SENATOR CONNALLY: Thirty-two organizations participating in the enclosed resolution urging the ratification of only a just and wise treaty with Japan and suggesting certain reservations. Will you be so good as to make this resolution a part of the hearing record?

Sincerely,

MADALEN (Mrs. W. D.) D. LEETCH.

Participating organizations January 26, 1952:

American Gold Star Sisters, Inc.

American War Mothers

American Women's Legion of World Wars

Auxiliary to Sons of Union Veterans of the Civil War

Blue Star Mothers of America

Catholic War Veterans of the U. S. A. Ladies Auxiliary, Army and Navy

Union, U. S. A.

Dames of the Loyal Legion of the United States of America

Daughters of Union Veterans of the Civil War (1861-65), Inc.

Daughters of the United States Army

Gold Star Wives of America

Ladies Auxiliary to the Military Order of the Purple Heart

Ladies of the Grand Army of the Republic

Marine Corps League Auxiliary

National Gold Star Mothers, Inc.

National Society for Constitutional Security

National Society, Daughters of the Revolution

National Society, Daughters of the Union (1861-65), Inc.

National Society of New England Women

National Society, Patriotic Women of America, Inc.

National Society, Service Star Legion, Inc.

National Society, Women Descendants of the Ancient and Honorable Artillery Co.

National Woman's Relief Corps, Auxiliary to The Grand Army of the Republic

National Yeomen F

Navy Club, U. S. A. Auxiliary

Navy Mothers Club of America, Inc.

New York City Colony, National Society of New England Women

Reserve Officers Association, Ladies Clubs of the U. S. A.

Society of Sponsors of the United States Navy

The Wheel of Progress

United States Army Mothers

Women of the Army & Navy Legion of Valor of the U. S. A.

Women's National Defense Committee of Philadelphia

RESOLUTION ADOPTED BY 32 PARTICIPATING ORGANIZATIONS IN THE TWENTY-SIXTH WOMEN'S PATRIOTIC CONFERENCE ON NATIONAL DEFENSE, JANUARY 26, 1952, HOTEL STATLER, WASHINGTON, D. C.

OBJECTIONS TO JAPANESE PEACE TREATY AND SUGGESTIONS FOR AN ADEQUATE TREATY

Whereas the omission of Nationalist China is a grave injustice and will arouse hate for the United States in all Asia not under Communist control; and

Whereas the text of the Japanese treaty of September 8, 1951, contains no termination date and no means for its revision; and furthermore article 22 states that all parties to this treaty concerning future disputes regarding its interpretation bind themselves to accept the decisions of the International Court of Justice; and

Whereas parties signing this treaty specifically force upon Japan, and therefore themselves, acceptance of the legality of the objectives of the United Nations' universal declaration of human rights which could supersede the Bill of Rights in our Federal Constitution (preamble, par. 2); and

Whereas article II commits Japan and cosigners to accept the legality of past and future actions of Allied war crimes courts both within and outside Japan; and Whereas article II grants to all Allied Powers who do not sign the treaty extremely generous most-favored-nation treatment for a period of 4 years and in addition article 12 confers upon Allied Powers nonsigners for a period of 4 years the benefits accruing from Japan becoming a party of the Convention on International Civil Aviation; and

Whereas Russia, by abstaining from ratification of this treaty will reap all the benefits for a period of 4 years this treaty confers upon nonsigners among the Allied Powers, and she will not be caught in the confusing provisions and dangers to sovereign rights clearly endangered by those parties who do sign the treaty, therefore be it

Resolved, That the twenty-sixth Women's Patriotic Conference on National Defense urge the Senate of the United States to ratify only a wise and just treaty with Japan which would leave no loopholes for a subsequent Japanese Treaty with Red China and future Russian ownership of any former Japanese Islands, possessions, fishing rights, and Antarctic claims (see arts. 2, 9, 10, 23 and 25); would not legalize past and future Allied war crimes courts outside and inside Japan (art. II); would not publicly accept the legality of the secret Potsdam Agreements (art. 6b); would not endanger our sovereign rights by accepting the jurisdiction of the International Court of Justice (art. 22); and the dangerous United Nations universal declaration of human rights. (See preamble, par. 2.)

WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM,
UNITED STATES SECTION,
Washington, D. C., January 31, 1952.

Senator TOM CONNALLY,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR CONNALLY: The United States Section of the Women's International League for Peace and Freedom received a letter from one of our members in Japan explaining that some 30 women, representing various organizations, have formed a committee with the specific purpose of working against the rearmament of their country. Their first undertaking was to address their concern to each of the United States Senators. They have forwarded to us the copies of these letters and asked if we could see that they reach the Senators "in a proper way."

To quote from their letters, "we are sending you under separate package some hundred sheets of printed 'message' to your Senators concerning the two treaties (the Japanese Peace Treaty and the Mutual Security Pact). As time goes on our disappointment grows greater and we thought we had better express our view. * * * We wish very much to ask you, if it is not too much trouble for you to see that these letters are delivered to them in a proper way. This is our first venture. We don't know how to. I hope you would be so good as to help us in this matter."

We commend their message to you, and urge you to give it the consideration its seriousness and sincerity demands.

Sincerely,

ANNALEE (Mrs. Alexander) STEWART, M. R.,
Legislative Secretary, for the United States Section of the Women's International League for Peace and Freedom.

(See p. 80 for letter previously inserted.)

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