



HIS IMPERIAL MAJESTY THE EMPEROR OF MANCHOUKUO

# THE CASE FOR MANCHOUKUO

By

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## PREFACE

**I**F one makes so bold as to write a book on a theme of such importance that men in their clubs are talking of it day by day, in Bombay, Brussels, or Boston; that stocks in Lombard Street, Wall Street, the Shanghai Bund, or Marunouchi respond to it; that premiers of mighty nations gather in solemn conclave for its consideration; that world conferences are convened to discuss it, he must needs have a knowledge of it that justifies him in expecting a hearing.

If that theme turns out to be one so ponderous as the enigma of the Far East, the ways of which are strange and the psychology of which is attuned to a concordance not of the Western world, he needs indeed to present his credentials. If he is convinced that the sector of which he writes is the world's most explosive center of danger, that it is the agony area of the ages, that in it the voices of one-third of the people of all the world cry aloud for deliverance, he is likely to approach his task with temerity and humility.

Yet so vast and strange is the Far East, so complicated its problems, so inarticulate, so completely misunderstood, that it seems the duty of one who knows even but a little of it to bring the message out as best he can. I think I have some grounds for asking a hearing. May I state them?

I have lived in the Orient for more than thirty years. I came with a considerable experience with tortured people because the Cuban revolution had precipitated me, an engineer by training, into the rôle of war correspondent. I had lived with the Cuban armies for two years before the United States entered the lists against the Don. I was the first newspaperman to reach the *Maine* after she was sunk, and I watched the in-

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vestigation into the causes of the explosion from a seat in the Spanish divers' launch; but, engineer though I was, I failed to find a scrap of evidence that the Spaniards were responsible for the disaster. I passed through a four-year baptism of fire and brought the heritage of it to the Far East.

As engineer and journalist I established in Manila in 1904 and in Shanghai the following year the *Far Eastern Review*, which I have owned and edited through the intervening years. And it falls to the lot of editors, wherever they may be, to know much of what goes on about them. Naturally I have known intimately many of the figures of the Orient who have passed in review through these years. It has not been surprising that I have been called, now and again, to the service of these men of the East.

Because I was an engineer and an authority on the international politics connected with China's railway problems, that greatest of modern Chinese patriots, Dr. Sun Yat-sen, drew upon my experience. When he was empowered by President Yuan Shih-kai to organize a National Railway Corporation to finance and construct a national system of communications for China, I became his adviser, redrafted his 100,000-mile vision into a practical 10,000-mile scheme, and was honored with his power of attorney to proceed abroad to negotiate the preliminary agreement for its financing.

President Yuan Shih-kai called me in to devise another 10,000-mile national system of railways and sent me abroad with full powers to organize an international construction company to execute it. At the Paris Peace Conference I was called in as Technical Secretary to the Chinese Delegation to draft another plan for the construction of its national communications system for the new Consortium to work on. In 1929 I was once more called by Mr. Sun Fo, the Minister of Railways in the Nationalist Government, to help design another 10,000-mile system of lines that would consolidate the power of the government, and again I was honored by his

power of attorney to proceed abroad to negotiate the financial agreements.

To me the Chinese have entrusted financial missions involving half a billion to a billion dollars, the drafting and carrying out of plans for the safety of the State, consolidation of its governmental power, for its financial independence and the conservation of its sovereign rights, the highest honor and mark of confidence ever reposed in any foreigner. I won for them the lowest railway construction and loan terms ever conceded by international finance to a foreign government, but the agreements could not be carried out. I fought and lost. Not through any fault of my own, not because the plans were impractical or visionary, but simply because foreign governments loudest in their declarations of friendship for China were the first to deny her sovereign rights when plans for their conservation were initiated by herself.

The harvest of all these experiences has been an overwhelming conviction of the futility of the program that the West, led by the United States, has for the East, the fiction that China is a republic, the theory that its vast multitudes can be bound together in a single nation. Yet all of this is written into treaties devised by the West for the advancement of its own selfish interests and saddled on a floundering Orient which knew not what it did or was impotent to resist.

Now one group of these Chinese who constitute a race but not a nation has broken away completely from its fellows. Manchoukuo has cut loose from the chaos, the carnage, the anarchy that is China and set up an independent government for itself. It has called upon Japan to help it maintain that government. It has been asserted that Japan inspired its action and that it is merely a puppet state.

I am the representative of Manchoukuo in the United States. I am its advocate. I am partisan in its defense. I believe that what it has done constitutes the one step that the people of the East have taken toward escape from the misery and mis-

government that have been theirs. I believe that the protection Japan is extending to Manchoukuo gives it its only chance of happiness. I believe that Japan's action is to be commended. I should like to present the case for Manchoukuo. I believe that I deserve a hearing, that Manchoukuo deserves a hearing, that Japan deserves a hearing. I challenge America to give it to us.

GEORGE BRONSON REA

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**PART I**

**WHAT DOES AMERICA WANT IN ASIA?**

# THE CASE FOR MANCHOUKUO

## CHAPTER I

### THE NON-RECOGNITION DOCTRINE

We surely cannot deny to any nation that right whereon our own government is founded—that every one may govern itself according to whatever form it pleases, and change these forms at its own will; and that it may transact its business with foreign nations, through whatever organ it thinks proper, whether king, convention, assembly, committee, president, or anything else it may choose. The will of the nation is the only thing essential to be regarded.

THOMAS JEFFERSON, March 12, 1793

**I**T would serve no useful purpose to follow in detail the course of events leading up to Japan's resort to self-defense at Mukden on the night of September 18, 1931, the liberation of the people of Manchuria from the yoke of a bandit overlord and his mercenary armies, their declaration of independence and the birth of the new Manchou nation.

Japan claims that she fought in self-defense. There has been no unprejudiced examination of the facts, but if one were made, there is little doubt but that the conclusion would be reached that she did so. An arrival at the opposite conclusion and its acceptance without an adequate presentation of the facts in rebuttal obviously is contrary to the West's much-vaunted sporting spirit of fair play.

#### 4 THE CASE FOR MANCHOUKUO

Yet in the absence of any impartial court before which the case of Manchoukuo could be argued in due legal form and the facts established as evidence upon which a decision properly could be rendered, in the face of the new nation's obvious unpreparedness to make out her case, even the actual record has failed of a presentation. Conclusions have been reached without an examination of that record which would be promptly upset if it were understood.

As far as the people of the United States are concerned, the position of their government is stated in the final note of January 7, 1932 directed by Mr. Stimson to Japan and China in which he said that the United States "does not intend to recognize any situation, treaty or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris of August 27, 1928." The League of Nations followed on March 11 by declaring that "it is incumbent upon the Members of the League not to recognize any situation, treaty or agreement which may be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris." This made it unanimous and definitely linked the United States with the League in a dispute in Asia in which we would have declined to take sides had the dispute originated in Europe, peace pacts to the contrary notwithstanding. Supported by the Western world, Mr. Stimson then announced:

The Nations of the League at Geneva have united in a common attitude and purpose towards the perilous disturbances in the Far East. The action of the Assembly expresses the purpose for peace which is found both in the Pact of Paris and the Covenant of the League of Nations. In this expression all the nations of the world can speak with the same voice. This action will go far towards developing into terms of international law

the principles of order and justice which underlie those treaties and the Government of the United States has been glad to cooperate earnestly in this effort.

The Stimson Doctrine of Non-Recognition was generally accepted without granting a chance for presenting Manchoukuo's side. Yet it disregarded every consideration extended to other new international personalities seeking admission into the Family of Nations and set up a purely arbitrary regional law for Asia that it would never dream of attempting to apply to Europe. Practical exigencies, political considerations, the right of self-determination and every principle of right, justice and liberty that have guided and impelled mankind through the ages to rebel against oppression and change their government, were swept aside. The very foundations of liberty were subordinated to the peace pacts, born but yesterday, which, carried to their logical conclusion, declare that as from 1929, no oppressed peoples can resist by force or take advantage of any situation resulting from the application of force, to free themselves from slavery, without first appealing to all the nations of the world, notoriously incapable of concerted action, and receiving their permission beforehand. As a matter of fact, in practice these peace pacts sound the death knell to human liberty, and the Stimson Doctrine proclaims in effect that the United States (which claims the credit for having shown the world the way to freedom) will never recognize any situation brought about contrary to the obligations of the pacts, thus aiding, abetting and encouraging a group of predatory Chinese war-lords to push forward their campaign to again rivet the chains of bondage on the thirty million people of Manchoukuo.

The Stimson Doctrine of Non-Recognition in itself means very little and could do little harm if it was not

for this incitement to further war and bloodshed. After all, it was mild and innocuous compared with the exalted and solemn principles laid down by his predecessors in office to justify their non-recognition of Soviet Russia. In the same manner that the Communist state was finally recognized and welcomed with open arms by the present administration, so Manchoukuo in the end will be accorded recognition by some future administration.

#### VAGARIES OF OUR RECOGNITION POLICY

In our recognition policy, the same as with those other cardinal features of American diplomacy, the Monroe and the Open Door Doctrines, each new administration places its own construction and interpretation on its meaning. The invocation of the Monroe Doctrine to cover and excuse practically every act of American intervention in Latin America and the stretching of the purely commercial Open Door principle to where it is now synonymous with and guarantees the territorial and administrative independence of an incongruous, illegal and purely supposititious state like China, is paralleled by the absence of any fixed rule for the recognition of new states seeking admission into the society of nations.

Jefferson's test for *de facto* recognition established the policy of the nation. President Monroe in his celebrated message of December 2, 1823, pronouncing the principles of policy which have become known as the "Monroe Doctrine," adhered to the rule laid down by his predecessor in the following words:

. . . Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate gov-



ernment for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm and manly policy, meeting, in all instances, the just claims of every power, submitting to injuries from none.

John Quincy Adams restating the policy, said:

In every question relating to the independence of a nation, two principles are involved; one of right, and one of fact, the former exclusively depending upon the determination of the nation itself and the latter resulting from the successful execution of that determination . . . this recognition is neither intended to invalidate any right of Spain, nor to affect the employment of any means which she may yet be disposed or enabled to use, with the view of reuniting those provinces to the rest of her dominions. It is the mere acknowledgment of existing facts.

Roosevelt went to the other extreme in the recognition of Panama and justified his act on the grounds of expediency. In the case of Mexico, Wilson set up an entirely new recognition principle of his own by declaring that "no permanency can be given the affairs of any republic by a title based upon intrigue and assassination" and, "so long as the power of recognition rests with me, the Government of the United States will refuse to extend the hand of welcome to anyone who obtains power in a sister-republic by treachery or violence." Under this ruling Wilson refused to recognize the *de facto* government of Huerta even when it was firmly established at home and able to discharge competently its obligations abroad. Under Wilson, our recognition policy descended from the purely *de facto* prerequisite laid down by Jefferson to an open intervention in the domestic affairs of another nation, but it is well to note that while he was withholding recognition from the Government of Mexico because its title to power rested on treachery and violence, he was

recognizing tyrant after tyrant in another "sister republic" whose only right to rule arose from their possession of overwhelming armies and who each and every one resorted to every known political crime to eliminate opposition. The Wilsonian principle laid down to justify our political intervention in Latin-America was distorted to cover recognition of China, a fictitious republic ruled over by a group of conscienceless war-lords whose title is based upon intrigue, betrayals, assassinations and wholesale massacre, and to perpetuate and fasten this predatory power upon 500,000,000 poor, dumb, defenseless people. For, it is true to fact that practically every government of the "Republic of China" since 1912 to date has risen to power upon titles which in Latin America we frown down on as illegal.

In Latin America, we justified our non recognition on grounds of "unconstitutionality." In the "Republic of China" which has no constitution and where no medium exists to hold together eighteen or more warring independent states, we have supplied the cement to bind them into the semblance of a union by the application of a treaty designed primarily to safeguard our trade interests, irrespective of whether or not these brawling, discordant tribes of a common race are capable of or desirous of being united.

With this treaty as a basis, Mr. Stimson laid down an entirely new and original idea of recognition and erected it into international law, thus making difficult any return to the traditional Jeffersonian doctrine without appearing to have practised deliberate discrimination in applying it to Manchoukuo. To promulgate such a doctrine without sanctions or active intervention to support and enforce it, places the nation in an untenable and embarrassing position if the new state establishes firmly its independence. By hastening to obtain the coöperation of the League,

Mr. Stimson assumed responsibility for a departure from traditional American practice that may, in the end, be highly prejudicial to the cause of peace and good understanding.

Mr. Stimson might have reverted to the diplomacy of John Quincy Adams and recognized Manchoukuo without in any way invalidating any right of China or affecting the employment of any means she may be disposed or enabled to use with the view of reuniting the province with the other independent states of China under some form of central authority, but he preferred to adhere to the terms of a treaty which, on its face is an anomaly and impossible of carrying out without the sacrifice of millions of human lives. As will be demonstrated by the facts herein set forth, we have set aside elemental principles and all the ideals upon which human liberty is founded in order to give permanence and preëminence to a new and untried theory of human relations that no matter how desirable, proclaims an end to human liberty.

#### A MOCKERY OF LAW

The peace pacts recognized the right of self-defense and the right of each nation to resort to self-defense and define the time, place and opportunity. That right to define could not be taken away. It remains inherent in the very sovereignty of each state, something that cannot be relinquished without placing in jeopardy its right to self-preservation. Yet Japan, confident that she had acted within her rights under the peace pacts and conscious of having done no wrong, unwisely invited the League to send a Commission of enquiry to investigate and report on the facts. Japan was playing fair, yet long before the commission arrived on the ground or could form any conclusion as to the legality of Japan's acts, Mr. Stimson

forestalled its verdict by promulgating a new doctrine of international law and inducing the League of Nations to endorse and make it unanimous, thus changing the law during the progress of a trial, dictating a course of action for the guidance of the Commission and influencing its findings long before the evidence was in.

John Marshall, the celebrated chief justice of the Supreme Court of the United States, laid down as a fundamental doctrine of international law that "no nation can make a law of nations." He also said that "no principle is more universally acknowledged than the perfect equality of nations. Russia and Geneva have equal rights." Times change. Henry L. Stimson not only made a new law of nations but ignoring all precedents under which other states have come into existence, induced the other nations to accept it during the progress of a trial.

Mr. Stimson took his stand on a treaty so full of holes that one could drive a motor truck through it. Any fair and impartial examination of the diplomatic correspondence leading up to the acceptance of the provisions of the peace pacts by the various nations and their reservations must give rise to the suspicion that Mr. Stimson was not so much concerned with the preservation of the peace machinery as he was with that of the basic principle of the Nine Power Treaty to respect the territorial and administrative independence of the "Republic of China" and that he invoked the peace pact because it was the only link that could bind the League to coöperate with the United States. As will be described further on, the so-called Government of the "Republic of China" exists solely by active military power crushing out all opposition to its rule. It is a usurping government which holds no mandate in the form of any constitutional or delegated powers from the peoples of China to rule over them, its rights to supreme rule arising solely from the application

of the Nine Power Treaty and its recognition by the Powers.

For any section of China to secede from and declare its independence of such a government is no affront or crime to be punished by armed force. The recognized or *de jure* Government of the Republic of China possesses the powers of sovereignty only because these powers have been conceded to it from without; not delegated from within. They can be enforced upon the people of the various independent states of China only by constant and overwhelming military pressure and then only in regions where this pressure can be readily exerted. Outside of this very limited area (in the case of Nanking, to three provinces), the power of the government ceases and the province, district or area reverts to its original status and becomes for all practical political purposes, autonomous and independent, contesting with the recognized government for supremacy until its people are ruthlessly bombed from the air, machine-gunned and massacred, its cities, towns and villages burned to the ground, its countryside devastated and the despairing survivors bend the knee and bow their neck to the yoke of their new master seeking a "living" for his rabble of mercenary soldiers.

It is no crime to secede from such a government, nor is it a violation of any treaty to resort to force at any and every opportunity and by any and all available means, to escape from under such chaos, inefficiency and oppression. If the peace pacts are interpreted to mean that force can permanently be employed to deprive any element in this mass of 500,000,000 people of their rights as human beings and that these people are denied the right to seek by force an escape from their sufferings, then the peace pacts are immoral and illegal—a travesty on justice. It is folly to assume that a predatory, despotic, insatiate group of despoilers will ever consent to relax their hold once they

have their victims in their power and any interpretation of the peace pacts as advanced by Mr. Stimson which tends to perpetuate such an outrage and refuses to recognize any change brought about by brute force against brute force, is unworthy of any American statesman, all laws to the contrary notwithstanding. A law which justifies the continued application of force to maintain a people in slavery and then denies to the oppressed the right to resort to force or take advantage of any situation to escape from their bondage, is not law; it is a mockery of law.

#### SOWING THE SEEDS OF WAR

Recognition or non-recognition, therefore, fades into insignificance before these fundamentals of right and justice. That Manchoukuo exists as a state has been determined by the people of that state. It is a self-created entity, satisfied of its own existence and can exist indefinitely without recognition. Recognition is merely the acknowledgment of an existing fact; it does not create the fact. Recognition is always desirable as a testimonial of those friendly relations essential to the complete participation of the new state in the society of nations.

Whether or not a government exists, clothed with the power to enforce its authority within its own territory, obeyed by the people over whom it rules, capable of performing the duties and fulfilling the obligations of an independent power, able to enforce its claims by military force, is a fact, not a theory. Its recognition does not create the state, although it may be desirable.

Even this legal decision handed down by an American Supreme Court would have to be set aside under the Stimsonian Doctrine and the peace pacts, for the reason that the state could no longer enforce its claims or preserve its

existence by military force. It becomes not a fact, but a theory, a shadow of a state unable to establish and enforce its claims or defend its existence. Mr. Stimson's doctrine would, therefore, seem to undermine the very basis of state sovereignty.

In view of the actual status of the Government of the "Republic of China," recognition of the new state of Manchoukuo does not and by nature cannot constitute an offense against this fictitious, but nevertheless legally recognized entity endowed from without with the attributes of a sovereignty it has never possessed since its inception in 1911 and will never be permitted to exercise without a war of conquest that will convert China into a vast cemetery.

The majority of states have come into existence by cutting adrift from the Mother State, but even this rule does not apply to China and Manchoukuo. China was never the mother state. Manchoukuo is not the child of China. For three centuries it was the father state, and when the marriage was dissolved by mutual consent under definite divorce agreements, the father was cheated out of and deprived by force from the possession and enjoyment of his property. Recognition of the father state, therefore, is not incompatible with nor can it be considered as an affront to the divorced mother. Both are sovereign entities entitled by every conception and interpretation of law to separate and independent existence and their incorporation as such in the society of nations.

Failure on the part of Mr. Stimson to take these facts into consideration before promulgating his doctrine, instead of advancing the cause of peace, has had the opposite effect. Although we can eliminate the possibility of war between the United States and Japan over these issues, yet the truth must be squarely faced that the general hostile attitude of the United States and the League

towards Japan in the dispute over Manchuria and the uncertainty as to how far our admonitions and promulgations of policy would be followed by stronger action, has been the direct cause of apprehension on the part of Japan and the reasons for her feverish preparations against any emergency.

In China, the doctrine has been hailed as an emphatic endorsement of the right of Nanking to full sovereignty over Manchoukuo, nerving the recognized government to hold out against direct negotiations with Japan or enter into parleys with Manchoukuo. It has inspired every freelance bandit chief and war-lord from Hopei to Kwangsi to look forward to restoring his rule over the most prosperous provinces of China, so rich in loot that the Chang régime squeezed out of their thirty million people, revenues equal to, if not greater than those collected by the recognized government at Nanking. It has emboldened native bandits to continue their raids, massacres and general lawlessness in order to discredit the new state and make difficult the establishment of orderly government. It has sown the seeds of a new war in China that every radical leader south of the Yangtze is now preparing for. In this one respect, the Stimson Doctrine has contributed more to prolong war and postpone the day of peaceful settlements of disputes, than it has to penalize Manchoukuo by non-recognition of its independent status.

#### AMERICA'S RESPONSIBILITY IN THE FAR EAST

An international peace pact which outlaws wars between nations and does nothing to stop the most pitiless slaughter of defenseless people recorded in modern history, can never be justified on the grounds of humanity. The peace pacts can be invoked to put a stop to wars between nations but legalizes an unending war for political



supremacy amongst the tribes of a race which accounts for a quarter of the total population of the globe!

Notwithstanding all their solicitude for peaceful settlement of disputes, their outlawry of war and concern for humanity, the Powers stand convicted of insincerity. They do not dare bring pressure upon the war-lords and robber-barons of China to compel a halt in the massacre of millions of peaceful human beings or to bring relief to their sufferings because, in spurning the principle of state sovereignty laid down at Westphalia in 1648, shifting the basis of society from a single state to a collectivity of states, it has reversed its own fundamental law and erected in Asia the single state as a solution to problems they are incapable of understanding or of coping with. They then closed the door to any correction of their blunder by devising and entering into a perpetual treaty to respect, recognize and endow the monstrosity with all the attributes of a state, worthy to sit in the councils of their League and lay down the law for the rest of the world. They cling to the theory that China is a nation when, as a matter of fact, it is merely a chaotic mass of humanity whose disorganization perpetuates the cruelest tragedy of all time.

The case for international law drawn up by government functionaries sworn to uphold the existing order and preserve the postwar *status quo* was entrusted to a privileged group of jurists and statesmen who reared the structure of international law on the foundation of their own interests. Aside altogether from the law itself, the reputations of these men were at stake. The law as propounded and interpreted by American statesmen of the internationalist school, has descended from the high moral and humanitarian heights from which the founders of the nation looked down upon the needs of a people struggling for human liberty, to a grossly material hodgepodge of trea-

ties, covenants, policies, doctrines and other commitments for the perpetuation of flagrant injustices, arising largely from their own meddling with affairs which did not even remotely concern them and entering into entangling agreements contrary to every warning uttered by the Fathers. Laws founded on injustice and upheld by force, laws legislated by minorities for selfish ends, laws contrary to common sense and the customs and traditions of a people cannot endure. It is because these fundamentals of justice have been set aside that the world is again headed towards Armageddon. The shots fired at Sarajevo and Marseilles tell us of the dangers that surround any attempt to dragoon wholly dissimilar and hostile tribes into a common nationality. How far the American people are responsible for much of the unrest in Europe and the present craze for armaments, remains for the chronicler and commentator of the future to decide, but as for our responsibility for much that is happening in the Far East, we do not have to wait for the verdict of history. We are largely responsible for the situation in the Far East and the consequences of our acts are before us.

A clash of policies between the United States and Japan arising out of misunderstandings of each other's objectives, together with a seeming unwillingness to recede from what one side deems essential for the preservation of its trade and the other its national security, has produced a naval competition and a state of uncertainty, nervous tension and fear of what the other intends to do, just as full of high explosives as the powder keg of Europe.

It is impossible for the people of the United States to understand the moves of Japan when they are utterly in the dark as to the intentions of their own government. Before we can judge Japan, we must in all fairness ask ourselves what we want in the Far East and just how far we will go to obtain what we want. After we have answered

this to our own satisfaction we will then be in a better position and a better frame of mind to analyze Japan's policies and needs and come to some conclusion as to how far their attainment justifies her in resorting to extremes. Somewhere along the line the high-tension cables of Japan and America cross, and it is our duty to give careful study and consideration to Japan's point of view that we may be able to gauge just how far we are justified in declining to yield and to the consequences should our differences reach the point where they cannot be compounded in friendly diplomatic negotiation.

At the moment, under the present naval ratio, war between the United States and Japan, despite the alarmists, is almost a physical impossibility and, even should the ratio be abolished and Japan conceded parity, it would still mean that the United States would require a fleet at least twice, if not three times, larger than Japan's to assume the offensive and carry the war into Far Eastern waters where Japan is impregnable. The reverse is also true. The physical situation is such that though war were declared, serious fighting between the two countries would be impossible. So, aside altogether from the peace pacts we have to rule war out of the question, although the act of some firebrand in Japan or an anti-Japanese outburst on the Pacific Coast might so inflame public opinion in either country that hostilities could no longer be avoided.

#### WHAT IS AMERICAN POLICY IN THE FAR EAST?

The principles of policy enunciated by the Founders of the Republic as a guide for our recognition of *de facto* foreign states, apparently was intended merely as a regional doctrine with particular application to Europe. When we turn to the Far East we find that our basic rule of non-intervention in the internal affairs of another state

has been superseded by what has now become a fixed policy to preserve intact the sovereignty of the country known as "China" as we first found it constituted under the Imperial Manchu rule. As pointed out by Stanley K. Hornbeck, Chief of the Division of Far Eastern Affairs in our State Department, in his scholarly paper on "The Principles of American Policy in Relation to the Far East," during the Taiping Rebellion, Humphrey Marshall, American Commissioner, took the position, in which he was upheld by Washington, that the policy of the American Government was "*to respect China's sovereignty and help the Chinese authorities maintain the integrity of the Empire.*"

What good reasons could the American Government of the fifties advance for departing from its fixed policy in other parts of the world in order to intervene in the internal affairs of China to help the Imperial authorities maintain their rule over the provinces and so safeguard the integrity of the Empire? What business was it of ours whether China remained intact or was split up by its people into its component parts? We started early to intervene in the internal affairs of China.

"Shortly thereafter," continues Mr. Hornbeck, "although Americans in China, including officials, merchants and some missionaries, urged that the United States cooperate with certain other countries in the use of force against Imperial China, the American Government refused to do so. Sixty years later, in 1927, this country declined to take part in a proposed joint show of force by several powers in support of demands upon the newly created Nationalist Government of the Republic of China."

We started with a policy to help the Imperial Government preserve the integrity of its Empire and refused to employ force against that government when other Powers were prepared to cooperate in armed intervention for the

protection of their interests during a state of rebellion, lawlessness and butchery which extended over ten years, during which time, ninety million people perished by the sword. There is something wrong with a policy which countenances such inhumanity merely to keep this country intact under any form of government to maintain equality of trade.

During the Boxer Rebellion of 1900, we discarded our policy and coöperated with the other Powers for the relief of the Legations at Peking. Although there was a complete breakdown of government and the country was plunged into a state of anarchy and anti-foreign uprisings, John Hay again emphasized that, among other things, "the policy of the American Government was to preserve Chinese territorial and administrative entity."

In 1927, as Mr. Hornbeck points out, we declined to coöperate with the other Powers in a joint show of force at a time when government had collapsed and anti-foreignism and outrages were taking place and when armed intervention would have nipped in the bud the Communist movement. Had we joined with the other Powers in 1927, the slaughter that has characterized these anti-Communist campaigns since that date and accounted for the death of at least twenty million people would have been avoided.

It is well to remember that the proposal for joint international armed intervention in 1927 came from Great Britain and France. Japan stood with the United States and declined to take part in the demonstration. But when this Communist menace grew to such proportions that Japan was constrained in self-defense to protect herself while she yet had time to do so, we veered around and appealed to Great Britain and France, to the whole world, to support us against Japan. Again, it is apparent that there is something wrong with such a policy.

American statesmanship as it finds expression in current diplomatic action, would seem to indicate that our Government is willing to see China stew in her own juice so long as the basic principle of our policy is maintained. We will tolerate no intervention by any single Power in the internal affairs of that country nor will we consent to joint action, even though it becomes every day more and more evident that Communism is extending its hold to the point where the very existence of Japan has become imperilled.

Our treaty rights may be the most important thing in the world for us, but above them stands the right of any element of the Chinese people to solve its own problems in its own way and the right of Japan to self-preservation. Reduced to terms of practical international politics our policy as it finds expression at this moment aligns the United States on the side of Soviet Russia for the domination of China.

The preservation of the territorial and administrative independence of what we are pleased to call "China," has superseded the Monroe Doctrine as the cardinal feature of our diplomacy. It becomes the only justification for the maintenance of huge battleships, cruisers and aircraft carriers that will enable us to wage war far from our natural bases. Our refusal to recognize any change in the *status quo* brought about by force, as will be demonstrated further on, means that we remain indifferent to the distress and misery of the people of China, slaughtered by the millions each year, so that a principle we have laid down as the basis of our trade policy in that part of the world will survive.

The time has arrived when the American people must face and decide whether or not its future trade with China is to be built up on the graves of countless millions of poor, inoffensive, helpless, inarticulate human beings, or

upon a new foundation that will emancipate these 500,000,000 slaves and set them on their feet as free men, endowed with the right to life, liberty and the pursuit of happiness under governments of their own selection.

#### WHAT IS A "STRONG CHINA"?

Dr. George H. Blakeslee, who went from the State Department to accept the position of expert to the League Commission of Enquiry and whose opinions obviously must reflect the policies of the American Government and the findings of the League Report, in a recent book on *Conflicts of Policy in the Far East*,<sup>1</sup> sums up the situation in the statement:

. . . But the most effective means of settling not only the outstanding questions of the Far East but the *issues between Japan and the United States* would be the development of a strong China, friendly to other states and liberal in its economic relations. In the meantime, it is the judgment of the world that Japan should abandon its present China policy.

American policy as interpreted by this authority would therefore seem to mean the development of China into a strong state under some form of centralized government ruling over 500,000,000 people. It seems to make no difference whether this government be imperial, republican, dictatorial or communistic, as long as it remains in nominal control over this vast, undefined state. The United States upheld the Empire against its enemies, embraced the "Republic," recognized every bandit or coolie general who has set himself up as "president," acquiesced in the alliance between Moscow and Canton, blessed the offspring of this union and will recognize the Red Monstrosity that is now slowly but surely carving its way to supreme power.

<sup>1</sup> George H. Blakeslee, *Conflicts of Policy in the Far East* (New York, Foreign Policy Association, 1934).

We give no thought or heed to what a "strong China" may signify. We delude ourselves into the belief that the Chinese are a pacific people, that they will always remain friendly with other nations and be liberal in their economic relations. We overlook that perhaps Japan may hold an entirely different conception of what is best for her interests in that part of the world. Like France, in regard to Germany, she may feel that a strong, militarized neighbor, outnumbering her in population eight to one, constitutes a grave menace to her peace and security. There can be no guarantee that a strong China will remain pacific to please American idealists. The very phrase implies something entirely different. Neither can there be any assurance that a "strong China" will be more liberal in its economic relations than the present so-called "weak China." The two do not go together. They are irreconcilable. A "strong China" may do exactly as a strong United States. It may build up tariff walls so high as to prohibit the entrance of foreign manufactured goods and demand an open door for its own products in other countries.

A "strong China" living in the past and burning with revenge, might and probably would discriminate against and boycott Japanese goods. A "strong China" can do anything it wills. It can make its own laws, devise its own tariffs, place its own interpretation on treaties, proclaim doctrines and policies and in general, do what every other strong state does where its own interests are concerned. And there will be no power or combination of powers able to stop her.

In China, today, there are five million men carrying guns, outnumbering the Japanese army twenty to one. How many million more armed men must China have to become strong? It is folly to assume that these men will not fight. Mechanize this force, equip it with tanks, bomb-



ing planes, motor transport and all the other modern implements of death and it will not be long before China is a "strong nation." The old idea that the Chinese will not fight must be discarded.

A strong China cannot exist without a navy. A powerful Chinese navy would cut off Japan from the mainland, isolate and lay her open to starvation and invasion. What then do we mean by a "strong China"? Do we mean one strong enough to dominate the Far East and dictate to Japan? In that case, Japan probably has very definite views of her own about the future of her big neighbor. A "strong China" means the relegation of Japan to a second- or third-rate power. I do not believe that Japan will accept this verdict of the West.

The Chinese have enjoyed the same opportunity as Japan to put their house in order and become strong. They have shown themselves incompetent in war and in the arts of administration, incapable of uniting under any form of central government truly representative either of the people or the provinces. The establishment of such a government is now possible only by prolonged warfare and the ultimate victory of one war-lord who must hold his conquests by the sheer weight of his armies. Is that what we mean by a "strong China"?

Long before this can be brought about, China may become another Communist republic, part of the Soviet system ruled from the Kremlin. That is the present tendency. Moscow looks on it as a certainty. Soviet diplomacy as voiced by Litvinoff and Troyanovsky is now a parrot-like repetition of the stock phrases of American policy; "Hands off Soviet China!" "China Must be Preserved as an Independent Nation!" "China Must be Conceded all the Time Necessary to Work out its Own Salvation and Form of Government!" American pacifists, pinks and reds loudly applaud, acclaiming Moscow as another

Champion of the Nine Power Treaty and World Peace.

American and Soviet Russia's policies are in full accord. The United States still dreams of those huge trade profits to be derived from doing business with 500,000,000 people held together under one government and who will multiply and buy a prune a day, add an inch to the tails of their shirts or some other Colonel Sellers get-rich-quick fantasy.

Moscow dreams of dominating the country politically and using it as the spring-board for further conquests in the Pacific area and as an outlet for the products of her communized mass production factories equipped with the most modern American labor-saving devices and machinery. We can rest assured that Moscow will give the world a "strong China." Is that what we want?

#### HUMANITY AND BASIC POLICIES

Japan may not see it our way. With excellent reason, she may fear a strong China. After all, it is her life that is at stake. It may be fascinating for Americans to watch the progress of China toward the evolution of some new form of government that will unite all the territory traditionally Chinese, the Eighteen Provinces, Inner and Outer Mongolia and Manchuria. It may not be so thrilling for the 500,000,000 poor, inarticulate people who are expected to come together in some form of common nationality to gratify the foreign observer. If the record of the Taiping Rebellion and the wars for supremacy waged during the last two decades are any criterion, I cannot understand the mentality of learned American writers who confess to being fascinated with such a picture. The Chinese are not always accurate in their figures but if we accept the testimony of Lin Yu-tang, one of their most brilliant modern essayists, over twenty million people were

killed during the war between Chiang Kai-shek and the Feng-Yen coalition in 1930. Add to this the millions who have been massacred, rendered homeless and left to starve in the province of Kiangsi and the other Communist-infested areas in Central China, and the picture instead of fascinating becomes truly horrifying.

What right have Americans to suppose that all these people are so imbued with a nationalistic spirit that they welcome death in order to have it forced on them? The mere fact that these millions have been slaughtered and that millions more must be sacrificed in the process of unifying China should be sufficient to drive into our single-track minds that they do not wish to be united in that way. If we insist, however, in our viewpoint that this spirit of nationalism is at work and we sit enthralled in a safe ring-side seat watching it being rammed down their throats at the point of the bayonet, we may in due time see our wish fulfilled. A "strong China" may arise, welded and held together by overwhelming force.

On the other hand, Japan may not be fascinated with this picture and what it may lead to. She may object to a Red China. She has fought two wars to protect herself against the designs of Russia on her independence. She has seen China enter into one secret alliance with Russia which forced her to fight for her existence. She has watched while another political faction in China openly allied itself with Moscow to impose its rule over the whole country. She knows that a Red triumph in Central China will result in the erection of another Communist state allied with Moscow, and she fears for her future safety. Japan does not dare to remain quiescent under such conditions. She must protect herself or go under. Any way we look at it, a "strong China" becomes a menace to Japan.

Is this what we have in mind when we talk of a "strong China" and insist that Japan must abandon its present

China policy? If that is the keynote of American policy, the nation must be prepared to back it up with something stronger than words. The day is past when Japan can permit a strong China to arise and menace her existence. If the United States insists that China must be held together until it develops into a strong militarized state and stands firm in its judgment that Japan should abandon its attempts to protect itself, are we not injecting ourselves into the middle of a three-cornered life and death struggle, that if persisted in, must sooner or later lead us into a state of war?

#### JOHN QUINCY ADAMS ON CHINA

The American people delude themselves into a belief instilled into them by years of incessant missionary propaganda and statements of official policy based on hopes that a strong China will be so grateful for our benevolent interference with its affairs, that it will deluge us with orders for our manufactured goods and raw materials. It has never occurred to American writers that perhaps a strong China might revert to the former conception of its superior place in the world and deny the equality of other nations with itself and even their independence. Up to a few decades ago, China held itself to be the center of the globe and all nations with whom it had any relations, commercial or political, were considered as "outside tributary barbarians," reverently submissive to the will of its despotic ruler.

Up to the time of the miscalled "Opium War" in 1841, it was only upon this principle that the nations of the West could hold commercial intercourse with China. In reality, the cause of that war between Britain and China was the pretension on the part of the latter that in all her intercourse with other nations her superiority must be

implicitly acknowledged and manifested in humiliating forms. In December, 1841, John Quincy Adams delivered a lecture in Boston on the war then existing between Great Britain and China. The principles stated and maintained in that lecture were so much in advance of the opinions entertained at the time, that only one newspaper in this country or Europe published it. Though his views were ridiculed or repudiated by many when delivered, they are today generally admitted as sound.

Space prohibits extensive extracts from this lecture, but Mr. Adams brought out ninety years ago what I am trying to emphasize in this book. Mr. Adams maintained that,

by the law of nations is to be understood, not one code of laws, binding alike on all the nations of the earth, but a system of rules varying according to the character and condition of the parties concerned. There is a law of nations, among Christian communities, which is the law recognized by the Constitution of the United States as obligatory upon them in their intercourse with European states and colonies. But we have a different law of nations regulating our intercourse with the Indian tribes on this continent; another, between us and the woolly-headed natives of Africa; another, with the Barbary Powers; another, with the flowery land, or Celestial empire.

Exactly. And we are still making these distinctions. One law for the United States; another for Europe; a different one for Latin America and still another for China. It is not difficult to understand why John Quincy Adams was unpopular. Just at the time when our missionaries had securely established their influence in Hawaii and were looking ahead to doing the same thing on a larger scale in China, Mr. Adams's cold, blunt statement of realities was not relished. He drew attention to one truth that will help to explain why the principles upon which this genera-

tion has erected its idea of a new world order can never find solid root in the Orient. He said:

The Chinese people are not Christians, nor can a Christian nation appeal to the principles of a common faith to settle the question of right and wrong between them. . . . China, not being a Christian nation, its inhabitants do not consider themselves bound by the Christian precept to love their neighbors as themselves. . . . Ask the atheist, the deist, the Chinese, and they will tell you that the foundation of their system of morals is selfish enjoyment. . . . The Chinese recognize no such law (love thy neighbor as thyself). Their internal government is a hereditary patriarchal despotism and their own exclusive interest is the measure of all their relations with the rest of mankind. Their own government is founded upon the principle that as a nation they are superior to the rest of mankind. They believe themselves and their country especially privileged over all others; that their dominion is the celestial empire, and their territory the flowery land.

In his lecture, Mr. Adams brought out one truth that must never be overlooked in any estimate of our future relation with the Land of Cathay. A strong China such as we visualize and towards whose establishment we have shaped our diplomacy, would undoubtedly revert to its age-old conception of its place in the world. The "Back to Asia" movement in Japan, the application of "Wang-tao" (the fundamental idea of Confucianism) as the guiding principle in the establishment of the new governmental order in Manchoukuo, the revival of Confucianism in China proper, are merely signs of a tendency that will be further emphasized and put into practice as a strong China emerges from the chaos into which our democratic doctrines and preachments have plunged her. A strong non-Christian China will lay down and interpret international law to suit its own exclusive interests. As it grows in strength and becomes more and more powerful under one

military despot, there is no assurance or guarantee that he will not revive the forms of international intercourse which to the Chinese mind holds all foreign countries as tributary states.

It will be seen that even should a strong China evolve from the present anarchy and utter collapse of all government, it may develop along lines somewhat different from our expectations. In other words, a strong China is a mere speculation, a gamble in which the lives of millions of innocent people and perhaps the future of civilization itself is staked. Here we have a conflict of policies that cannot be settled along the lines suggested by Dr. Blakeslee. There are other angles to these problems which have never been explored or even hinted at by exponents of American policy. In presenting them, it is with no desire or intention to enter into a controversy. My conclusions may be contrary to the accepted ideas but they are based on the facts as I know them. There may be other facts which compel a change in these conclusions, but if they exist, they must come under the category of diplomatic and military secrets which cannot be revealed until the manhood of the nation is again asked to go to war in their support.

I may be right or I may be wrong, but right or wrong, the American people are entitled to have both sides of the case presented to them. If our young manhood is once more to be mobilized and ordered to the sacrifice, it is only just that these facts be known so that we can approach these problems in a calm, judicial spirit and, if consistent with national honor and dignity, find some ground for a fair compromise in our differences with Japan.

#### DRIFTING INTO A STATE OF WAR

No official of the American Government has evolved any plan other than a set determination to adhere rigidly

to a century-old doctrine that the march of events and changing world conditions has outdated and relegated to the scrap-heap. Our admirals still harp on equality of markets in the Orient as a reason for a big navy. They declare that we can do this only "*with an adequate fleet fully manned and securely based in the area of possible conflict* and a large and modern merchant marine fleet capable of carrying the greater part of our foreign trade and acting as auxiliaries to the war fleet in emergencies."

With George Peek's national balance sheet before us showing a net adverse foreign trade balance of \$23,000,000,000 in the 38-year period 1896-1933, of which perhaps \$2,000,000,000 represents what we are out-of-pocket in our trade with China alone, there are those who still talk of huge battleships, advanced bases in the Orient, aircraft carriers and all the other paraphernalia of offensive war to defend our right to remain in business as an eleemosynary institution.

There are reasons why the United States must have a big navy, compelling reasons why we must fortify the Pacific Coast, the Hawaiian Islands and the Canal, but the justification can never be found in destroying our best customer and best selling agent in Asia in the hope of reaping greater rewards from a chaotic, undefined and nebulous state that is traveling so fast towards Red ruin that by the time we commence to build a fleet to guard our visionary gains, we will find that the only door to do business with these 500,000,000 prospective customers is located along the borders of Soviet Russia.

Before presenting the case for Manchoukuo there are certain backgrounds to the Far Eastern picture to be painted in, that the high lights will stand out more clearly. Although war between the United States and Japan is unthinkable and today almost impossible, yet forces have been at work over a long period of years to sow discord,



incite hatreds and create situations from which neither side could withdraw without precipitating a state of war. The United States was faced with the imminent danger of a state of war in the Pacific when the Washington Conference saved the situation and although that conference committed many blunders, perpetuated injustices and sowed the seeds for future wars, they can all be excused for its outstanding accomplishment which brought peace, but never understanding, to the Pacific for the twelve years that followed.

## CHAPTER II

### THE WAR PLOT

**T**HE only belligerent nations that emerged from the World War with profit were the United States and Japan. Could these two nations have been prodded into a war in the Pacific immediately after the signing of peace, these profits would have rolled back to where they came from, American commerce in the Pacific would have been destroyed, Japan bankrupted and set back for a generation and the trade and development of China, the prize of modern commerce, monopolized by Europe.

Long before the end of the war was in sight, a campaign was in full swing to bring this about and, although the identity of those who conceived and directed it remains unrevealed, there is sufficient evidence to prove that the main task of executing it was entrusted to a group having its headquarters in Peking, operating behind the screen of an intense anti-Japanese propaganda more vicious and equally as effective as the one let loose upon Germany by the same master-minds. Everything favored success.

During the negotiations over the Twenty One Demands, the American State Department served notice on China and Japan that it would not recognize any treaty or agreement that might impair the treaty rights of American citizens in China; our diplomacy brought pressure on China to break with the Central Powers and enter the war on the side of the Allies with the promise we would support her at the Peace Conference; we blocked the plans of the Allied High Command to send a Japanese army

into Siberia and held out for an Inter-Allied Expeditionary Force in order to prevent Japan receiving the territorial reward suggested by the Allies as compensation for her services, and in other ways assumed the responsibility of preserving the *status quo* in Eastern Asia.

Those manipulating the war plot played on the fact that American diplomacy was being directed by a Secretary of State who, before his appointment, was partner in the law firm of his father-in-law, who for many years had held the post of Counsellor to the Chinese Government at Washington; they had full and accurate information that the American Minister to China was directing the policies of the Peking Government and they arranged with the Chinese that he be engaged as High Adviser as soon as his term of office expired. The Minister resigned to accept this post, placing at the disposition of a foreign government his intimate knowledge of American policies at a time of great international stress. His letter of resignation stands as one of the most inflammatory epistles recorded in diplomatic history, a vigorous indictment of Japan and a demand for a show-down before it was too late.<sup>1</sup>

All of these matters seem complicated beyond understanding to the outsider but to us who lived in their presence through the years in the East they were quite simple and obvious. To such an extent had the United States been committed to support China that even her case at Paris was defended by the American Delegation. The failure of Wilson to budge the Allies from their commitments to Japan over Shantung and his reluctant acquiescence in the secret treaties to save the League was denounced by the Chinese as a betrayal. The pressure was immediately applied from Peking by means of faked telegrams allegedly signed by public bodies and guilds throughout China, de-

<sup>1</sup> Paul S. Reinsch, *An American Diplomat in China* (New York, Doubleday, Page & Company, 1922), p. 364.

nouncing the award and threatening the Chinese Delegates if they signed the Versailles Treaty. These faked telegrams were sent through my office in Shanghai and paid for by checks on my banking account. They were written by the group in Peking and forwarded by mail to the assistant editor of my magazine in Shanghai in order that the date line of that port would give them greater authenticity and authority. All records and correspondence between my office and Peking were carefully removed before my return after a four years' absence, except the copies of outgoing telegrams retained by the cashier in his safe for purposes of auditing the accounts. These were overlooked in cleaning out the files. I have drawn my own inferences from their contents and if I seem to speak with a certain authority about the movement directed from Peking, it is because I had sufficient proof in my possession to corroborate other equally strong evidence of the existence of a well-organized and powerfully supported group, whose objects no intelligent observer could fail to recognize.

Wilson's acquiescence in the Shantung award gave rise to such bitter disappointment to this group that something had to be done at once to counteract it. The exclamation of our Chief Far Eastern expert at the Peace Conference on learning of the Shantung decision gave them their cue, "This means War!" Mr. E. T. Williams is reported to have said, and his remark was seized upon by the group to urge the Chinese to send an emissary to Washington, to "break the treaty in the Senate" and agitate for war with Japan. They chose for this purpose an American journalist who for many years was noted for his rabid anti-Japanese viewpoint. There were other important but intimate connections between Washington and Peking built up as part of the World War publicity and economic machinery to defeat Germany, all under control of our legation at Peking presided over by a chief heart and

soul committed to support China and stir up hatred against Japan. This connection made it difficult at times to understand just where American interests ended and those of China began, so closely were the two entwined.

#### SECRET SINO-AMERICAN ALLIANCE!

The American people have never been permitted to understand the ramifications of a plot which included even a secret treaty of alliance between China and the United States under the terms of which Chinese ports were to be handed over to the American navy as bases and the full strength of the Chinese land forces used to hold Japan in check in North China pending the arrival of the American army! One of the prime movers in this conspiracy, an adviser to the President of China, had the effrontery to show a copy of this draft treaty to the Prime Minister of Canada under the pledge of secrecy.<sup>1</sup> He then proceeded to attend the Imperial Conference being held in London where he further utilized this document to enlist the support of the Dominions for the abrogation of the Anglo-Japanese Alliance. His American associates in Peking knew absolutely nothing about the existence of this treaty until the facts were published in a Tientsin newspaper as the official report of the adviser to the President of China on his activities abroad. The fact that no protest came from the American legation, provided the Japanese with the opportunity of reporting it to Tokyo where the Foreign Office sent the newspaper article to the American ambassador and requested an explanation. The wires between Washington and Tokyo sizzled while the ambassador put the matter up to the State Department, and its reply came rushing back denying all knowledge of such a treaty. The

<sup>1</sup> Bertram Lenox Simpson, *An Indiscreet Chronicle from the Pacific* (New York, Dodd, Mead & Company, 1922), p. 57.

truth will probably never be disclosed in our generation but the fact remains that the ambassador took the first train out of Tokyo and didn't stop until he landed at Peking, where he is reported to have conveyed to the Legation the thoughts of Washington in language that could not be safely entrusted to the leaky Chinese telegraph wires.

Only a Senate investigation could have established the facts surrounding what had all the features of a conspiracy to plunge the United States into a war in the Pacific, and even then it would have been impolitic to have revealed the full truth as the Americans implicated were either the dupes of others or sincerely believed that the highest interests of the nation would be best served by precipitating a show-down with Japan at that time. Perhaps they were right. It is not for me to say that they were wrong, as they may have been in possession of facts with which I was not acquainted. It is now too late to conduct such an inquiry as many who should have been called upon to testify have passed away. The anti-Japanese feeling engendered in those days, nurtured by treaties, doctrines, official pronouncement of policies and a sentimental leaning towards China still persists and unless the United States is constantly on its guard, the day will arrive when a show-down can no longer be averted.

#### DESPICABLE METHODS

There is another section of American opinion, equally sincere, equally loyal and patriotic and equally sympathetic with China that holds to the viewpoint that it is not the business of the United States to go to war with Japan over matters which do not affect its vital security and interests. I belong to this group and have contributed my knowledge of the Far East towards combating the propaganda of the other side in the hope of clarifying the issues.

I have always fought fairly, citing facts and figures to support my statements and conclusions, never descending to personalities, innuendoes, unethical methods and never violating confidences. The other side, however, backed by people high in authority, has never fought clean, never been fair or manly in its comeback. Its supporters arrogated to themselves the sole right to sit in judgment and any facts helping to clarify the situation or dispel the clouds of misunderstanding between the United States and Japan are tossed contemptuously aside as "Japanese propaganda" and the writer characterized as a "paid Japanese propagandist." This determination to suppress the facts has at times descended to most unethical methods and even illegal conspiracy and persecution intended to discredit and bring ruin upon those publishers who have had the moral courage to stick to their convictions and oppose the war-yapping group. They have engineered, proclaimed and enforced boycotts, conspired to bring about libel suits for the full value of the newspaper property, inspired the Chinese to close the mails, applied social ostracism, spread malicious slander and libel and resorted to every contemptible trick conceivable to suppress the truth and penalize those who published it. The experience of the *Chicago Tribune*, fighting for its life against a two-million-dollar libel suit, the full value of its property and plant, was duplicated in the case of the *Far Eastern Review* in Shanghai, only, in addition to a libel suit for \$200,000, the latter had to fight a pack hounding it to destruction, through the application of a boycott which deprived it of all its Chinese and American advertising in two months.

#### THE PLOT THICKENS

The people of the United States are headed for certain disaster if their press is muzzled or closed to the publica-

tion of truths or arguments which expose the short-sighted sentimental diplomacy and mistakes of those in high places. We can correct errors, incompetence, misgovernment and corruption in the conduct of our own affairs but will have to pay in blood and treasure for similar ineptitude in the handling of our foreign relations. We can afford to take no chances. The nation is now witnessing an interference with the liberty of its press through a multitude of "information bureaus" attached to the administration covering every activity of government, a system so complete in its interlocking ramifications as to be comparable in power and influence only to the board presided over by George Creel during the World War. Although the country is passing through a bloodless revolution, and the administration is eminently justified in exerting every effort towards keeping it from assuming a more terrifying form, yet any attempt to limit the freedom of the press as regards domestic problems may in an emergency be extended to cover foreign affairs as well. The day may arrive when, if the domestic situation should get out of control, the nation may be propagandized into a war in the Pacific in order to divert attention from internal affairs. Similar things have been done in other countries for no other purpose than to solidify the power of the dominant political party.

It is pure fanaticism to deny free inquiry and free discussion of policies and issues that we may be asked to go to war to uphold. No one individual or group, no matter how exalted their position, can claim omniscience or infallibility. To suppress the evidence, criticism and opinions of others in matters of grave national import or deny the other side the opportunity to present its case, is contrary to every conception of justice and fair play. Suppression may become a habit and the nation swept into war without knowing how it got there.



When the judiciary descends from the bench to uphold its verdict in public print and public forum and the official prosecutors resort to the same undignified methods to demand fulfillment of the sentence and there exists no higher court of appeal and all facilities for presenting its case are denied to the defense, it is called in vernacular American, "railroading a man to prison." This is the justice that has been meted out to Manchoukuo.

The Earl of Lytton, the illustrious chairman of the League of Nations Commission of Enquiry, who tried, convicted and sentenced Manchoukuo, has on various occasions, appealed to world opinion through the radio, public press and public forum to uphold his decision. He is advertised to make public addresses on Manchoukuo during the winter of 1934-35 in the United States. American experts attached to the League Commission, that is, the prosecutors upon whose reports its decisions were based, have written books, published signed articles and delivered speeches upholding and justifying their labors.

Why is all this necessary? The report and findings of the League Commission are on record. The labors of the commission terminated with handing in its report to the League. There was no appeal from its verdict. Manchoukuo was refused a hearing. This unrelenting campaign to marshal American opinion firmly behind the League and against Manchoukuo, while denying to that state the opportunity to defend itself, can have only one object. Is it fair to ask what it is all about?

The campaign to pit the United States against Japan is again in full swing, reinforced by the subtle propaganda of Soviet Russia. War between the United States and Japan is heralded throughout Europe as inevitable, with the Powers openly speculating on its outcome and shaping their diplomacy and economic plans accordingly. War between the United States and Japan would solve many

problems of world depression. It would automatically terminate the war-debt controversy, drive American commerce off the Pacific, hamstring Japan, call a halt to her invasion of foreign markets and restore to Europe her former dominant commercial position in China. The rewards of successful European propaganda and diplomacy are, therefore, great and worth the effort. Constant vigilance and a free, patriotic press alone can save us from disaster.

Frankly, I do not believe that any exposition of the other side of the case or any attempt to arrange and present the facts from any angle other than that which bears out and strengthens our own point of view will receive serious attention or consideration at this time. The damage has been done. As the American people were swept into war with Spain on a wave of hysteria set in motion by deliberate falsehoods in the yellow press as to conditions in Cuba, as we drifted stern-first into the World War on a similar flood of propaganda appealing to our passions and our sympathies, so history will repeat itself in the Pacific.

Over a long period of years, the American public has been prepared for hostilities with Japan by people who do not propose to fight themselves; the martial spirit has been inflamed, the character of Japan has been blackened and world opinion marshalled against her in the same manner that it was marshalled against Germany. When war comes, Japan will not have a friend in the world. Books, editorial articles, news correspondence, radio broadcasts and public speakers indicting Japan are repeating the campaign that aligned the world against Germany. Only a spark is needed to set off the explosion. The killing of a few peaceful Japanese farmers in the Pacific Coast States, the throwing of a bomb into the American Embassy at Tokyo, the sinking of an American ship in Japanese waters, an assault on an American by Japanese in Manchoukuo, and public

opinion in either country will clamor for war. Like the sinking of the *Maine*, any such incident exploited by the press and pulpit will drive either nation mad. Following our own precedent in a like case and with her recent experience with the League fresh in her memory, neither the United States or Japan would consent to any outside investigation to ascertain the facts. National honor will be at stake and the war will be on.

## CHAPTER III

### FACTS ABOUT JAPAN'S MILITARISM

**F**ACTS are stubborn things. They cannot be treated lightly or ignored. Their value depends largely upon the ability of the advocate to fit them into their place in presenting the case of his client to the jury. All verdicts are arrived at on testimony which when sworn to and corroborated by other witnesses or by documentary proof becomes legal evidence. Sometimes important evidence is deliberately suppressed. It has frequently happened that new evidence has come to light long after the trial has been concluded, judgment rendered and sentence executed. Such evidence often compels a reopening of the case.

In converting the Paris Peace Conference and the Conference for the Limitation of Armaments into tribunals for the trial of Japan as well as in China's appeal to the League over Manchuria, there was no orderly judicial attempt to ascertain the facts on which an impartial verdict could be rendered. Invective, appeals to prejudice, misrepresentation, charge and countercharge made up the case against Japan.

In all trials there are certain key-facts upon which hinge the verdict of the jury and the findings of the court. Now there are certain key-facts connected with the Far Eastern situation which have never been fitted into their proper place in presenting the case for Japan. If these facts are given their proper importance the verdict against Japan must be reversed. Let us therefore look at the record:

*Fact No. 1.* Japan's emergence as a factor in world affairs commenced with the Sino-Japanese War of 1895, in which Japan was the victor. China sued for peace and in the treaty signed at Shimonoseki on April 17, 1895,<sup>1</sup> she ceded to Japan in perpetuity and full sovereignty the southern part of the province of Fengtien, which we later came to know as South Manchuria. As far as China was concerned, this territory belonged to Japan, in the same way that California, Arizona, New Mexico and Texas belong to the United States. But Russia, France and Germany decided otherwise and on October 18, delivered an ultimatum<sup>2</sup> to Japan advising her to restore this territory to China. Unable to fight the three strongest military powers of Europe, little Japan was constrained to obey. Right here we have a situation in which Japan's ownership of the ceded territory becomes firmly established in international law. Its retrocession to China was an injustice not warranted in law. Law recognizes that an injustice perpetrated by *force majeure* can be righted as soon as the force which inflicts it is removed. As between China and Japan, there would seem to be no question in law as to who is the rightful owner of the territory in dispute if and when the outside forces which compelled its retrocession no longer operate.

#### SECRET SINO-RUSSIAN ALLIANCE<sup>3</sup>

*Fact No. 2:* In May, 1896, China entered into a secret treaty of alliance with Russia aimed at Japan and in order "to facilitate the transport of the Russian troops to the menaced points on the frontier and for their subsistence," China conceded to Russia the right to build a railway

<sup>1</sup> Carnegie Endowment for International Peace, *Treaties and Agreements with and concerning China* (MacMurray, 1921).

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.* See Appendix.

traversing her northern Manchurian provinces in the direction of Vladivostok. This treaty, maintained an absolute secret, came into operation on the conclusion of the commercial convention for the building and operation of the railway, signed in September of the same year. Two years later, in order to give further effect to this alliance, China conceded to Russia the right to build the South Manchuria Railway and leased to her the Liaotung Peninsula as a deep-water port and base for her navy.<sup>1</sup> The secret treaty clearly established the legal status of the Chinese Eastern Railway as an instrument of aggression, a military and strategic line designed to enable the armies of the Czar to get into a favorable position to crush Japan. The lease to Liaotung was merely its naval corollary to provide a base for the Russian fleet.

The war between Russia and Japan was fought with Japan again victorious. The Portsmouth Peace Treaty was signed, and the world congratulated itself on such an equitable settlement of the dispute. But Japan went into that Conference blindfolded, in blissful ignorance of the existence of the secret treaty of alliance between China and Russia which opened Manchuria to the armies of the Czar and provoked the war. Had she known of the existence of that treaty, she would have demanded the indemnity that by all just laws of war China would have been called upon to pay and, in default of a suitable cash payment, would have taken over and annexed the whole of South Manchuria. We will return to this point in Fact No. 4.

#### THE MANCHURIAN TREATY OF 1915

*Fact No. 3:* Many books have been written about the Twenty One Demands and the treaties which arose from

<sup>1</sup> Carnegie Endowment for International Peace, *Treaties and Agreements with and concerning China* (MacMurray, 1921).

these negotiations. The only treaty over which there has been any controversy was the one concerning Manchuria, where, among other things, China extended the lease to Liaotung and the South Manchuria Railway rights to ninety-nine years,<sup>1</sup> and immediately after signing denounced the treaty as invalid because, as she alleged, it was extracted under duress. The records of the negotiations disclose that Japan's demands in Manchuria were conceded without protest, yet no sooner had the ink dried on the treaty in which Japan's rights were again established, than the Chinese proclaimed its invalidity and sought the assistance of outside Powers who would duplicate the intervention of Russia, Germany and France in 1895. As the United States was the only nation to place on record its non-conformity with any change in the *status quo*, the Chinese have since laid down on this country to escape paying their just obligation to Japan.

#### CHINA'S CONFESSION OF GUILT

*Fact No. 4:* At the Washington Conference, one of the parties to the secret treaty of alliance for the first time revealed its existence. When the Chinese Delegate handed to the chairman a telegraphic summary of its text, promising to file the full text as soon as it was received, and it was read out in open session by Mr. Hughes, it became the first official proof that the treaty had existed, establishing a legal fact which, had the Conference been a court of justice, would immediately have reopened the whole Manchurian case and given the verdict to Japan.<sup>2</sup>

The fact that this secret treaty of alliance was signed and went into operation, however, remains. No arguments can set aside its legality. It establishes beyond a doubt China's

<sup>1</sup> *Ibid.*

<sup>2</sup> *Report on the Conference on the Limitation of Armament* (Washington, Government Printing Office, 1922), p. 1414.

complicity in the preparations which led up to the Russo-Japanese War and makes her a full partner with Russia, liable for any damages that Japan might claim. That Japan has not availed herself of her right in law to demand this indemnity in no way invalidates her right to do so at the first appropriate opportunity. There is no time limit in international law to claims of this nature and we can now understand why Japan has maintained that her dispute with China over Manchuria was a matter which did not concern the rest of the world and insisted on direct negotiations. It will also help to understand why China has stubbornly refused to negotiate with Japan, carrying her case to the League and appealing to the United States, rather than face Japan alone and be compelled to give tardy effect to the terms of the treaty of Shimonoseki signed in 1895.

#### CONDEMNED WITHOUT TRIAL

Let us stop for a moment and imagine ourselves as Japanese delegates seated at the Washington Conference with a full understanding that they had been dragged there for trial, that the main object of the Conference was to find a way to terminate the Anglo-Japanese Alliance so as to satisfy the United States without offending Japan and to correct the failure of the American delegation at Paris to change the Shantung decision. Let us watch the young American-educated Chinese delegate walk up and hand to Mr. Hughes the carefully edited text of the secret treaty of alliance between China and Russia of 1896 and listen with amazement while Mr. Hughes reads it out and then without a word of comment proceeds abruptly to discuss other matters. Pale, tense, concentrating their limited knowledge of English on following the words, watching, waiting with repressed emotion to see how Mr. Hughes would react to the evidence, the Japanese saw the key to the Chinese puzzle.



zle, the justification for the Anglo-Japanese Alliance, the reason for their war with Russia and the evidence which entitled Japan to an indemnity, if not possession of the whole of South Manchuria, consigned to the archives, thrown out of court without comment.

Can we blame the Japanese for feeling that they could expect little consideration from a conference whose every session had exposed a set determination to penalize them? And, on that final day when Mr. Hughes read into the record in "his strong forthright voice, which has no capacity for any flexibilities of gentle glossing over, even if he had wanted to gloss it over,"<sup>1</sup> what was, for all judicial purposes, an indictment of Japan, we can perhaps imagine the repressed rage concealed behind the calm, unruffled poker faces of the delegation from Nippon. They had been tried and convicted with the evidence in the possession of the judge which justified their acts. They arose humiliated before the West and with a loss of face in Asia left for home convinced in their hearts that Japan can never expect justice from the West.

As Lord Riddell states in his *Intimate Diary of the Peace Conference and After*:<sup>2</sup>

There is a good deal of misconception about this [Washington] Conference. The Americans are keen on settling naval matters, but are far keener on establishing good relations with China, which they regard as the best outlet for their goods, etc. In Paris, President Wilson fought hard for the Chinese and was much perturbed at the decisions arrived at. In Washington the air is permeated with China. The Chinese case was prepared by Americans, and every effort is being made to ingratiate America with the Chinese. The American Government were very keen on settling the Anglo-American-Japanese ques-

<sup>1</sup> Mark Sullivan, *The Great Adventure at Washington* (New York, Doubleday, Page & Company, 1922).

<sup>2</sup> Lord Riddell, *Intimate Diary of the Peace Conference and After* (New York, Reynal & Hitchcock, Inc., 1934).

tion. Japan is a big problem. I hope the new arrangement will work well. She is our friend, and has based her new regime on British lines but she is likely to become a serious trade rival.

Just so. When Mr. Hughes read the evidence justifying the Anglo-Japanese Alliance and placing China on the defensive, he dared make no comment or permit any discussion that would have wrecked the Conference.

#### THE PRICE OF SECURITY

*Fact No. 5:* The war waged on Chinese territory against Russian armies entrenched behind the most formidable fortifications in Asia cost Japan two billion gold yen, the loss of two hundred thousand lives and destruction of considerable valuable property. China put forward the plea that her neutrality and territory had been violated, but the cold, hard, inescapable *legal* fact remains that she was a full ally of Russia, liable for her share of any indemnity imposed on the defeated and for her portion of the spoils had the outcome of the war been the other way. Japan is still paying for that war. Up to 1931, it had cost her nearly eight billion yen.<sup>1</sup> Add to this her two billion yen capital investments in Manchuria and the total is ten billion yen—Five Billion Gold Dollars! This is the price Japan has had to pay to reestablish her influence over a territory fairly won in war with China and which she now deems essential to her security. Twice she has fought and won and twice she had lost through outside intervention. Once more she looked ahead to where she would again have to stake her existence on the plains of Manchuria against the same old menace and, with her previous experience of secret treaties, diplomatic chicanery and outside interference to guide her, moved to defend herself before it was too late.

<sup>1</sup> Speech of Y. Matsuoka, before Institution of Pacific Relations, Kyoto, November 1929.

## CHAPTER IV

### THE LAW ON MANCHURIA

**W**E have heard a great deal about law in the dispute over Manchuria, but have we not made our own law and judged our own case? The law in the dispute is with Japan. Only by the support of outside Powers can China's claims be upheld and, even admitting that Japan's solution seems to violate certain treaties, common fairness must compel us to admit that these treaties merely perpetuate the original injustice. International law, so-called, is based largely on treaties arising out of force or the threat of force and binding only as long as there is force behind them. Japan fairly defeated China according to all known rules of war and was fairly entitled to the territorial fruits of victory that China deeded over to her. Under the law of nations, Japan became the lawful owner of the southern part of the province of Fengtien, ceded to her by China in perpetuity and full sovereignty.

Into this picture steps three personages who, though they appear in the guise of great nations, are of types that have come in the modern vernacular, to be designated as hijackers and who, at the point of the gun, force Japan to relinquish her lawful gains, not with any intention of benefiting China, but in order that it would be all the easier for them to take the territory from her when the time was considered opportune. The notes of Russia, Germany and France directed to Japan therefore, lacked sincerity, and were a mere subterfuge to conceal their own plans to despoil China later on. This constitutes fraud, a crime punishable by law. The three bullies did not really

restore the territory to China. They merely black-jacked Japan out of her rightful and lawful possession in order to enrich Russia, the leader of the gang, who immediately took possession of the territory, claimed it as his own and prepared to get into a strong strategic position for a final clean-up.

The question arises; can Japan be esteemed a despoiler when she merely avails herself of her legal rights from the enjoyment of which she has been enjoined by chicanery and unlawful practice? All subsequent treaties with and concerning China have recognized and legalized the fraud, so it may be said that the law on which Japan has recently been tried and condemned is one deriving its legality from a former injustice inflicted on Japan! From fraud, a right of action does not arise in law and the point might also be well taken that, with a full knowledge of the fraud, subsequent pacts have been entered into with malicious intent on the part of the Powers in order to prevent Japan from obtaining justice. Russia perpetrated a further fraud on Japan when, at the Portsmouth Peace Conference, she failed to divulge the existence of her secret treaty of alliance with China. China capitalized the fraud. By preserving silence she was able to conceal her part in the alliance and demand respect for her sovereignty over a territory that by all laws of war she had doubly forfeited. China has no right in law arising from this palpable fraud and if the appeal laid before the League of Nations was brought before a court of common law it would be thrown out by any just judge.

#### NO ACT OF INJUSTICE

In view of the legal facts connected with this Manchurian dispute, whatever has been done by Japan in the premises has caused no damage or injury to China nor has any act of injustice been inflicted. The only injustice has

been to those outside nations whose treaties and pacts sought to cover up and perpetuate the fraud and which has provided China with her only right to appeal to the League for support. The acts of Japan in Manchuria cannot constitute guilt unless done with a guilty intent. How could Japan be guilty of availing herself of her lawful rights? If there is any feeling of guilt it must rest with those who, with a full, accurate and legal knowledge of how she was waylaid and hijacked have, through their pacts, combined to defeat the ends of justice. If there existed a world court free from political bias and control, capable of an unbiassed measure of an Eastern problem, it would not be difficult for Japan to confound her accusers.

International law after all is the law of the pack, the law of the strongest. As long as Japan could not defend herself, she had to bow to the law the more powerful nations laid down. The humiliation was almost unbearable for a proud nation to stand. It was not as great perhaps as those humiliations which the United States suffered in the day of her weakness that followed her establishment of independence, when French privateers seized by force hundreds of American ships, but they were none the less humiliating. Neither is Japan's failure to live up to the letter of treaties more pronounced than were our own with relation to the first treaty we ever signed as a nation. We pledged France to defend her American possessions should she go to war with any other country. In less than a decade she was fighting England, and we refused to come to her aid in the West. We were weak, recovering from our exhaustion and wanted peace. These were our excuses. But we refused to live up to our signed and sealed obligations to the nation whose aid made possible our existence as an independent state.

Japan was bludgeoned out of the fruits of her victory over China. She was defrauded at Portsmouth out of a cash

indemnity or its equivalent in territory and constrained to apologize to China for fighting the war with Russia on her soil. As one of the Allies who had contributed her part in winning the World War, Japan was placed on trial at the Paris Peace Conference where, had it not been for the British and French, she again would have been compelled to surrender the paltry fruits of victory agreed upon as compensation for her services in keeping open the trade routes to the Far East and Australia. Invited to attend a disarmament conference at Washington, she was arraigned, indicted and severely condemned by a harsh, unsympathetic judge and compelled to restore Shantung to China without any chance of using this as a trading card to consolidate her rights in Manchuria. Stripped of the fruits of victory in three successful wars, all that the Japanese army and navy had to show for their sacrifices was the two billion yen investments of their business men in Manchuria. Under protection of the League Covenant, the Nine Power Treaty and the Peace Pacts, the Chinese, feeling secure that Japan would not dare to employ force, set out to destroy these investments, preparatory to driving the Japanese out of the country altogether.

Now that Japan has withdrawn from the League, the smaller states whose very existence in some cases is due in part to Japan's active participation in a war which established them as sovereign entities, are raising the question of her mandate over the Pacific Islands, agreed upon by the Allies when they needed Japan's assistance to win the war. Should Japan weaken she will be stripped of even these insignificant gains.

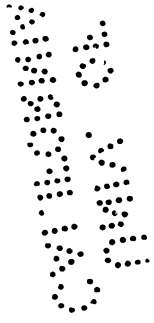
#### CAST IN THE SAME MOULD

The rest of the world wonders why the Japanese army and navy are now determined that there will be no next



THE EMPEROR RECEIVES THE AMBASSADOR OF JAPAN

H. E. General Taka Hishikari and his staff on the occasion of the presentation of his credentials on April 10, 1934.





time in this long-drawn out agony of foreign intervention in their affairs. The West stands on its treaties and condemns Japan for violating them, but these very treaties derive their existence from the disgrace of Japan. They stand as a monument to her national humiliation. There are other angles to this attitude of the so-called Japanese military party that will be examined later, but these fundamental truths must ever be borne in mind if we are to understand something of the problems which confront the people of the United States as the result of our meddling in Far Eastern matters to the point where we are now the protagonist shoved forward by the rest of the world to complete the encirclement of Japan.

Human nature is very much the same the world over. If, after the Mexican war, the three largest Powers of Europe had intervened to compel us to restore our territorial gains to Mexico, how would we have felt? If Mexico, burning with revenge, under the terms of a secret treaty of alliance had then handed the country over to the strongest of these European Powers, intent upon blocking our expansion, and this Power then had built strategic railways, naval bases and impregnable fortresses along or in striking distance of our borders, forcing us to fight another war to defend our independence, would our indignation not have mounted? If then, although victorious, we had again found ourselves cheated out of a legitimate cash or territorial indemnity, only to learn years later through the confession of Mexico how we had been fooled, would the people of the United States ever have remained content under any agreement that perpetuated the injustice? At the first opportunity we would have settled the problem once and for all, and our way would not have been the recognition of the independence of these states but the more drastic one of outright annexation so as to avoid any possibility that our security would ever again be placed

in jeopardy from that direction. The Japanese are not so hard to understand, if we want to understand them. They are cast in the same mould as ourselves, alike as far as human nature and fundamental instincts are concerned, but different in their processes of thought and ways of expressing themselves.

## CHAPTER V

### THE BASIC PROBLEM OF ASIA

**K** IPLING says something about truth being an undressed lady at the bottom of a well and that if you meet her—well, as a gentleman—there are only two things to do, one to look away, the other to hand her a print dress. But if the print dress is not at hand and the lady is to be rescued, it is difficult to see how the gentleman can fail to get a glimpse of the goddess in all her undraped charms. Truth, when revealed, must be faced. In seeking truth through the maze of invective, misrepresentations, vilification, downright falsehoods, rumors, propaganda, hasty and incomplete investigations, official manifestoes, communique and press reports, we are apt to be led astray, but there are always certain naked little facts which, if followed, will lead us to her place of concealment. In the matter of Asia, it is highly important that the American people give careful study and consideration to these facts. In the matter of fairness their doing so amounts to a duty.

### THE CHARACTER OF JAPAN

We have been carefully educated through propaganda to believe that Japan is our enemy, that this Island Empire is a second Germany, ruled over by a military autocracy which has set out to conquer China and impose their hegemony in the Pacific. We are told that Japan is a violator of treaties, that her pledged word cannot be relied upon, that she has seized Manchoukuo and is now pre-

paring for further conquests. We have accepted these insinuations as facts. We have not paused to test their merits, their disinterestedness. We have not asked ourselves if we have been deceived. It is just possible that we have. Even we, imbued with the spirit of helpfulness as we believe ourselves to be, are in some places currently referred to as "Uncle Shylock." The character of any people is revealed by its history. We do not have to delve into the musty pages of ancient and medieval history to acquire an understanding of the forces which mould and direct Japan's policies. The international relations of Japan commenced in 1870 with the first exchange of diplomatic representatives. That is not long ago. Most of our elder statesmen have seen Japan's entrance into the world of affairs and have come into direct contact with her diplomacy. For centuries, Japan was a hermit nation. Her little domestic clan wars between two-sworded Samurai and her palace intrigues are of no interest to the outside world. Only once was she called upon to repulse an armed invasion and she then crawled back into her shell and stayed there until pried out by a squadron of American warships. Since her emergence from obscurity, Japan has fought three wars, one against China, one against Russia, and one in which she merely discharged her obligations under an alliance. Her two major wars were purely defensive in character, yet because she is now determined at all hazards to maintain her independence and has armed herself for that purpose and invoked the basic law of self-preservation to justify her actions, she is characterized as militaristic and aggressive, an outlaw amongst the nations.

Before we pass judgment on Japan, we should try to understand her problems by putting ourselves in her place and asking ourselves what we would do under similar circumstances. Only in that way can we appreciate her point of view and the significance and drift of policies

which appear to us as aggressive and uncalled for. Japan's vital problems are so intimately linked with the future of the new empire of Manchoukuo that it is almost impossible to explain the case for the latter without at the same time defending Japan. Although the case for Manchoukuo stands on its own bottom and needs no defense, its existence can never be understood without some explanation of the motives underlying Japan's resort to self-defense which created the opportunity for the people of Manchoukuo to liberate themselves from bondage and stand forth as a free and independent nation.

There are sufficient strategic, economic and political aspects of the case to justify Japan's actions, but behind them all are certain inescapable, irresistible forces driving her instinctively to adopt policies and measures to survive in a struggle for existence so keen, so ferocious and so unrelenting, as to be beyond the understanding of any Western people who as yet have never been called upon to confront such conditions. In seeking for truth, we must follow these fundamental and irrefutable facts to their logical conclusion and then ask ourselves whether we would seek a way out or passively submit to being overwhelmed by neighbors with a mania for procreation which no laws, regulations, treaties or regard for the consequences can check.

#### THE BASIC PROBLEM OF ASIA

The basic problem confronting Japan has its origins in the pressure of population in Asia, arising from a conception of morals diametrically opposed to those upon which our own civilization is erected. The procreative recklessness of a race whose religion is founded on ancestor worship and the necessity of having as many sons as possible to perpetuate the cult is predominant. Polygamy, concu-

binage and all the facilities for reproduction are part of a system which continuously breeds up to and beyond the food supply. If nature did not impose its checks in the way of floods, famines, pestilence, wars and banditry, the increase in a half a century would swamp the world. Remove these checks as we now are trying to do and in fifty years there will be two billion Chinese.

#### HUMAN RABBITS

Some indication of what would happen is furnished by the example of Korea. When the Japanese took over control in 1906, they gave the Koreans good government, law and order, peace, security, a stable currency and comparative prosperity. They built railways and highways, erected schools and hospitals, installed waterworks, sewer and drainage systems. They built vast irrigation systems reclaiming huge tracts of waste land and imposed compulsory inoculation against disease. There were no wars, no bandits, no famines, no floods, no pestilence. What happened? In 1906, there were 9,000,000 Koreans. In 1930, twenty-four years later, there were 20,000,000 Koreans, with another million that the pressure from within had forced over into Manchoukuo and, strange to say, another million that had emigrated to Japan which already was overcrowded. When we stop to consider that there are only half a million Japanese in Korea, it will be seen that the tide is flowing the wrong way. Japan has gained in population instead of finding an outlet for her surplus numbers which she must secure if she is to survive.

In Korea, we have a picture of what the Chinese conception of family duty is capable of in reproduction under favorable conditions—a doubling of numbers in twenty-two years, multiplying eight times as rapidly as do the white men. One generation presses on top of the other,

reaching out hungrily for the food that the land cannot produce. Such is the problem that the world will have to face if China is developed along modern lines with no change in her basic philosophy and family traditions.

#### 200,000,000 MORE ASIATICS IN TWENTY YEARS

With this picture before us, let us now turn to the figures. Japan proper has a population of 68,000,000, increasing at the rate of a million a year. With Korea and Formosa included, there is a total of over 90,000,000 in the Japanese Empire. At the present rate of increase, we may reasonably expect that in twenty years there will be 120,000,000 Japanese.

Turn to China with its 500,000,000 people who keep no statistics. These people with adequate subsistence are easily capable of duplicating the example of Korea, but let us take the broad view and concede that they are even less prolific than the White race and are doubling their numbers every hundred years. In twenty years, there will be another 100,000,000 Chinese.

Back of China stands Soviet Russia with 170,000,000 prolific people who have denied their God, abolished religion, destroyed the home, and face life with no responsibilities, secure in the knowledge that the State will take care of the human increase, now reported as over three million a year. In twenty years, there will be sixty to eighty million more Slavs.

Stop a moment and think where this propensity for reproduction if permitted full and free scope to indulge itself will lead. All the restraints upon which our civilization, our homes, our ideals and consideration for women are erected are threatened. The outlook is terrifying in the extreme and, while the people of the United States can view the future with a certain equanimity, it is different

for near-by Japan whose institutions and family life, so similar to our own, are menaced with destruction. Japan faces the inescapable truth that these multitudes are pressing in upon her.

Within the lifetime of the present generation, Asia must find room for 200,000,000 more people. Where are all these millions to go? Where will they find food? How will they exist? The West has closed its doors to their entrance, so they must remain in Asia. These are facts which admit of no argument and so we approach the truth. It is this problem, giving rise to the intense struggle for survival that underlies all the warfare and unrest in China. Cooped up on her chain of volcanic islands with her back to the sea, Japan wonders how she may find a way to survive, and her domestic legislation, foreign diplomacy, military and naval programs are based on a search for the solution.

#### MUST AMERICA FIGHT JAPAN?

If we now build a ring-fence around Japan and confine her in a water-tight compartment; if we bind her by treaties and say to her that under no conditions can she expand on the mainland of Asia and, that if she does, and breaks a treaty with us, we will never recognize what she had done; if we then mobilize world opinion to support our point of view, the Japanese are bound to look on us as their enemy. If our position then undergoes no change, the people of the United States must make up their minds that some day they will have to face a desperate people determined to go down fighting for their right to exist. If the Japanese pressure is not permitted to escape into Asia it will break through at some other point, the weakest point. If the United States should go to sleep, limit its naval armaments, raze its fortifications and defenses on the Pacific and hand over control of its affairs to the pacifists,



the pressure from Asia might well insist on finding its outlet in this direction. The people of this country would have to fight for the solution of a racial problem that does not concern them, an issue forced upon them by the sentimental and provocative diplomacy of a group of statesmen tenaciously adhering to an obsolete trade doctrine while trying to infuse life and reality into a fiction they have created to justify its maintenance. On the other hand, a release of Japanese pressure through an escape into Asia circumscribes this basic and explosive danger of increasing numbers and keeps it on the side of the ocean to which it belongs.

## CHAPTER VI

### THE OPEN DOOR MYTH

THE popular conception of our Far Eastern policy is that we must keep open the door of equal trade opportunity, and to assure us of that privilege, we insist upon maintaining the territorial integrity and administrative independence of what the Western world is pleased to call "The Republic of China." We finally succeeded in having this policy written into the Nine Power Treaty, thus making it binding upon the eight other signatories. Through a long-drawn-out propaganda on the wonderful possibilities of supplying the wants of the 500,000,000 people of China, we have been educated to believe that their trade is essential to our future prosperity, and we must go to war if the Open Door principle is violated. Let us examine briefly this traditional policy of ours and try to understand what it is all about, what it really means to us in dollars and cents and whether or not it is worth going to war to uphold.

Reference to the trade returns of the Department of Commerce over the thirteen year period 1920-32 reveals that our total exports to China were valued at \$1,300,000,000, an average of \$100,000,000 a year. Analysis of these figures will show that over 50 per cent of our sales consisted of petroleum products, tobacco and raw cotton, natural monopolies in which, up to the present, we have maintained our lead over all competitors; the oil and tobacco business being almost exclusively in the hands of American firms. We don't have to go to war to hold this

business. Certainly, we do not fear the competition of Japan in these commodities.

The Japanese have invested over a half a billion dollars in industrial enterprises in China; in railways, mines, cotton, oil, flour and sugar mills, steamships, etc., which creates a market of at least 10 per cent a year in spare parts, extensions, repairs, new machinery, supplies, accessories and materials. Japanese firms in the United States have purchased as high as \$45,000,000 a year of American materials for these enterprises of theirs in China, but I am taking the lowest figure, placing it at \$25,000,000. In the last three years we have exported to China an average of \$25,000,000 in raw cotton alone, and when we remember that at least 75 per cent or \$18,000,000 worth of this staple, is consumed by the Japanese cotton mills in that country, we will sense that my estimate is more than fair. So we see that 50 per cent of our export trade with China is in oil, tobacco and cotton and 25 per cent in what the Japanese buy for their own enterprises in that country, leaving 25 per cent, or \$25,000,000 in sundries for which we have to compete with the rest of the world. Reduced to dollars and cents, the Open Door, therefore, represents a trade of \$25,000,000 a year. No matter into how many parts China may be divided, it is fair to assume that we will hold our share in the three basic commodities and more or less the same percentage purchased by the Japanese. We will also hold our share of the miscellaneous products in which our manufacturers excel, such as automobiles. Political or territorial changes in China will not materially affect our trade, and we may look forward to at least 80 per cent being more or less constant, our only concern being the 20 per cent competitive balance.

There is another angle to this trade that Americans are prone to overlook. Of our total exports to Japan, it has been estimated by Japanese experts that at least \$50,000,-

ooo are in raw and partly finished materials which are manufactured into the finished product and exported to China as Japanese goods. If we add this to the \$25,000,000 they spend in this country for supplies to their own enterprises in China, the total will equal all other American exports to that country, indicating that the Japanese sell as much, if not more, American goods in China than we do ourselves! American traders do not like to hear these figures. They resent the fact that our trade with China is not 100 per cent in their own hands, but figures talk, and the truth must be faced. The mere admission that these figures are even approximately correct takes the bottom out of the campaign that is being waged against Japan, depriving the war-mongers of their chief stock in trade. It also places a good-sized dent in a policy the nation has been told that under certain conditions it must go to war to defend.

If we assume that one half the value of our exports to China represents labor, and estimate the average annual wage income of our farmers, mechanics and laborers employed in producing and handling these goods, at \$1,000, our export trade with China provides work for 50,000 persons. Investigation would probably reveal that the number is much less. Must we go to war to find employment for 50,000 people?

#### A SEA OF RED INK

What is a fair profit on our \$100,000,000 export trade with China? Let us place it at 10 per cent, say \$10,000,000. I do not know who is making this profit. Everybody I am acquainted with is so deep in the red that it will take years of profitable trading to balance his ledgers. Anyway, let us assume that the nation is benefiting to this extent and put it in the credit column. Then let us turn to the other

side of the ledger and write down \$10,000,000 for missionaries, \$5,000,000 for colleges, hospitals, schools, Y.M.C.A.'s, Rockefeller Foundation and other minor uplift and charitable organizations, and we find that for every dollar of profit taken out in trade we hand back one and a half, if not two, for charity, a good-will asset which we have over-capitalized like every other investment, and on which we hope to draw profits from watered stock. These contributions are now much less, perhaps one half, but as our export trade has also fallen off nearly one half, the proportion remains about the same.

We maintain an Asiatic fleet and a Yangtze patrol for the defense of the lives and properties of American citizens in China. In addition, there is one full marine regiment on a war-footing stationed at Shanghai, another regular army regiment at Tientsin and a strong legation guard at Peking. The upkeep of these armed forces must approximate \$25,000,000 a year. Write in another \$5,000,000 subsidy to four steamship lines operating out of West Coast ports to China and Japan; add about \$40,000,000 for loans defaulted and unpaid bills for materials supplied only to the Chinese Government during the last fifteen years; we can omit the remitted Boxer Indemnity, famine, flood and Red Cross contributions and the recent cotton and wheat loan, and we have the following:

Missionary, uplift and charity .....	\$15,000,000.00
Army and navy .....	25,000,000.00
Merchant marine subsidy .....	5,000,000.00
Bad debts, spread over thirteen years .....	3,000,000.00
	<hr/>
Total .....	\$48,000,000.00

But this is only half the story. There are 60,000 Chinese legally residing in the United States. It is estimated that as many more are here illegally, but our police and im-

migration authorities dare not round them up and deport them as it would cost at least \$25,000,000 and precipitate a boycott against American goods in China before which the anti-Japanese movements would pale into insignificance. The United States has become the most profitable economic colony of Canton from which is derived the sinews of war for all revolutionary movements calculated to impose the rule of Canton over the whole country. The Chinese in the United States remit annually to China an average of \$25,000,000 a year, obviously only a portion of their earnings and profits. The balance sheet of our trade with China after including this outflow of \$25,000,000 will show that against an annual profit of \$10,000,000 we pay out about \$75,000,000.

This drain on our wealth has been going on for many years. If we keep only within the thirteen-year period of our statistics, it indicates that in that time we were out-of-pocket a round billion dollars in our dealings with the land of Cathay. When the final reports of Mr. George Peek's Foreign Trade Bureau are published and the balance sheet with individual countries analyzed, it will be found that the above estimates are not far from the truth. I do not wish to dilate on the figures or draw conclusions. The subject is capable of indefinite expansion but the above rough figures are sufficient to clarify our traditional trade doctrine as far as China is concerned and permit us to gather an idea of where it is leading us. These figures alone are sufficient to cause us furiously to ponder whether the maintenance of the principle is worth going to war over and drowning ourselves in a sea of red ink.

All trade returns reveal that the more Japan sells to China and other countries, the more raw and partly finished materials she buys from us to keep her mills and industries going. What we lose in direct trading with China is more than made up in our sales to Japan who pays cash,

has never defaulted on her loans, and is not only our best customer but the best salesman of our goods in Asia. We supply the raw materials and Japan the labor, a fair enough division. If, however, we insist that this is not enough, that we want it all and we set out to destroy our best customer and agent, our competitors, anxiously awaiting the opportunity, will step in while we are engaged in our sordid enterprise, and when the fight is over, we will find that we have simply been the dupe for those who have gently guided and propoganded us into a war to pick their own chestnuts out of the fire.

The handwriting is upon the wall in letters a mile high for the American people to see. But they do not understand. They cannot read the signs, and no one dares tell them the truth. Like a herd of sheep they are being driven bleating towards the door that opens to the abattoir. Every American of voting age, young and old, fathers and sons, mothers and daughters, grandfathers and grandmothers should demand of their Congressmen and Senators the balance sheet of our trade with China for the last three decades. They have a right to know what they may be expected to fight for. They have a right to have before them an itemized statement of that trade, an itemized statement of our investments in China and a full and exact statement of the amounts contributed for missionary and uplift work. The people of this country should further demand a comparative balance sheet showing the investments of other nations in China.

#### FOREIGN STAKES IN CHINA

Let us approach this Open Door problem from the angle of our investments in China. Up to 1929, according to a State Department report, they totalled \$160,000,000, of which half was missionary. Since then we have acquired

the Shanghai Power Plant for \$50,000,000 and the Shanghai Telephone Company for \$5,000,000, increasing the total to \$215,000,000, that is, \$135,000,000 commercial and \$80,000,000 missionary. Some estimates place the total at \$230,000,000, but this apparently includes stocks of merchandise, bank advances and other items, not fixed investments. Our principal commercial stake is roughly divided as follows: Standard and Texas Oil Companies \$40,000,000, Shanghai Power Plant, \$50,000,000 and the Shanghai Telephone Company, \$5,000,000, a total of \$95,000,000, leaving \$40,000,000 to cover all other items. At 6 per cent, this should net a profit of \$7,800,000, a large part of which is included in the trade profits from our petroleum exports. The income from these investments is not sufficient to cover our charities.

American capital is conspicuous by its absence in the construction of Chinese railways, large industrial plants or other enterprises which build up a market for our manufactured products. It may be said that Americans have contributed nothing towards the material development of China. This has been done entirely through European and Japanese loans to the Chinese Government and through establishing their own industrial plants and opening up and operating mining concessions.

The British stake in China is roughly estimated at \$1,750,000,000, the Japanese at \$1,400,000,000 and the French and Belgian at about a billion. This is the money that has developed the railways, mines and industries of China and created a market for foreign manufactured goods. Of course, there has been a considerable volume of Chinese capital invested in these developments and from which we have secured our share of the orders for materials. By and large, however, we have merely piked along, capitalizing on the trade the others have made possible, insisting on our right to participate in the competition for supplying mate-



rials where the loans have been to the Chinese Government. When we talk about the Open Door, analysis tells us that it means our right to participate equally in a trade the other fellow has financed and built up.

#### JAPAN CREATES CHINESE MARKET FOR AMERICAN COTTON

Let me give a concrete example of how this works out. The United States is exporting to China about \$24,000,000 a year in raw cotton. Who buys this cotton? Where does it go when it arrives in China? Japanese capital owns outright over 40 per cent of the total cotton spindlage in that country and through loans advanced by Japanese banks to Chinese cotton mills, they control another 20 per cent. Many of the Chinese cotton mills are not equipped with the machinery to handle American cotton, so it works out in practice that 70 to 75 per cent of our cotton exports to China are used in Japanese owned or controlled mills. With a knowledge of these facts, the American Government last year advanced a \$50,000,000, three-year credit to the Chinese Government for the purchase of American wheat and cotton; \$40,000,000 for cotton and \$10,000,000 for wheat. The percentage of American cotton consumed by Chinese textile plants being only 25 per cent of our exports, or \$6,000,000 a year, it would require nearly seven years instead of three for the Chinese to exhaust this credit.

The loan was authorized by the President to reduce a huge and unsalable cotton and wheat surplus, but it was interpreted by a large section of the American press as intended to strengthen China against Japan while the Chinese press unanimously hailed it in that light. Nobody in this country seemed to understand that if China was to absorb this credit within the three-year time limit, the Japanese would have to finance a transaction, the proceeds from which were to be employed in financing war prepara-

tions against themselves! When the Japanese very properly declined to purchase the American financed cotton, the credit was reduced to \$20,000,000, half of it for cotton. There is no use to animadvert on these figures. The lesson is there for all to read. If the United States is exporting annually \$24,000,000 in raw cotton to China, it is because Japanese capital to the extent of two or three times the total American commercial stake in that country has erected and financed the costly mills which have created a trade representing \$18,000,000 a year, or 18 per cent of our total exports to China. Rather good coöperation.

#### A QUEER POKER GAME

Stop and think what the above figures mean. Although the investments of Britain in China are thirteen times greater than the American, those of Japan ten times, and the Franco-Belgo stake eight times, representing a total of over four billion dollars, thirty times greater than our commercial stake of \$130,000,000, we have taken upon ourselves the task of maintaining the Open Door and become sponsor for a treaty embodying and perpetuating the principle of the territorial and administrative independence of an undefined state which may some day send us to war. The outcome of such a war is inevitable. We would lose what we have, pile up a debt that would take a century of profitable trading to wipe out and assure to our more active competitors the enjoyment of their fat dividends. The future of our trade with China is problematical. In another ten years, we may or may not be able to sell our principal commodities in competition with Soviet oil, Chinese-grown tobacco or cotton from some other producing country. The Japanese portion of this trade may be purchased in some other market. As China is industrialized, she will import less and less of our manu-

factured products and compete with us in the markets of the world for the sale of her own goods. We may find that we have bankrupted ourselves chasing a will-o'-the-wisp. When we might have made a place for ourselves in the China market by advancing loans for the construction of railways, public works and industries, we played the dog-in-the-manger. It is now too late to remedy this; the day of raising huge loans in this country for foreign development is definitely past.

We do not even play good poker. We sit at a table with the other players, pass the deal, stay out or stay in as we feel like it, invent all sorts of new rules, chip in our ante at will, refuse to sweeten while the others are piling more and more "snow on Fuji," check the bet, and go shy at every big raise, hoping in some unexplained way to sit in on the show-down and scoop the pot. There was only one way to play that kind of an irregular game in the country where the game was perfected. The erratic player had to possess two hair-trigger six-guns and the ability to draw first, shoot straight and move quickly to grab the pot. Otherwise, they planted him next morning on Boot Hill.

The good old American game of straight poker has changed with the times so that today one never knows whether he is sitting in a game of draw, jack-pots, stud, deuces wild, or spit-in-the-ocean. It's all very entertaining, but it is not poker. The game of international politics as played today is very similar. We never know where we are at. Some one is always tearing up the deck or changing the rules in the hope he will have a change of luck or that a pair of deuces backed up by a lot of conversation will take the pot.

## CHAPTER VII

### AMERICA CLOSES THE DOOR

**I**T is foolish at this late date to cry that we never had a chance to break into the Chinese field, that the door was closed to us and we have had to fight to keep it open. I make the categoric statement that the door to our capital has always been open except when closed by our own government supporting an illegal monopoly which obstructed any development of China by independent capital. For thirty-two years, I have watched the procession of American business men, investors, concession hunters and loan agents prance through the wide open portals into the "Chinese El Dorado" and have seen every one of them come running back minus his shirt, yelling to Uncle Sam for help. It is superfluous to mention names. They are well known and their activities are recorded and filed away in the archives of our State Department, or engraved in red ink on the ledgers of their companies.

### AMERICAN FINANCIAL MONOPOLY CLOSES CHINESE FIELD

I sometimes wonder just how far our own vacillating policies are responsible for the failure of China to establish a strong, central government, capable of uniting the scattered provinces into a compact whole. The basic requisite for stability is an adequate system of trunk and strategic railways linking the outlying sections with the capital and enabling the central government to dispatch promptly its troops to put down rebellion, and enforce respect for

its authority. If I am somewhat disillusioned, skeptical and critical of our altruistic concern for the maintenance of the territorial and administrative integrity of China, it is because personal experience permits of no other conclusion. For over twenty years, I devoted my time, my experience and hopes of a career of usefulness, to the practical solution of this basic problem of China and at every turn, found my efforts brought to naught by the inconstant and inconsistent policies of our State Department. Having reluctantly made this statement, I am obliged to explain it, even though in so doing I may lay myself open to misinterpretation.

As far back as 1907, I became convinced that if our policies in China were to bear fruit they would have to be supported by a banking group strong enough to finance railway, industrial and public utility enterprises that in turn would create a market for our engineering products and manufactured goods. I succeeded in enlisting the enthusiastic support of my friend, Mr. Clarence McK. Lewis, stepson of William Salomon and junior partner in the banking firm which bore the latter's name. At that period, this concern was interested in financing railway and public utility undertakings in the Philippines and had invited W. Morgan Shuster to direct its operations. Mr. Salomon succeeded in forming his group but just as he was ready to make public its plans, the State Department announced the creation of an official group and conceding to its instrument a monopoly of official support. *From that date, 1909, China has been a closed field to independent American financial activity.*

The group formed by William Salomon & Company was never permitted to operate, nor was it even invited to share the business. Every effort they made, and they did try to do business with China, met with the firm opposition of the State Department which threw the whole

weight of its immense power to preserve the monopoly for its official instrument. This was all the more unjust, as William Salomon was a lineal descendant of Heim Salomon, who loaned the Continental Congress \$200,000 at a time when it was without resources and which has never been repaid either as to principal or interest by a "grateful republic." No banking firm in this country had a better claim on the American Government for preference, or at least a square deal in the Chinese field than the one whose loans during our early struggles for independence helped to tide the young nation over and set it on its feet. My own hopes of being instrumental in any further American activities for the development of China had to be definitely discarded and I threw my lot in with China.

#### A MONOPOLY AS AN INSTRUMENT OF NATIONAL POLICY

The test of American sincerity for the cause of popular government in China came in 1911-12 when the Manchu Emperor abdicated in favor of the Republic. Had the official American Group, acting in its rôle as the instrument of our national policy, or had independent American financiers been permitted to enter the field, the Republic of China under the presidency of Dr. Sun Yat-sen and his group of forward-looking, American-educated associates might have firmly established itself.

The Peking Government under Yuan Shih-kai urgently needed a small accommodation for political purposes that would not stand too close a scrutiny by the Consortium. In reality, the loan was required to pay certain expenses incurred by the Nanking Government during the revolution and which Yuan Shih-kai agreed to take over when Dr. Sun Yat-sen retired as provisional president. Yuan's Minister of Finance, Chou Tze-chi, offered to William Salo-

mon & Company the security of the Peking Kalgan Railway for a loan of \$5,000,000 to meet this emergency obligation. There was every chance that the transaction would go through until the State Department stepped in and firmly opposed it.

The political ramifications of that loan would take too long to explain in these pages. Sufficient to state that when the State Department compelled the independent American banking firm to break off negotiations, the Chinese found the money in Belgium. When Yuan Shih-kai was firmly seated in power as president, one of the first things he did was to repay that obligation by conceding to the Belgian bankers the contract for the financing and construction of the Lung-hai and then the Ta-Cheng (Tatung-Chengt'u) Railways, two of the most important trunk lines in China, aggregating in length some three thousand miles.

Dr. Sun Yat-sen at Nanking tried desperately to raise a foreign loan that would have enabled him to hold out against Yuan Shih-kai. Realizing that he could expect no direct assistance to his government, he sought by indirect methods to obtain funds. All the important public utilities and commercial undertakings in Central and South China were willing to give their properties as security for loans whose proceeds could be employed to tide Sun Yat-sen and the Republic over this crisis. The Kiangsu and Chekiang Railway Companies, the China Merchants Steam Navigation Company, operating the largest mercantile fleet in the country and the Hanyang Iron & Steel Works, with its iron mines at Tayeh and coal fields at Pinghsiang, offered their properties as security for such loans.

All of these loans were offered to William Salomon & Company and all were opposed by the State Department. I speak with accurate knowledge of the above abortive trans-

actions for the reason that I was the medium through which these loan negotiations between William Salomon & Company and the Chinese were conducted.

All of these loans were legal. Although the railway and steamship loans offered certain difficulties they could have been surmounted. The most important was the steel, coal and iron loan which stood on its merits as a purely commercial transaction, a good business risk. When the State Department turned it down, the Chinese tried to raise the money in Europe. Failing there, they went to Japan and obtained Yen 25,000,000 on the security of the Han-Yeh-Ping properties. The contract and terms were perhaps the most favorable ever recorded in Chinese commercial loan transactions.

If I refer to these activities, it is merely to emphasize that had the American Government not been so rigid in upholding the monopoly to one favored group, American capital could have obtained a foothold in China that would have brought immense trade advantages and orders for materials to our manufacturers. The French broke through the Consortium monopoly by letting their Belgian partners in on the good things they could not officially handle. An independent British group defied the Foreign Office, carried the fight to Parliament and won out. The Germans beat the game by using their big commercial firms to lend money to the Chinese Government. The Japanese did the same and got what they wanted.

Because the Japanese obtained a mortgage on the great steel works of China after we had turned down the loan, Americans have since denounced Japan for setting out to gain control over China's iron and coal resources. The transaction is held as convincing proof of Japan's imperialistic designs upon China. The utter futility of American policy as laid down by Taft and Knox is revealed by the sudden change when Wilson came into power. In some



way or other we always found high and altruistic reasons to justify our failure to get in on the ground floor in China.

**WILSON KILLS CHINA'S ONLY CHANCE TO SAVE HERSELF**

In 1912, as adviser to Dr. Sun Yat-sen, I designed a practical system of ten thousand miles of trunk railways estimated to cost over \$500,000,000 and was given his power of attorney as Deputy Director General of the Chinese National Railway Corporation and instructed to proceed to Europe and America to negotiate the loans for financing the scheme. The head of the British group, Sir Charles Addis, was willing to enter into an agreement on behalf of all the groups to finance every mile of railway that Dr. Sun could give him. This information reaching New York the next day, resulted in a cablegram from J. P. Morgan & Company signed by Willard Straight, requesting me as a good American to give the American group the preference in signing the preliminary agreement as it would give them a certain prestige and supremacy in the Consortium. I therefore postponed the final meeting with the British group, made my apologies for the delay, and sailed for New York, arriving there the latter part of February, 1913, two weeks before the change in administration.

In view of the uncertainty then prevailing in Wall Street over Mr. Wilson's policy towards China, I was requested to wait until after the inauguration and his attitude was made clear. Two weeks after entering office, President Wilson withdrew support from the American group in the matter of the Reorganization Loan and declined to lift his embargo in order to permit American capital to participate in the larger and more important and strictly non-political railway loans. Without American coöperation, the scheme, in fairness to China, could not be carried out, and the hopes of uniting China and consolidating the

power of its government by railways was lost. Although the scheme was broken up and several preliminary contracts for individual lines negotiated with European construction firms, they could not be executed, owing to the cancellation of Dr. Sun's powers later on in the year when he started the second revolution against Yuan Shih-kai. The failure was a personal one. The whole scheme could have been taken over by the British group in London, the preliminary agreements signed and the American group committed to participate long before President Wilson withdrew his support, but I threw away a sure thing for a misguided conception of my duty as an American citizen to enhance our national prestige. It was my first lesson in American policy towards China, and I have always regretted that it was my own folly that deprived China of the best chance she ever had to do something really constructive.

#### ONCE AGAIN WILSON DENIES CHINA'S SOVEREIGN RIGHTS

On my return to China, I designed another ten-thousand-mile national system of railways for President Yuan Shih-kai for which I was afterwards awarded the grand prize in an international competition for the best system of State railways for China. In January, 1914, I was again sent abroad as Technical Secretary to the Ministry of Communications to negotiate its financing and organize a company for its construction. On behalf of the Chinese Government, I invited the firm of J. G. White & Company to become the American participants and on their acceptance, proceeded to the formation of an international company to undertake the work. Within two months, a British-American-French-German construction company with Chinese participation and backed by the most powerful banks in Europe was organized in Paris, but the American firm had in the meantime placed the proposition before the State De-

partment and was informed officially that as the scheme "seemed to contemplate a monopoly of railway building in China and therefore a violation of the treaties which forbid monopolies, the American Government could not support it!"<sup>1</sup>

It was perfectly legal and wholly desirable for the American Government to create a monopoly for four American banking houses to make loans to China, but quite illegal and a violation of treaties when China exercised her sovereign right to build only a very small mileage of her essential communication system, and invite international coöperation in its financing. Under this ruling, the Chinese Government was not permitted to initiate any scheme for its own development and defense that stood in the way of the American interpretation of treaties, this, notwithstanding the fact that American finance and industry shared equally with the other great lending Powers in the enterprise; in effect, a flat denial of China's sovereignty. So another great opportunity was lost that would have enabled China to establish a strong central government that could consolidate its rule by means of railways.

#### AGAIN, CHINA IS PENALIZED

Again, at the Paris Peace Conference, as Technical Adviser to the Chinese Delegation, I drew up another plan for international coöperation in the financing and construction of China's state railway system which received the unanimous endorsement of all the Chinese delegates as coming nearest to meeting their national aims and aspirations. This was submitted to the new Consortium as a basis for discussion and coöperation, the Chinese maintaining that it would be more dignified and least hurtful

<sup>1</sup> Quoted from official correspondence between the State Department and J. G. White & Company, of New York.

to their pride to have the scheme emanate from them than to have one forced upon them. This plan was referred by the American Group to the State Department experts and promptly rejected, because, in their opinion, it still constituted a monopoly. Here again, at the invitation of the American Government a new international financial monopoly was being organized to operate in China, yet before it even got down to business, it turned a deaf ear to the Chinese plan because it smelled of a monopoly!

Right here, at its birth, the new Consortium destroyed its own usefulness. Indignant over the way their advances had been rejected, the Chinese then and there declared that they would never recognize the Consortium or do business with it. Had their proposal been accepted as a basis for negotiation, the Consortium could have entered upon a career of service that would have knit China together with a network of essential trunk railways, stabilized and consolidated the authority of the Central Government, developed the resources of the country and opened a vast market for American railway and engineering supplies. We were so intent on curbing Japan that we threw away our last great opportunity to do something constructive for China.

#### THE UNITED STATES AND JAPAN PARTNERS

However, the new Consortium was a fact the Chinese could not ignore. As I said good-by to my Chinese friends in Paris, one of them remarked: "Well, George, I hope you will keep up the good fight against Japan in your magazine and writings!" My answer to the group was this:

"What is it you need most in China? You need money to rehabilitate your country, to build railways, reform the currency and develop your resources. Where will this money come from? From the new Consortium? The only

two countries represented in the Consortium having money to lend are the United States and Japan. They have committed themselves to carry the British and French groups in any loan to China until such time as they can take up their allotted shares. That being the case, the United States and Japan are partners and there must be complete understanding, harmony and coöperation between them, or China will not get a cent. Now, what do you want me to do? Do you want me to help you get this money or do you want me to keep up an agitation that must result in a war between the United States and Japan?"

One of my Chinese friends of ministerial rank (Yeh Kung-cho), to whom I was attached as adviser, answered: "Above everything else, China needs money, help, sympathy and coöperation between the United States and Japan so that they can work together to put my country on its feet." The others nodded in approval. "All right," I said, "I am going to help you get the money, and from today, I am finished with anti-Japanese propaganda in my magazine."

On my return to the United States, I found that my views met with the endorsement of the leading financiers and some of the foremost industrialists of the country who promised to support me in the campaign to combat the war propaganda and to bring about coöperation between the United States and Japan as the only way to preserve peace in the Pacific and hasten the development of China into a market for our heavy engineering materials.

On arrival in Peking after an absence of four years, my old friend, Chou Tze-chi, then Minister of Finance, received me affectionately and said: "My colleagues wrote from Paris of your new policy. You are right. You understand our problems. Above everything else, China needs

financial assistance and the only way we can now hope to obtain it is through the new Consortium, which on its face, means coöperation and friendship between the United States and Japan. Naturally, the Cantonese group and the adherents of Sun Yat-sen are opposed to any plan that might firmly establish the authority of the Peking Government, and you will have many enemies. But your old friends are with you. Do what you can to help us."

Later on, Dr. Sun Yat-sen sent for me to come to Canton and draft a railway contract for a Canadian firm. He also fully supported my views, but as Chou Tze-chi pointed out, he did not want these loans employed to consolidate the power of Peking.

I have never changed my policy nor can any arguments shake my conviction that I was right. I regret to state, however, that the anti-Japanese officials in China egged on by a group of self-seeking American advisers holding out the promise that the United States would go to war in defense of China, have been strong enough to prevent any understanding or coöperation between the United States and Japan where China was concerned. The overthrow of the Anfu Party and the Northern Military Group and the transfer of power to the Sovietized-Cantonese Party in league with Moscow, makes impossible any further effort to establish cordial relations between the United States and Japan in the development of China. The Chinese in power today would rather see a war in the Pacific than accept any plan of international coöperation that would bring peace and stability to their own people.

#### HOW THE ANTI-JAPANESE MACHINE OPERATES

The prospect of coöperation between the United States and Japan in the financing of China held out by the virtual

partnership conditions surrounding the working of the new Consortium, was resented by the Cantonese group and its coterie of anti-Japanese American advisers and publicity agents. The possibility that such coöperation might lead to cordial relations between the two countries and a common understanding in regard to China, determined this element to place every obstacle in the way of its success.

I can speak with full authority for the Japanese financial group when I state that notwithstanding the friction engendered over our attempt to pool their Manchurian railway concessions in the new Consortium, they sincerely welcomed the opportunity to work in close harmony with the American group believing that the relationship so formed would lead to such a close understanding and good-will that the two nations would be drawn together in bonds of a common interest that would make unnecessary any further expansion of naval armaments and eliminate forever the possibility of war in the Pacific.

The Japanese bankers were working for peace. They were all friends of the United States, many of them graduates of American colleges. They were the power behind the throne in Japan, more influential in formulating the policies of the country than any other element. They gladly would have accepted American financial coöperation in the development of their enterprises in Manchuria to dispel the idea that they harbored aggressive designs upon that territory. They felt that the mere fact that American capital joined with them in the development of Manchuria would be the strongest guarantee that China's sovereign rights would always be respected and upheld. Again, they were right, but the group of anti-Japanese American advisers to the Chinese Government and their war-yapping publicity agents frothed at the mouth over the possibility

that the United States and Japan would come together in some understanding over China and destroy their usefulness and hold over the Chinese.

The following incident will convey to the American people how this anti-Japanese game is played and how difficult it has been to bridge the gap between their country and Japan. In 1928, the Japanese succeeded in interesting J. P. Morgan & Company in a loan to the South Manchuria Railway Company for \$30,000,000. Mr. Thomas Lamont visited Tokio, concluded the deal and sailed for the United States to place the loan on the market. Had ordinary business secrecy surrounding the transaction been preserved until Mr. Lamont arrived in New York, the loan would have been placed on the market, over-subscribed in an hour and the lists closed. It would have been a great success.

But the Japanese inadvertently let the facts become public before Mr. Lamont arrived in San Francisco. The loan was perfectly legitimate. There was no valid ground on which it could be opposed. China, however, had declared invalid the 1915 treaty which extended the South Manchuria Railway rights and the lease to the Liaotung Peninsula to ninety-nine years and had called upon Japan in 1923 to evacuate Liaotung on the expiration of the original twenty-five-year lease. Although the American and other governments had recognized the validity of the 1915 treaty, China's attitude provided her with the excuse to protest any loan which might seem to recognize Japan's rights.

It is doubtful if the Chinese on their own initiative would have challenged the loan or made any move to oppose it, but one of their most active anti-Japanese American agents in Shanghai saw an opportunity to injure J. P. Morgan & Company because of its friendly relations with Japan. The old trick of manufacturing massed public



opinion through faked telegrams signed by prominent associations, was again resorted to. At the instigation of this trouble-maker, a telegram was dispatched to the State Department carrying the signature of various Chinese associations protesting against the loan as a violation of China's sovereignty. The news of its having been sent and its full text was broadcasted in the Chinese press and cabled by every American news service to this country. That was the essential feature of the play. On the strength of the publicity given to this telegram, the Chinese Minister of Foreign Affairs, under the pressure of "public opinion," was constrained to make an official protest against the loan transaction as an unwarranted aggression on China's sovereignty, a violation of solemn treaties and sacred commitments to respect and uphold that sovereignty. The scheme worked. The American press took the matter up and as usual, in favor of China. The wide publicity given to these "patriotic protests" against any American loan to the Japanese-controlled South Manchuria Railway had the effect of giving the transaction a black eye.

In view of the delicate international situation created, and, although the loan was legally correct and valid from every viewpoint, the State Department was placed in a most embarrassing position. It could not approve the loan without offending the Chinese nor could it disapprove without an explanation to Japan. So the loan had to be dropped. In the same manner as the faked telegrams sent to the Chinese Delegates at the Paris Peace Conference threatening them with death if they signed the Versailles Treaty was designed to stir up hostility against Japan, so in the case of the loan to the South Manchuria Railway Company, a cheap, American-inspired publicity stunt destroyed the last hope of American-Japanese coöperation in Manchuria that would have solidified China's sovereignty in that region against any attempt on the part of

Japan to undermine it. Had the loan been floated, Manchuria would still nominally belong to the "Republic of China."

#### WHEN IS A MONOPOLY NOT A MONOPOLY?

When President Wilson withdrew support to the American Group in 1913, the door was opened for independent American capital to do business with the Chinese Government. I have explained how in the year following, the State Department placing its own construction on the treaties, denied to China its sovereign right to organize an international company (with equal American participation) to build ten thousand miles of railways, because in its opinion, it constituted a monopoly, but when in November, 1915, the Siems-Carey Company of St. Paul obtained a contract from the Chinese Government to dredge the Grand Canal and in May, 1916, signed another agreement to build over 2,000 miles of railways, we find it extending full support to these transactions. There are always two sides to any controversy. Only one side of the story of these contracts has ever been told to the American public. The "off the record" fact is that the five lines originally specified for this American firm to construct, conflicted with the rights of other Powers and were deliberately selected by the Chinese in order to compel the United States to support the Open Door principle at a time when the Four Allies, Britain, France, Russia and Japan were fighting for their existence.

When, some months later, I asked Chou Tze-chi why he had selected these lines for the Americans to build when he knew they were filled with dynamite, he answered: "Why not? The American contractor came to Peking and was introduced to us by the American Minister who stood sponsor for him. We had every reason to believe that he enjoyed the full confidence and backing of Wash-

ington and we deliberately selected the five lines conflicting with the prior rights of other Powers in the hope that the American Government would make good on its Open Door policy. For that reason, *we were willing to pay the price, even though it meant the revision of every other Chinese railway agreement and reviving foreign participation in the profits of the lines.*" This will be explained further.

The fact that the preliminary contract was maintained secret for over four months, convinced the Allies that the United States intended to take advantage of their desperate situation and they came together in a common understanding to defend their interests. It was a public secret in Peking that the Powers would wait and see how far the Americans would go before protesting, not that they opposed American capital entering China, but because they were indignant that the lines selected conflicted with rights previously conceded to them by the Chinese Government and that the issue of the Open Door was precipitated at a time when they were almost powerless to defend themselves.

The State Department, as usual, wrote notes upholding the Open Door, but the more it fumed, the more determined became the others to thwart what they considered an unfair attempt to deprive them of their rights. Had expert advice been called in, there were many profitable and necessary railways which could have been selected for the American company to build without conflicting with the rights of other Powers. As it was, the Chinese, still hoping to entangle the United States with the Powers over the Open Door, continued to specify lines that could not be built without raising the issue. The State Department finally concluded that there was no place in China where American capital could build railways. In this it was wrong. The door was open but we insisted on jumping

claims staked out by others, ignoring equally desirable prospects that would have returned rich rewards to our investors and to our trade.

In addition to the Siems-Carey canal and railway contracts calling for loans aggregating \$200,000,000, the banking firm of Lee, Higginson & Company, the Continental and Commercial Bank of Chicago and the Pacific Development Corporation, entered into loan agreements with the Chinese Government, which, if carried out, would have added another \$100,000,000 to our investments in that country. The Lee, Higginson loan agreement was perhaps the cleanest, the most honorable and most equitable ever signed between foreign financiers and the Chinese Government. For the first time in the history of Chinese loan agreements, the security was the general revenues of the State, guaranteed by the good faith and honor of the Chinese Government. The Chinese Government exercised its right as a sovereign state to appoint Lee, Higginson & Company as its fiscal agent in the United States.

This loan was arranged on behalf of the Chinese Government by my partner, Mr. W. H. Donald, and although I do not feel at liberty to reveal information not mine to divulge, the main outlines of the transaction are public property. President Wilson had withdrawn support to the official American group of bankers. The door to equal opportunity was again open. The Chinese Government took advantage of this situation to restore its sovereign rights and free itself from a foreign-imposed financial monopoly. In order to consolidate its position and make impossible any reimposition of the American monopoly, the Chinese Government appointed Lee, Higginson & Company its fiscal agents in the United States.

The loan agreement was for \$30,000,000. One million

was paid down as "bargain money" on the first installment of five million, the balance to be paid in two weeks. The loan agreement that would have restored China's sovereign rights in financial matters and destroyed the illegal monopoly set up by the State Department could not be carried out after the first million that clinched the bargain was paid over. This was not an ordinary transaction involving merely a commission and flotation profits for an American banking firm. The sovereignty, independence, dignity and self-respect of the Chinese Government was at stake. The principle of the Open Door for China itself was involved. As in the struggle to consolidate the power of the Chinese Government over the whole country through the construction of a state railway system, the Lee, Higginson loan sought to establish its complete financial independence and as in the railway loan contracts the terms were the lowest and most favorable ever conceded to a foreign country by "international finance." The Lee, Higginson loan agreement marked another step forward on China's road to freedom.

The loan did not go through. What stopped it? Only a senate investigation could establish the truth. The inference to be drawn, however, is very clear. Nothing could legally prevent the floating of these Chinese Government bonds on the American market except an opposition so strong as to override the law, and such opposition could emanate only from the highest authorities in Washington and enforced not as law, but as policy. No explanation can set aside the fact that here again the sovereignty of China was outraged and trampled upon. The door to equal opportunity remained closed against the entrance of independent American capital and to China was denied her sovereign right to conduct business with independent American bankers.

## UNDERMINING CHINA'S SOVEREIGNTY

The Siems-Carey railway contracts were negotiated in Peking while I was in the United States engaged on other work for the Chinese Government. I knew nothing about them until my return to Peking in July, 1916. When my Chinese friends informed me of the agreement and the financial terms, I was amazed and alarmed. The international political significance of the contract was bad enough but as applied to China it spelled revolution and the overthrow of the government. In all the early railway concessions extracted from China by the Powers in 1898, there was inserted a clause conceding 20 per cent participation in the profits of the lines to the foreign bondholders, an innocent enough and perhaps fair enough provision. The American Canton-Hankow concession set the precedent. The Chinese later came to construe this as conceding to the foreigner a part ownership and with the attitude of Russia in the Chinese Eastern Railway before them, they became alarmed that this clause might be employed to justify foreign intervention in the event of non-payment of interest or any internal outbreak which might serve as a pretext for the dispatch of foreign troops for the protection of the lines. Temporary military occupation for the protection of a railway property might easily lead to permanent loss of sovereign rights.

It therefore became the fixed and unalterable policy of the Chinese Government to recover its full rights and the enjoyment of all the profits from the operation of its state railway system. Pursuant to this program, the old concessions were rewritten when the final loan agreements for the construction of the railways were signed, and the foreign bondholders indemnified for the surrender of the profit-sharing clause. As I recall, it had cost the Chinese

Government something like \$17,000,000 to eliminate this clause.

The Japanese and the Germans in their railway loan agreements had stipulated that if in the future more advantageous terms were granted to foreign financiers in connection with railway loans, those terms would apply also to their agreements. So when this clause was revived in the Siems-Carey agreement, it applied automatically to the Japanese and German concessions. Sir John Jordan, the British Minister, informed me that his Government would also claim the same benefit. France would have followed and the profit-sharing clause with all that it implied to China's sovereignty would once more have been fastened on the country.

The antagonism to foreign participation in the profits of state-owned railways is deep-rooted. The attempt to nationalize the railways and deprive the independent provinces of participation in their management and profits, precipitated the revolution in 1911 which ended by sweeping the Manchus into the dust-bin. Sheng Kung-pao, the Minister of Communication, who was responsible for the plan, one of the most powerful officials of the old régime, dared not face the temper of the people when the storm broke. His life was saved from the mob through the intervention of the American Legation which provided him with an armed escort to Tientsin from whence he fled ignominiously to Japan, there to end his days in exile. Dr. Sun Yat-sen informed me in terse, clear-cut language that if the Siems-Carey contract was executed, it would start another revolution that would sweep all foreigners from the country. Even Liang Shih-yi, the most powerful official of China, the right hand of President Yuan Shih-kai, who had held the post of Director General of Railways for many years, clearly saw the danger and remonstrated. He refused to accept any responsibility for

the terms of the agreement, but was over-ruled by the younger element.

I placed all the facts before the American Minister (Dr. Paul S. Reinsch) and urged him in behalf of American prestige, honor, and friendship for China, not to persist in forcing through the Siems-Carey contract on those terms. I was informed in severe, glacial tones that I could not tell him his business as American Minister. He knew what he was about and intended to uphold the contract with all the diplomatic force at his command.

There was nothing more that I could do. My usefulness to China for the time was finished. In order not to become involved in the controversy I turned the management of my magazine over to my partner and editor and left China in December, 1916. When the United States declared war against Germany in April, 1917, Colonel Van Dieman, who was then organizing the Military Intelligence Division, offered me the post of military attaché in Peking or in Madrid. I requested to be sent to Madrid, as I could not serve under Dr. Reinsch and give him that loyalty and complete sympathy that the post called for. A regular army officer, Major John S. Lang, was assigned to Madrid and I was ordered there as his assistant. When the war was over and the delegates assembled at Paris for the Peace Conference, my Chinese friends invited me to join them in the capacity of Technical Secretary or Adviser to their Technical Commission and design a national railway system and outline a plan of coöperation with the new Consortium, then in process of organization in Paris. I have explained what happened there.

#### JAPAN STEPS IN

While these American activities were complicating the situation in China for the other Consortium Powers, an



independent Japanese group loaned the Chinese Government about Yen 200,000,000 (\$100,000,000 U. S. Currency) in exchange for valuable concessions and rights. In principle, there was absolutely no difference between these so-called Nishihara loans and the three independent American loans. Had the American bankers carried out their agreements to the letter, the amount of American capital loaned to China would have equalled the total of the Nishihara loans. If to this be added the sums involved in the canal and railway contracts, American capital to the extent of two to three hundred million dollars would have flowed into China.

The American contracts were not executed. American capital did not flow into China. Japanese capital did. That is the whole story. Because we maneuvered ourselves into an untenable position while Japan was forging ahead and reaping what seemed to be tangible rewards from her investments, the campaign was started in Peking to make the American people believe that Japan was taking advantage of war conditions to bring China under her financial vassalage. The Nishihara Loans were bitterly attacked and the Southern Chinese leaders, always eager to follow the lead of the United States, declared the Japanese loans illegal, and unconstitutional, announcing that they would never be recognized or repaid. In effect, they were repudiated outright and American opinion supported the Chinese, ignoring that if the Nishihara loans were invalid, so were the Chicago and Pacific Development loans.

#### WILSON REVERSES HIS POLICY

In order to stop Japan from gaining any further advantage in China during the progress of the war, President Wilson was prevailed upon by his pro-Chinese advisers to reverse his policy and revive the monopoly. In

1918, the State Department extended invitations to Great Britain, France and Japan to form a new Consortium for financing China, promising Britain and France that the American group would underwrite and carry their portion of any loans advanced to China pending such time as they could participate on an equal basis. In the negotiations leading up to the final agreement between the four lending Powers, the full weight of American diplomacy was concentrated upon forcing Japan to pool her special railway rights in Manchuria in the new Consortium. Japan held that these rights were essential to guard not only herself but China against "*the menace from the direction of Urga*" and finally refused to consent to any further impairment of rights deemed essential to her strategic security. Harriman's plans to purchase the South Manchuria Railway; his attempt to achieve his object by acquiring the right from China to build a parallel and competing line that could be used as a lever to compel Japan to sell out; Knox's neutralization plan involving the internationalization of all railways in Manchuria and the pressure applied upon Japan to pool her Manchurian concessions in the new Consortium, all seemed to indicate the existence of some set program or policy on the part of the American Government to deprive Japan of these railway rights in Manchuria and so impair her security to the point where she would be unable to properly defend herself against a Chinese or Sino-Russian combination for her subjugation.

The American Government has been well within its treaty rights in every controversy over Manchuria since 1905, yet the fact remains that if all our moves had been successful, Japan by now would have been fenced in, encircled, confined to a water-tight compartment, condemned to commit race suicide and face extinction while Russia and China were conceded every opportunity to

expand in a territory over which Japan has fought two wars to safeguard her independence and provide an outlet for her mounting millions.

#### A LAST NAIL IN CHINA'S COFFIN

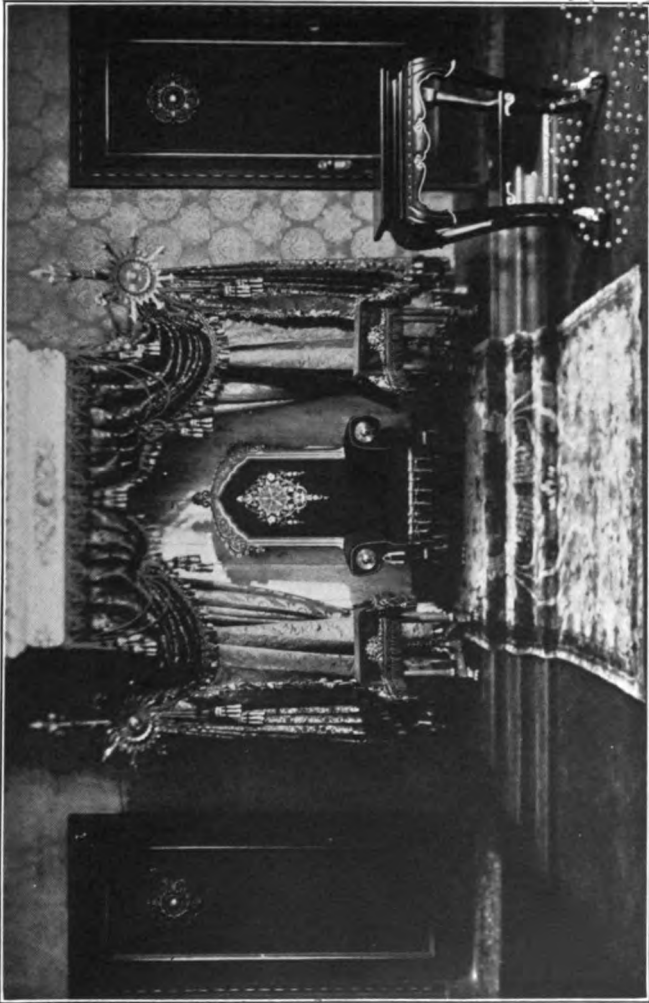
Once more in 1929, I was requested by Mr. Sun Fo, Minister of Railways in the new Nationalist Government, to design another system of ten thousand miles of essential trunk railways that would not conflict with lines pooled in the Consortium but which would help the new régime to consolidate its power and develop the resources of the country. Again I was honored with his power of attorney to negotiate with American bankers the financing of the scheme. But nothing could be done without the participation of the other members of the moribund Consortium and it was then too late to revive interest in it. Independent American capital might have financed the deal, but the dead-hand of the Consortium made this impossible. American capital will not go into China alone, nor will we permit any other Power its full liberty of action. After twenty years of hopeless struggle, butting against the stone wall of American inertia, selfishness, bureaucracy and official monopolies, I may be pardoned if I now incline to the belief that our own wobbling diplomacy and ignorance of conditions is largely responsible for the fact that China is now in chaos and anarchy.

#### BOMBERS SUPPLANT RAILWAYS

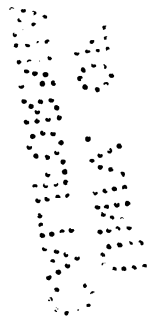
If I have overstepped the conventions in referring to what may be interpreted as a personal disappointment over matters which cannot be supported by any published official records in this country, it is because it is the only way I can convey something of my reactions to policies

which might otherwise savor of disloyalty. The international politics behind the lines embraced in the various schemes for a national system of Chinese railways, my personal experience abroad as the duly accredited representative of the Chinese Government, together with all correspondence, reports and instructions, are and must remain Chinese official documents, not mine to divulge. It is permissible, however, for me to refer to the outstanding facts of a long-drawn out fight on the part of this Government to establish firmly its sovereign rights and combat a financial monopoly which made impossible any move on its part to consolidate its authority and unify the country through the only practical means whereby such unity could be achieved.

The United States had every opportunity to live up to its protestations of friendship for China in a practical manner. She did not have to fight for the chances. They were handed to her on a silver platter by the Chinese. At any time during the last two or more decades American capital could have built railways and financed other useful enterprises in China had our Government been more concerned in building up markets for American manufacturers than it was in splitting hairs over a doctrine originating in England and slipped over on this country to promulgate and defend. By creating a financial monopoly for four favored banks in order to sit in the international game in the hope of benefiting China, we merely stood in the way of her free development and unification, and in so doing, paved the way for the final collapse of all authority and the triumph of Communism. Now when the country lies prostrate, overrun with bandits and Communists, and loans for railway construction are out of the question, we fight for the orders to supply the Chinese Government with bombing airplanes and consent to officers, trained in



THE IMPERIAL THRONE OF MANCHOUKUO



our army and possessed of our military aviation secrets and tricks, taking service with the war-lords, teaching the young Chinese how to bomb and kill a desperate, starving people who have risen with arms in their hands as the only way to obtain justice and assure their right to exist.

#### WANTED; A POLICY

What I have had to say may be interpreted as a criticism of our State Department. It is not so intended. It is meant to expose the utter fallacy and futility of a doctrine that, since the subordination of principles enunciated by President Monroe to the newer conception of our relations with Latin America, embraced in the policy of the "Good Neighbor," has become the cardinal feature of our diplomacy. As the Monroe Doctrine has been construed, interpreted, stretched and applied to cover and justify our interventions in Latin American affairs, so the loosely defined Open Door principle has been invoked to excuse and defend our intrusion into Asiatic affairs without any definite plan or idea of what it meant or how we were to profit from it. It means, in plain words, that we are upholding a policy incorporated into international law under which the picayune amount of \$130,000,000 of American capital has found investment in China. This tells us that American investors are not interested in China. They refuse to hazard their capital in that country even if the door was open for them to do so, which most assuredly it is not. It means that our government is upholding a principle that cannot be applied in practice, for the reason that it is now and always has been, impossible to sell the bonds of the Chinese Government to an American investor without the guarantee of the State Department that the loan will be protected. This the State Department cannot give.

The exposition of facts concerning our policy towards China is to invite attention to the fact that we have no fixed national policy. The first duty of government is to provide for the defense of the nation entrusted to its care. This no Government of the United States has ever done. The nation is always unprepared, always exposed to attack, yet its statesmen draft and apply laws for the rest of the world to obey, embark on crusades for universal peace and sign perpetual treaties while other nations are rapidly arming. It will condone one nation in breaking its treaties, concede a charter of license to another nation to do as it pleases and then grow indignant and admonish another nation for defending itself against the inconsistencies of its diplomacy.

If this be an indictment let it stand as such. But it cannot and does not reflect on the sincerity, usefulness or capability of any one official or group of our foreign service officials. It does, however, constitute evidence of the utter lack of cohesion, of coöperation and of understanding, of the urgent need of some fixed, continuous and intelligent policy that the nation at large will endorse and, if needs be, fight to uphold.

In the face of indisputable facts revealing the vacillating character of our Far Eastern diplomacy over a period of three decades, the truth is forced upon us that there has been no continuous program, no adherence to principle, and no intelligent direction that would have brought tangible rewards in trade to the nation. On the contrary, the facts reveal that we are not interested in trade or investments, that no American capital will venture into China even under a guarantee of protection from its government, that such trade as we now enjoy (aside from oil and tobacco) has been made possible through the investments of other nations in developing the communications, industries and resources of China. The facts and figures



further go to prove that all loose talk of going to war over the Open Door reduces itself to fighting for our right to give away money, to continue in business as a charitable institution, with China as our pet charity.

## CHAPTER VIII

### AN INTERNATIONAL RACKET

ONE does not have to be a missionary bishop, college president, millionaire philanthropist or high ex-government official, obviously, to be a friend of China and the Chinese people. There have been, and are, others working quietly behind the scenes with the Chinese to evolve some practical plan that will give reality to the dreams of solving the riddle that is China. And why should they not be? Does not China constitute the most stupendous mass tragedy of the ages? Are there not more human beings living there in agony and dying miserably because of conditions that exist quite unnecessarily, than anywhere else in the world? Is not the opportunity to alleviate human suffering greater here in China than it ever has been anywhere since time began?

But my experience has been in thirty-two years that practical plans for constructive change devised in China never got anywhere. Such plans in the peculiar set-up of the Orient soon became known and the impractical theorists and idealists that have chosen China for their own and who never had a practical idea in their life and would not recognize one if they saw it, proceed to discredit them. There exists keen competition, intense jealousy and bitter rivalry between the professional "friends of China" for the kudos and emoluments attached to any scheme for the salvation of that country and any plan which does not have their approval, or in which they have not been invited to participate, is foredoomed to failure. No scheme for helping China could be drawn up in the United States with-

out the endorsement and approval of a group who for the past three decades have practically dictated the policy of the State Department in regard to these matters. They have forgotten nothing and learned nothing. Saving China has become an international racket in which agencies so dignified as the United States Government and the League of Nations have felt called upon to take a part. And in doing so these agencies accept the conventional formula of the professional "friends of China" without question.

No honorable American who has worked so long with the Chinese as I have and who has been entrusted with their most important financial missions, can fail to have a deep personal affection and regard for those with whom he has come into close contact. No foreigner could hope for such confidence and trust unless he had a thorough and sympathetic understanding of their problems and was able to devise practical plans for their solution. My friendship and intimacy with Dr. Sun Yat-sen from 1911 to the time of his death in 1925 is a cherished memory. My relationship with him revealed to me a character so open, sincere and patriotic, a man guided at all times by a high sense of duty to humanity and to his people, that I could not but love, admire and respect him for these qualities and defend him against his enemies. I recognized in Dr. Sun something of the same type as those who guided the early career of my own country and made it what it is today—a man of the people, deriving his power and influence from the love and trust of the people, from those masses of lowly peasants and humble workers bowed under the weight of toil and sorrow and with no hope of escape from their miserable lot or a betterment of their condition, except through the establishment of some new system of government, under which their rights as human beings would be recognized and laws enacted and enforced for safeguarding them in these rights.

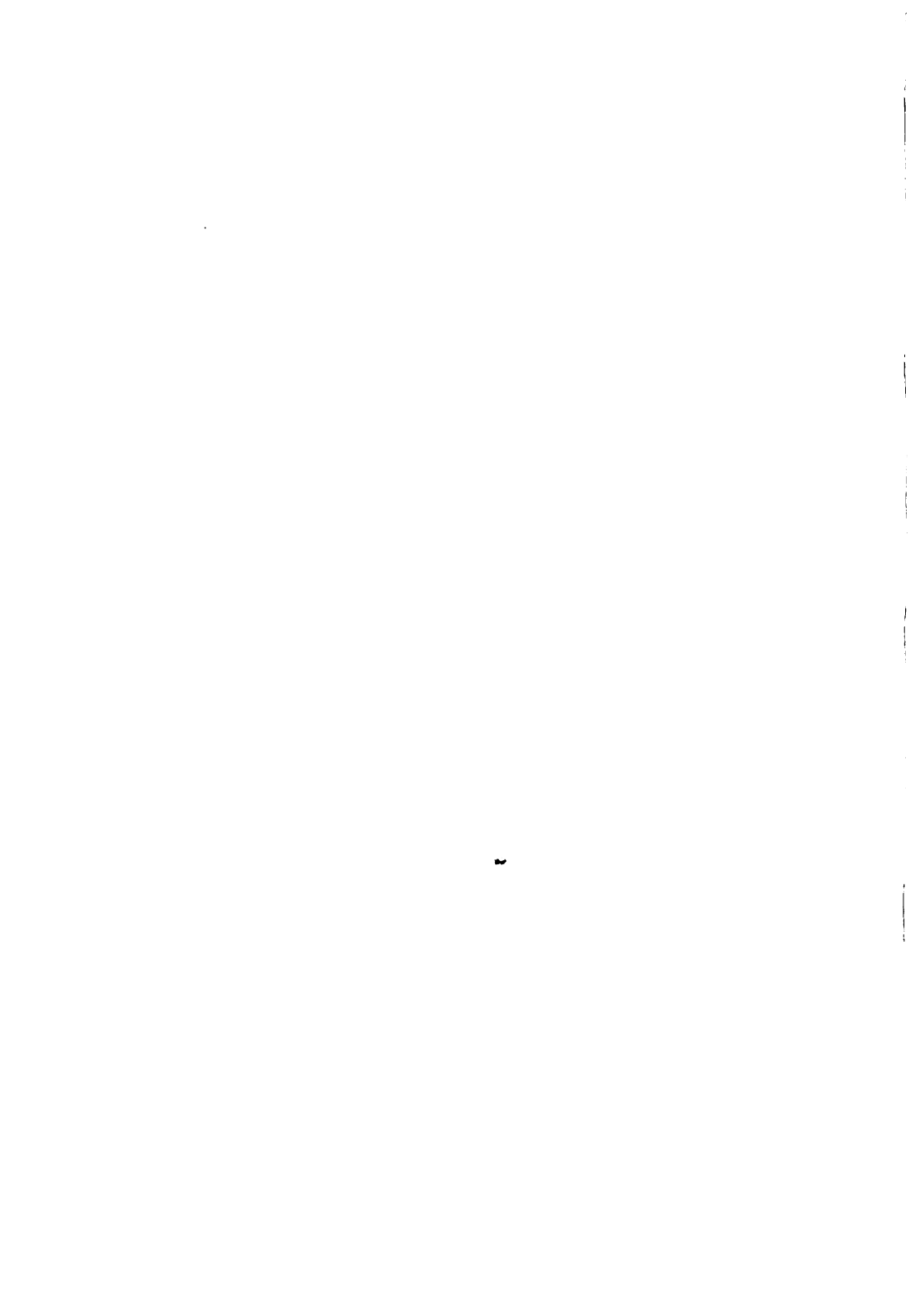
Somewhat of a dreamer, highly impractical in administration, with little executive ability and a strong leaning towards socialism, Sun Yat-sen was above everything else, all that an honest man and a patriot should be, yet quite incapable of mastering the overwhelming task of unifying China. Had he lived I would still be with him, with the assurance that the people he loved would not now be passing through the agonies of a despair that has driven them to take up arms against those upon whom his mantle has fallen and who have betrayed their trust. As the ferocious wars for supremacy with the slaughter of millions of innocent people continued unabated, I long ago declined to further be associated with any one faction or war-lord usurping the powers of government in China and arrogating to itself the right to impose its authority by the sword over the whole country.

For some years past, I have held to the opinion that the only humane, practical and lasting solution to the problems of China was to establish each province as an independent entity—which it is in fact—delegating certain powers to a centralized control, and so put an end to these senseless civil wars which, in the last decade, are responsible directly or indirectly for the deaths of twenty-five to thirty million people. When invited by the government of the new and independent state of Manchoukuo to accept the post of adviser, I did not have to do violence to my convictions, as I recognized that here was the first step towards erecting a Chinese state that might constitute an actual, permanent government functioning for the benefit of its citizens. China, divided into proper states each in some way stabilized in its government and all bound into a loose union, might turn the trick.

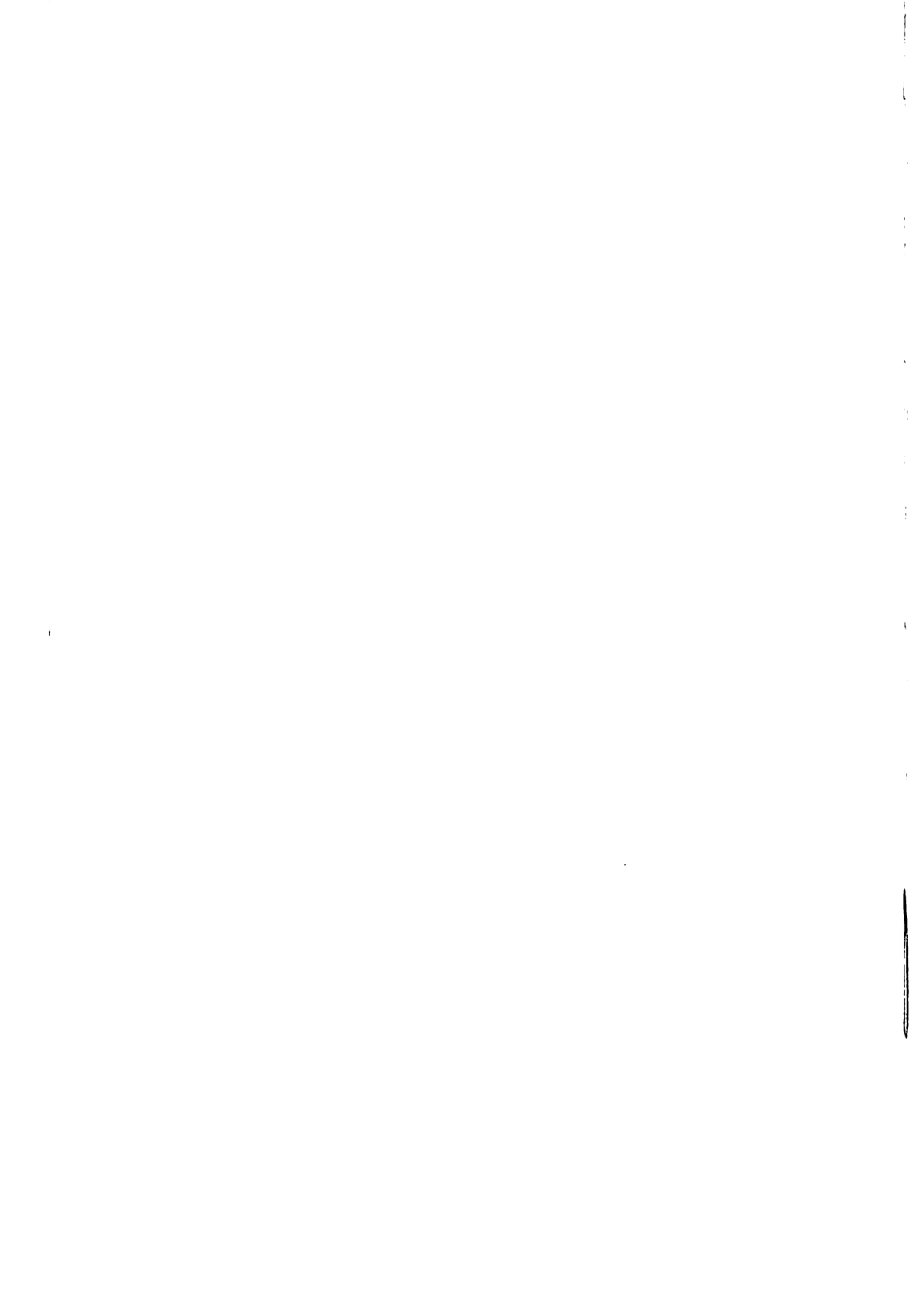
I had my own views about Japan's rights in Manchuria based on the facts of history, which I still hold and which no arguments can shake. I firmly believe what I have al-

ready made clear that, by all just law and the rules of war, Japan is entitled to receive from China a full cash compensation for her part in the Russo-Japanese War or, in lieu of this, the territory that was lawfully ceded to her in 1895 and which she was coerced by overwhelming force to return. When, however, Japan announced that she waved her legal and just claims and would recognize the absolute independence and sovereignty of Manchoukuo and support the new state to defend its independence, it seemed to me that far from being an act of aggression or territorial conquest, it constituted one of the most striking gestures of self-denial and altruistic statesmanship recorded in modern history. Japan has announced that her basic policy in Manchoukuo is a most scrupulous regard and respect for its independence and sovereignty, and there is no more reason to doubt her pledged word, question her intentions or impugn her motives than other nations have to be skeptical of our own promises to grant ultimate independence to the Philippines.

It is with this background and in this spirit that I have espoused the cause of Manchoukuo, not to plead, not to defend, but to accuse and arraign those who have outlawed the new state. If, at times, I am compelled to explain and defend Japan's acts and policies, it is because the interests of the two countries are identical and as the years pass they must become more and more intimate if they are to survive in the struggle for existence now looming so ominously in that part of the world.



**PART II**  
**MANCHOUKUO ARRAIGNS ITS JUDGES**





## CHAPTER IX

### CONDEMNED WITHOUT A HEARING

**T**HE case of Manchoukuo has been tried in a court from which there is no appeal. The defendant has been convicted and sentenced by a group of judges interested in the case, interpreting its own laws and applying its own procedure. The fundamental condition to the administration of justice has been set aside and the result is that thirty million human beings have been penalized and ostracized for aspiring to freedom and equality and asserting that right by declaring their independence of a government existing only in the imaginations of their judges. Experience has demonstrated the fact that purely political courts called into being to pass judgment on purely political cases, will always obey the appointing power, discharge faithfully its instructions and pass sentence according to its interests. As it has been found difficult even in the United States to keep politics out of law and the administration of justice, how much more difficult must it be to keep politics out of an international court presided over by judges each having the special interests of his own country at heart and which he is committed to defend and advance? Whereas there might be some hope for an impartial verdict in secondary matters where these national interests do not violently come into conflict, there can be no compromise or unanimity when broad national policies and issues of vital importance are at stake. Whether it be the Court of International Justice at the Hague or a League of Nations Commission constituting itself into a court *in situ*, their verdict in any dispute affecting the

power, prestige and usefulness of the League, that is, itself, must be in its own favor.

This is what happened to the case for Manchoukuo. The new state has been tried, condemned and cast out without the opportunity of being heard in its own defense. Law intends that every individual should have his day in court, that no one is to be condemned, punished or deprived of property in any judicial proceeding, unless he has an opportunity of being heard. Law always coincides with reason; it does not compel the impossible. Laws failing, we must act by the laws of nature and these laws are unchangeable. Regard must also be had to the intention and not the result of a breach of the law. Policies should be adapted to the law and not the law to policies.

#### A BASIC PRINCIPLE

The state is no longer the patrimony of any one man, sovereign, monarch, president, dictator or war-lord. The people of China as a whole or of any one of its many component provinces, are as much the sovereign power as the people of the United States. We cannot break down the lines which separate the states and compound the American people into one common mass. If this be the basic principle in our own conception of government, it must apply with equal force to the peoples of the various independent states which go to make up what is geographically known as "China." If Americans appeal to the great fundamentals of humanity and law as justification for their own independence, these principles must also extend to all other human beings. After all, it was the Chinese philosopher, Chou Kung (1000 B. C.) who first enunciated the principle that "the people are the foundation of the state" and, that "the will of heaven is the will of the people."

In presenting the case for Manchoukuo, it is not because it needs any defense. Its rights are self-evident; the

mere statement of facts precludes an adverse judgment. There is no inferiority complex in laboring these facts, nor is there any attempt to gild the lily by an appeal to principles universal in their application. The great mass of the people of Manchoukuo—and this includes all China—may be ignorant that they possess rights but that does not mean that these rights are non-existent. Laws are made to protect and not despoil and before I conclude it will be seen that, instead of upholding and protecting, the laws have been framed to hold these people in endless slavery.

SENSE OF HUMOR LACKING

I am willing to admit that any attempt to endow a people with attributes they do not possess is farcical and quixotic and can only serve to breed suspicion and doubt. But after all, we must preserve a sense of humor. If it brings no smile of incredulity and amusement to read the volumes of propaganda eulogizing the present régime in Russia; if without effort we can swallow the Kuomintang camel that 500,000,000 illiterate Sons of Han are ready to die to the last man in defense of the Three Principles of Sun Yat-sen; or believe that the New Deal has become the Bible of all the people of the United States; surely we need not strain at the Manchoukuo gnat which merely proclaims that its thirty million people are sufficiently intelligent to know on which side their bread is buttered. Whether they possess this intelligence or not is beside the question. These attributes must be presumed, as in the last analysis, they merely express the fundamental animal or human instinct of self-preservation.

CONDEMNED WITHOUT A HEARING

The League Commission of Enquiry which investigated conditions in Manchoukuo concluded its report with cer-

tain resolutions which were accepted as final. A fact-finding commission converted itself into prosecutor, jury and judge and condemned Japan and Manchoukuo in a verdict from which there is no appeal. All that any people or state can reasonably demand is that its side of a controversy be heard and considered impartially. In consenting to receive the League Commission the Government of Manchoukuo assumed that it was merely a fact-finding body that would report to the League Assembly where, if necessary, Manchoukuo would be permitted to rebut any unfavorable or false evidence before final judgment was delivered. But the League does not function as a court. Affirmations and denials are the order of procedure and vital evidence which determines a case in law is buried beneath an avalanche of oratory. Apparently no machinery exists for establishing legal facts. Every statement transmitted to the Secretary General of the League by the Government of Manchoukuo was consigned to the "archives" and in several instances where the Japanese delegation requested circulation of this information to the Members of the Assembly, an immediate protest was forthcoming from the Chinese delegation. Manchoukuo must therefore appeal to the court of public opinion.

There are always facts never heard of during a preliminary investigation which come to light when the case is up for trial. Still further facts appear in any review or appeal of the case to a higher tribunal. In the short time at its disposal, the League Commission could not be expected to uncover all the facts and settle a controversy that bears a striking resemblance to disputes, which, over the centuries, have disrupted Europe and which still persist as one of the major causes of future wars. No international court or conference has achieved more than a temporary truce in these ceaseless struggles over boundaries and where any semblance of stability has been arrived

at, it has been by the imposition of force and maintained by the fear of force. Yet a group of four distinguished Europeans and one American with a staff of experts disposed of one of the most complicated and explosive problems of the age in the world's area of greatest chaos in the same manner and spirit that the Conference at Paris remade the map of Europe and with the same unsatisfactory results. Europe is again on the brink of war and we are headed for an explosion in the Far East.

The League Commission arrived on the ground in Manchoukuo when the new state was in process of formation. It was a commission composed entirely of Westerners and obviously, the West and the East are so unlike that the one can comprehend the other with great difficulty. Furthermore, the commissioners were viceroys, governors, pro-consuls, men used to power and command, men whose experience disqualified them from approaching the problem of Manchuria from the viewpoint of an oppressed people. The situation called for men of the people, men who understood the people and the needs of the people. The Western Powers saw only the military situation.

Naturally, there was much confusion and conflict of opinion when the commission visited Manchoukuo. The founders of the new state had not had time to prepare their case nor had they the understanding of the requirements of this visiting august body from the other side of the world, speaking various strange tongues. Unlike the Chinese revolutionists at Nanking in 1911, Manchoukuo had no expert foreign journalist to draft and give world publicity to its manifestoes. There was little time for or skill in the preparation of documents setting forth their case and having all this translated into scholarly English. Time was the essential quality in their task. It did not require any great perspicacity on their part to sense that the attitude of the commission was unsympathetic, if not an-

tagonistic, and they were not keen about furnishing information that would undoubtedly have been utilized against them in arriving at a decision that would hand them back to the tender mercies of their old tyrant or some trustee for his interests masquerading under the title of commissioner general appointed by Nanking. Their lives were at stake. They could take no chances. They were utterly unprepared and utterly incapable of proper preparation. Yet facing such an unsympathetic court, dominated by a psychology that was beyond their comprehension, a Cardinal Richelieu or a Disraeli would have had to look to his laurels. Under such circumstances, their proclamations, manifestoes and documents when hastily translated into poor English failed to convince. The Fathers of the American Revolution, in presenting a cause to which they were born, had two full years to examine into and prepare their defense and when independence was declared, a document was produced that will stand for all time as the highest expression of human wisdom and the rights of man. But these poor Manchurians must ride in from their bleak plains on their shaggy ponies and, over night, set up their case for the examination of these strange members of a civilization that for them floated so vaguely in a mist of half comprehension.

## CHAPTER X

### MANCHOUKUO IS NOT CHINESE

**I**T is impossible for the highly advanced democratic West to understand what goes on in the minds of the people of the East. The thought processes and mental reaction to the same problems are never alike. Democracy, republicanism, self-government, the rights of man, liberty, justice and those ideals upon which our own civilization and forms of government have been laboriously erected, are not easily grasped by peoples whose conception of good government is based on an entirely different outlook. But beneath all the misunderstandings there is one common denominator which equalizes both faiths. The West invokes the Deity as the spring-head of all earthly justice, and whatever is done in His Name is legal, binding and unchangeable. It becomes the Law of God. For a pagan people to invoke their conception of the Almighty in justification of their acts is considered by the Christian West as a sacrilege, an intolerable impertinence, if not a huge joke to be laughed and ridiculed out of court. Yet these lowly peasants of Manchuria—and of all China—have their own deeply ingrained respect for a Divine Providence that watches over their lives and affairs, expressed as the Will of Heaven, the identical principle and conception of God as invoked by the West.

Even in the United States full harvests, good business, general prosperity and prolonged peace are capitalized by the party in power as a just reason for its continuance in office. It takes the credit for good times, and shoulders the

responsibility for reverses. The Chinese system of immemorial antiquity is not dissimilar. Good crops, abundance of food, general prosperity and peace is a sign that Heaven smiles on its regent on earth, but when wars, floods, famines, droughts and pestilence bring prolonged suffering and death to the people, it is a sure sign that Heaven is displeased, that the dynasty in power has exhausted its mandate and out it goes into the discard, just as bad times in the United States calls for a change in administration. We "turn the rascals out."

In the case of Manchoukuo, the American people cannot understand what to their mind is an uncalled for and seemingly irreverent invocation of Heaven in its affairs, but after all, it would be just as difficult for them to explain to the Chinese or even to other Christian nations what they mean by Manifest Destiny, God's Own Country and appeals to the Deity in explaining their own rights to liberty and interferences with the affairs of other countries arising out of their conception of a Divine mission to reform the world.

#### AN UNPRECEDENTED CONCEPTION OF SOVEREIGNTY

The decision of the League that sovereignty over Manchuria belongs to China raises an issue that precludes any further submission of the dispute to judges who reject any and all evidence which conflicts with the appeal of a member state they are committed in advance to support. The decision violates all law, equity and common sense, laying down an entirely new and unprecedented conception of sovereignty based on unscientific and incomplete population and immigration statistics. The legal relationship of Manchuria to China was never in question before 1911. No rational being would dispute the absolute right of the Manchus to sovereignty over their homeland up to that



year; no arguments can set aside the legality and binding force of the Abdication Agreements between the Manchus and the Republic, sacred and solemn contracts incorporated into the fundamental law of the Republic, and then callously violated as to every clause; no proof can be adduced to support the contention that the Manchus have died out; so the claim of China to sovereignty over the territory of the Manchus reduces itself to the contention that since the Russo-Japanese War (1905) the influx of immigrants settling on the land has determined the ownership of the soil and that the right of sovereignty is coexistent with this occupancy.

The claim is so far-reaching, involving rights and interests and impeaching titles which have never been questioned in centuries, that they cannot possibly be disposed of by a commission which, instead of acting as mediators, constituted itself into a court from whose decision there was no appeal. To go back only to the Manchu conquest of China in 1644, we find that these strong men of the North, throughout their long rule over China, with their Mongol and Manchurian-Chinese allies, have occupied and held by right of possession all the territory north of the Great Wall as part of their homeland. It has been a reservoir from which to draw troops for replacements to hold their conquest and a safe retreat in the event of defeat. Sitting enthroned in Peking, they proclaimed their homeland a Crown Area, a closed preserve, and enacted stringent immigration laws to keep the Chinese out. They then prohibited intermarriage between the Bannermen (the Manchu Military Establishment) and the Chinese and enforced these laws up to within a few years of the abdication of their emperor as sovereign of China. Then they had their rights stipulated and recognized in solemn treaties which became the fundamental law of the new Republic.

The Chinese claims to sovereignty, based on the records of ancient history, have no force in law. Whatever rights they may have enjoyed in the dim and distant past to certain fringes in Southern Manchuria are lost, forgotten and invalidated by three centuries of Manchu occupation and sovereignty. Any Chinese claim to sovereignty over Manchuria must therefore be based on its nominal incorporation into the so-called Republic at the time of the abdication as defined by the terms of the Abdication Agreements. This basic charter has been ignored by the foreign Powers who, in subsequent treaties with the Republic, have agreed to recognize and respect the territorial and administrative independence of a state that has never been properly delimited, defined or constituted, a perpetuation on paper of an empire which collapsed and disintegrated into its component entities with the dissolution in 1911 of the Manchu authority.

The Republic of China, so-called, has no legal existence. It has no constitution. There are no pacts or agreements uniting the independent states. There has been no delegation of the powers of the people to the governments of these states and consequently no delegation of the powers of the states to any central authority to govern in their name. The only unifying cement which binds these parts together into any semblance of a whole is the crushing weight of military force, a purely arbitrary and predatory power, recognized by the Powers as the legitimate successor to a system that despite all its weaknesses and shortcomings, ruled these heterogeneous groups as independent entities and, in so doing, preserved the peace.

#### ORIENTAL SITUATION MEASURED BY WESTERN STANDARD

These legal postulates carried no weight with the League Commission or the League itself, which rested its decision

on the novel and arbitrary ruling that Chinese immigration since 1905 had determined the ownership of Manchurian soil and that this occupancy carried with it full sovereignty. Here we are confronted with a territorial problem of a large scope, one which cannot be decided off-hand by any court that might deprive the Manchus (Manchurians or Mongols) of their legitimate rights, no matter how many Chinese swarmed into their country after the power to regulate immigration and defend their inheritance had been surrendered temporarily under the terms of a solemn treaty confirming them in their rights.

The British Government, in the dispute with Venezuela over the frontiers of British Guiana, placed fifty years' actual occupation as a fair time limit for acquiring full title of sovereignty and even this theory was advanced to cover a virgin, uninhabited wilderness where only the rights of roving savages entered into the question of ownership. The Chinese, supported by the League, narrow the time limit down to twenty years of occupancy, not by a massed migration as is commonly reported and accepted, but by a total influx of not exceeding five million actual settlers out of a native population of 28,000,000 and by a purely nominal political control over the same period brought about and enforced by overwhelming military pressure which ruthlessly put down all opposition to its rule. This is the condition recognized in subsequent treaties between the foreign Powers and the so-called Republic, and from which is derived the only legal title conferring upon the Republic its right to sovereignty over the independent state of Manchuria. To uphold such a claim is contrary to all law, decency and right, a perversion of justice to which no self-respecting people will submit. If the Manchurians now decline to jeopardize their freedom to a further miscarriage of justice, they are upheld in their determination by the position taken by the British Gov-

ernment in the dispute with Venezuela to the effect that such rights cannot be disposed of or placed in jeopardy by submission to arbitration, a point finally acquiesced in by the American Government in consenting to settle the dispute by diplomacy.

## CHAPTER XI

### DOES IMMIGRATION CONFER SOVEREIGNTY?

**T**HE League report holds that the people of Manchoukuo are 98 per cent Chinese who do not want to be separated from their blood brothers south of the Wall, that they prefer misery and serfdom under Chinese taskmasters to happiness and freedom under their own leaders. It is contended that there was no movement for independence before September 18, 1931, no sign of a spontaneous revolution, and, that their independence was forced upon them by Japan. This statement overlooks the fact that Kuo Sung-lin in 1925, Kuo Tao-fu in 1927 and Yu Hsueh-chung in 1930 revolted against the tyranny of the Changs and paid the penalty. The frozen, naked, mutilated bodies of Kuo Sung-lin and his wife were exposed outside the walls of Mukden for weeks to inspire terror in the hearts of the people and as a warning to all other discontents of what would befall them.

The Chinese claim that they overwhelmingly outnumber the native population cannot be substantiated. The only available records show that not more than seven million Chinese emigrated to Manchuria during the last forty-five years and remained as permanent settlers. This leaves 21,000,000 to be accounted for. Who are these people? Where did they come from? For nearly three centuries Manchuria was closed to Chinese emigration and colonization. Every Chinese who entered the country did so under

a passport viséed by the Banner Corps Headquarters (Manchu Military Establishment) in Peking and were conducted to the place where they took up land as tenants of the Bannermen landowners. It is true that many Chinese slipped through the barriers or were smuggled across the borders in the same manner that they evade the American immigration laws. But they were in Manchuria illegally, subject at any time to arrest and deportation, exactly as the majority of Chinese are in the United States today. The Manchus also prohibited intermarriage between the Bannermen and the Chinese. In nearly three centuries of interbreeding between the three privileged classes of Bannermen, they developed a new racial type, which although not pure Manchu, is certainly not pure Chinese.

It would be as difficult to explain how this type differs from the others of the same stock as it would be to define the dissimilarity between the various types classified as British. Despite certain distinguishing characteristics of speech, dress and customs, all such types from a parent stock have the same general outward appearance. Although the law prohibiting the Manchu Bannermen from marrying Chinese was enforced as far as the first or legal wife was concerned, it is quite evident that these hardened Northern warriors garrisoned throughout China were not adverse to adding a few concubines from the prohibited race to their establishments. As to whether the offspring of such unions are Manchus or Chinese is an open question. The Chinese contend that they absorbed the Manchus. Maybe they did. But we have not heard the Manchu side of the story. The Chinese contention is accepted for the reason that not more than a dozen Europeans and Americans would know a Manchu if they saw one. But the subtle difference between the two exists. If the rest of the world, unable to distinguish between the

various Anglo-Saxon tribes should classify them all as English, we would hear a loud and vigorous protest from the Scotch, Irish and Welsh. Should the English presume on outside ignorance of domestic history and of tribal distinctions to the point of insisting that they had absorbed or assimilated the Hibernians, the Celtic Gaels and the Welchmen and to deny to these tribes rights and liberties upon which rests their adhesion to the "United Kingdom," it would approximate the situation in China where the dominant tribe has set itself above the others and prevailed upon the rest of the world to recognize their undisputed right to rule.

It really makes no difference what we call these people who now constitute the great majority of the population of Manchoukuo. Essentially Northern Han by reason of their remote origins, these people are Manchurian by birth, absorbing all the characteristics and outlook of the country, in the same manner that the dominant strain in the United States by the accident of birth and influence of environment are today Americans, ethnically and biologically indistinguishable from their Anglo-Saxon brothers residing in Europe. To advance the claim that, because Chinese immigrants from south of the Wall have crept in, settled on the land and determined the ownership of the soil, they now are entitled to sovereign control, creates a precedent that will fix the law in the settlement of similar disputes in the future. Emigration from any part of China Proper into the homeland of its conquerors gives the Chinese no more rights over the Manchus than the emigration of Spaniards gives to Spain authority over the nations of Latin-America, Portugal over Brazil, England over the United States, France over Quebec, Japan over Hawaii or the Chinese over the Malays in the Straits Settlements and the Federated Malay States.

## THE CASE OF HAWAII

If colonization or immigration to the point where the immigrants outnumber the original inhabitants, carries with it the right of sovereignty, the Japanese with equal logic may lay claim to sovereignty over the Hawaiian Islands. The parallel is identical in every respect. Here we have an American territory whose cultivable lands are owned in the main by a small group of capitalists, who for decades have scoured the world seeking workers who would stick to their cane fields and make their ventures profitable. The territory pays more taxes into the federal treasury than are paid by sixteen states and has turned over to the federal government since annexation some \$150,000,000 more than the government has spent on the territory; a rich possession, whose productivity and capacity for earning attractive dividends has been developed by resorting to the identical methods employed by the Manchu and Mongol landowners in bringing their vast holdings under cultivation.

If we now decide that because of the comparatively small numbers, sovereignty of the Manchus over their homeland has passed to the contract laborers, tenants, assisted and smuggled immigrants brought in from time to time during the past two centuries, are we not setting up a precedent that may some time in the future be appealed to for the solution of a similar problem in Hawaii whose forty sugar plantations are owned by 17,000 stockholders, with the bulk of the stock concentrated in the hands of a group not exceeding one thousand? Out of a population of 368,000, there are only 22,000 Americans, and 22,000 native Hawaiians, which with our armed forces, represent the sovereign power. The Japanese, numbering 147,000, are, in their majority, the second generation of laborers



imported to till the fields for the American landowners. The day may conceivably arrive when this preponderance of numbers in the Hawaiian Islands will create the same dispute which international law (concurring in by the United States) has decided in favor of the Chinese in Manchoukuo.

Sugar, having found a land ideally suited to its production, naturally must have men for the planting and the harvesting. Sugar plantations were large-scale enterprises where laborers could be housed and provided for in extensive groups. Hawaii was without labor. It was but natural that planters should scurry about for workers who could be brought in by the shipload and to whom this sort of work would be so profitable that they would want to stay. To the Japanese, incomparably poor in their native land, Hawaii offered an avenue of escape. The demand for laborers increased and immigration was shut off. It has been necessary to increase wages and to make plantation life attractive. It has come to pass that plantation workers in Hawaii are better paid than farm workers in continental United States. In these islands, undoubtedly, sugar production is on a basis more satisfactory to the workers than any place else in the world.

Nevertheless, we must recall that the Japanese Government protested the annexation of Hawaii by the United States and that Admiral Togo, then in his prime, was aboard a battleship but a few miles out to sea from Honolulu at the very moment. The Japanese issue continues to arise in Hawaii with the question of the loyalty of the second-generation sons of Nippon often under discussion and the military eye of the government always scanning the far-western horizon. But even granting that second-generation Japanese are as loyal as second-generation Germans proved themselves to be during the World War, the

question of Japan's ability to point to Manchuria as a precedent for laying claim to ownership of Hawaii, if the League contention is sustained, is beyond a doubt.

#### THE U. S. DISQUALIFIED AS JUDGE

It is a remarkable commentary on our disposition for entangling ourselves in the affairs of other nations that with all our legal machinery for resolving questions of law, we have as yet failed to determine the exact status of a group of islands upon which our national security in the Pacific now depends. The people of Hawaii insist that the islands are an integral part of the United States, while Congress and the executive departments have frequently ignored the claim, treating them instead as insular possessions. As this is written, a suit is being tried in the Supreme Court of the District of Columbia, to fix the status of the islands and enjoin the Secretary of Agriculture from enforcing the sugar quota prescribed for the islands by the A.A.A. which, in effect, places Hawaii in the position of an island possession, despite the fact that the Supreme Court has said that it is an important territory, which means that it is a state serving an apprenticeship.

If the Government of the United States through its executive branches lays down the principle in any law discriminating against Hawaii as an integral part of the nation and thereby tacitly recognizes its autonomous or independent status, we must not be surprised if later on the decision is invoked to sustain a claim that will hand the destinies of the islands over to the Asiatic group numerically strongest in its internal politics.

A nation that takes thirty-six years to decide a question involving the status of its own territory, can hardly be considered qualified to sit in judgment on the claims of another people whose status is similarly loosely defined. Or

to carry the comparison a step further, it may be said that a nation which has never been exposed to attack and whose security is firmly established (provided it holds on to Hawaii), is not the best judge of the defensive requirements of other countries surrounded by menaces to their very existence.

#### EVADING THE IMMIGRATION LAWS

It may appear to be far-fetched to compare the situation in Manchoukuo to what might happen in the United States under similar circumstances. The parallel, however, would be almost identical. Seven years ago, a nation-wide tong war focussed public attention on the activities of these Cantonese secret societies and forced our police authorities to apply drastic measures to put an end to their cynical defiance of our laws. Powerless to cope with the Asiatic criminal gangs, the New York Police Department finally served notice on the tong leaders that unless the war was terminated forthwith, it would proceed to arrest all Chinese found in the city without proper papers and deport them wholesale to China.

This threat resulted in a speedy truce between the rival factions. The leaders met in the office of the District Attorney and in the presence of the Police Commissioner and the *Chinese Consul General* signed an agreement to keep the peace for a period of two years. There is no other instance on record where any self-respecting government has subordinated its laws to an agreement between criminals to refrain from murdering each other.

At that time, the federal authorities announced that although only 60,000 Chinese were registered as legally entitled to reside in the country, they estimated that over 100,000 were here illegally, and that it would cost the government \$25,000,000 to round them up and deport

them. Smuggling of Chinese into the country from Cuba, Jamaica and Mexico was then one of the most lucrative rackets, second only to bootlegging liquors. Evidence abounds that the smuggling of these aliens in combination with narcotics, continues to be a most profitable undertaking. In every conceivable way our immigration laws are evaded and the vigilance of our border-patrol eluded. The Chinese seep through all the barriers erected to keep them out. Recent evidence disclosed in a raid on a New Jersey hide-out for bootlegged Chinese, indicate that they become slaves, bound under contract to work out in some tong-owned establishment the cost of their passage and smuggling fee of \$1,500, at a wage of twenty cents a day.

If the estimate of the number of Chinese illegally residing in the United States advanced by the immigration officials in 1927 is only approximately correct, there must be at least 125,000 or more in the country at the present time. Exactly as the Chinese slipped through the Manchurian barriers to engage in illicit activities, such as the growing of opium, the collection of ginseng (a state monopoly) or panning the rivers for gold, they now find their way into the new El Dorado of their dreams. Once inside there is no power on earth strong enough to root them out. Here they are and here they will remain. Our federal authorities either will not or cannot enforce the laws and deport them.

On the basis of the 1927 estimate, there must be approximately 200,000 Chinese within the country today. If they could all find wives and concubines and settle down to family life, in the course of three centuries there would be over 100,000,000 Chinese in the United States. Should the native-born American follow the tendency of the times and adopt birth control to the point, where, like the French, the population is dying out, or at least, remaining stationary, it is not difficult to look ahead to the

day when our failure to enforce the law could result in handing over control of the nation to a people we did our best to exclude.

#### A LESSON FOR AMERICA

After three centuries of evading the Manchu exclusion laws, the Chinese now claim sovereignty over the territory by reason of their numerical superiority. The people of the United States have witnessed the same phenomena on a smaller scale in the growth of the Negro problem. On the eve of the Revolution in 1776, there were only half a million slaves in the Colonies. Today, there are over 12,000,000 Negroes to whom we have had to extend full citizenship. The racial problem arising from our greed and indifference has grown to proportions where each year it becomes more and more difficult to solve. The Negro is now a full equal to the white man, endowed with all the attributes of sovereignty and citizenship in a republic his white brothers fought and died to establish.

There is a lesson in these figures that the people of the United States should heed. The warning, however, will be laughed away as fantastic. The American Government will never execute its laws and round up and deport the aliens illegally residing in the country. To carry out their threat, would start an anti-American agitation and boycott of our trade in China that would bring to a swift termination all hopes of future profits. So we will close our eyes, go to sleep and do nothing to ward off the consequences of our folly.

## CHAPTER XII

### WHAT IS A SPONTANEOUS REVOLUTION?

**L**ET us assume, for the sake of argument, that the Chinese do constitute an overwhelming majority of the population of Manchoukuo. What of that? No revolution has ever been carried out by a majority, and in that sense no revolution has ever been spontaneous. It has always been small minorities which have started and carried through political revolutions. In our own country not more than 30 per cent of the colonists favored the revolution and a less number the idea of independence, yet the radical minority imposed its will on the majority and carried it through to a successful conclusion. Armed resistance was not the result of a spontaneous outburst of indignation from a united nation. There was no united nation, no organized national feeling in favor of united action. Each state maintained its own independence and the idea of a central government was something as yet undefined, receiving little support.

The American War of Independence as waged by the regular armies under the American and English generals was a gentlemanly affair compared with the bitter fight between the American Whigs and American Tories, the latter bringing in the Indians as Allies and setting them upon the defenseless settlers. King George raised more soldiers in New York than enlisted in the Continental armies. History repeats itself in the Manchoukuo revolution, where the partisans of the defunct bandit oligarchy remain loyal to their old chief and harass and massacre their own de-

fenseless countrymen, and as long as the Stimson Doctrine of Non-Recognition stands, they will be financed and encouraged to continue their depredations.

The situation in Manchoukuo when the League Commission visited the country was not dissimilar to that prevailing in the American colonies during the two years leading up to the Declaration of Independence. The uncertainty that all the colonies would unite in common cause and the possibility that some compromise might be arrived at, was reflected in many ways, especially in the anxiety of the men who fought at Lexington to free themselves from liability by denying that they "resisted" at all. Until some pledge was forthcoming that those who fought at Lexington and Bunker Hill would not be surrendered to the British, there was considerable backing and filling, straddling the fence and unwillingness to assume responsibility. Similarly in Manchoukuo, even amongst some of those who headed the independence campaign there was a reluctance irrevocably to commit themselves until guarantees were forthcoming that in the event of a collapse of the movement they would not be surrendered to the certain vengeance of their old tyrant. This explains why the League Commission obtained confidential statements from several Manchoukuo officials to the effect that they had been coerced into accepting office and other such acts. In the same way that the French Alliance became a guarantee that the lives of the leaders of the American Revolution would not be forfeited in the event of defeat, not until Japan recognized the new state and entered into an alliance that guaranteed its stability and independence was there any assurance that these men would not suffer the extreme penalty if the Commission's report was unfavorable. It was clearly evident from the moment the commission landed in Manchuria that it was predisposed to condemn the new state and advocate the continuance of

Chinese war-lord supremacy. As is almost always the case under such circumstances, it is quite obvious that this commission formed its opinions in advance of its investigation and then saw to it that it found the facts to substantiate them. With no knowledge of just how far the commission's report would be sustained by the League and the United States, it is not remarkable that some Manchoukuo officials were inclined to hedge and save themselves.

#### AMERICAN HISTORY REPEATS ITSELF IN MANCHOUKUO

There was another phase to the Manchurian movement strikingly analogous to the American Revolution which will also help to explain why the League Commission arrived at the conclusion that independence did not meet with the will or wishes of the people. The American Revolution, as pointed out by Roland Green Usher,<sup>1</sup> "was not only a war between England and America, not only a struggle of political parties in both countries, but a civil war in America, some of whose aspects were those of a civil war of classes." This so-called class war had its origins in the ever-present antagonism between creditor and debtor, a purely sectional conflict based on the inevitable dependence of the interior upon the coast as a market for its produce and its supplies of manufactured goods and other essential commodities. The "frontier," always in debt to the "coast," resented keenly the latter's economic position and assumption of social superiority. The American Revolution was as much a war between these two parties as between England and the States.

It was the same in Manchuria, where the great majority of its inhabitants, the farmers, and others engaged in real development and productive work out on the "frontiers"

<sup>1</sup> Roland Green Usher, *The Rise of the American People* (New York, The Century Company, 1915).



were always heavily in debt to and unscrupulously exploited by the creditor class residing in the long narrow railway strip corresponding to the American coast fringe of settlements. Exactly as in America, the great majority of this creditor class leagued with and protected by the ruling bandit oligarchy, were solidly opposed to independence or any change that would loosen their hold on their victims. It was members of this class, residing in the railway zone that were interviewed by the League Commission. The debtor class, the exploited, living out on the "frontier," that is, anywhere outside the railway zone, harassed by ferocious bandits instead of savage redskins, were the real discontents whose welfare became paramount in any agitation for a change. And again, as in the American Revolution, the coast Tory fringe furnished few soldiers for the patriot cause, which relied for its real fighters on the hardy Scotch-Irish back-woodsmen and mountaineers of the "frontiers," so in Manchoukuo, the fighting men and their leaders who now stand as the bulwark of the new nation, are composed in the main of those sturdy "frontiersmen," inured to bandit raids and determined to free themselves not only from the yoke of the Chinese war-lords but from their equally rapacious allies in the railway zone who take what the bandit soldiery leaves.

History is merely repeating itself in Manchoukuo, where the partisans of the ousted bandit oligarchy, deprived of their "living," remain loyal to their old chief and harass and massacre their defenseless countrymen in the same manner that Tory intrigues set loose the Indians to burn, ravage and massacre the debtor frontier class who formed the backbone of the army that was terminating their position of advantage. It becomes apparent that the independence of Manchoukuo, like every great event in history, was a struggle of many motives and many interests in which the question of Chinese sovereignty over the territory was

subordinated to the more immediate and more important relation between the exploiter and the exploited.

#### THE VOICE OF THE PEOPLE IS THE VOICE OF GOD

The League Commission undoubtedly delivered an unbiased report based on the facts as it found them, when it says that the independence movement did not meet with the will or wishes of the people. In this it faithfully reflected the majority opinion of the exploiter class with which it came in contact. If it could have extended its investigations into the "frontier," it might have come to the same conclusion through interrogating a people who did not know it even possessed any rights and whose idea of liberty and independence could never be expressed in language that a European could understand. I have read somewhere that the first voice of a people may not always be the voice of God, but their second voice, their sober second thought, comes nearer to it than any tribunal. That fairly expresses the case for the people of Manchoukuo. Go there today, travel over the same ground as the Commission, interview the same people, get out into the country and talk with the "frontiersmen," and then say whether or not independence does not unanimously express the will and wishes of these people.

#### JAPAN'S HONOR AT STAKE

The marked unfriendliness of the League Commission toward Manchoukuo and the conviction that its report would support China, left Japan with no honorable alternative. The commission, by its assumption of judicial prerogatives, together with a thinly concealed air of superiority towards an Asiatic people, was largely responsible for Japan's recognition of Manchoukuo while the Commission was still on the ground. Japan may or may not

have made mistakes but what she had done could not be undone without betraying those who had taken advantage of her resort to self-defense and irrevocably committed themselves as enemies of the old régime. With perhaps a more intimate knowledge of what would be the fate of these men under any compromise with Nanking, Japan was in honor obligated to see that they came to no harm. Had the League Commission been a little more sympathetic towards Manchoukuo, less inquisitorial in its methods and less obsessed with the idea of its judicial importance and power, perhaps it might not have been necessary for Japan to anticipate its report and forestall its verdict by recognizing Manchoukuo and then entering into an alliance with the new state for the protection of mutual interests. There was a time when direct negotiation between China and Japan could have settled the dispute. China, however, insisted on throwing her case into the League and gave time for the Manchurians to discuss their problems and arrive at a fundamental and unchangeable decision. Whether they were assisted or not by Japanese subjects does not and cannot detract from the legality of their declaration and the steps since taken to uphold it. It may not have been a spontaneous movement in its early stages, but it will take its place in history as coming nearer to a voluntary expression of the will and wishes of a people than many other revolutionary precedents cited as typical of pure patriotism.

## CHAPTER XIII

### MINORITY REVOLUTIONS JUSTIFIED

**N**OW let us turn to Soviet Russia. Who launched the Bolshevist revolution? The Soviet movement was not a Russian conception. Who aided Lenin, Trotsky and their associates to reach Russia? Who furnished the funds for the coup that overthrew the Kerensky Government and converted the country into a shambles? Who controls the Russian Government of today? How many members are there in that close corporation known as the Communist Party? Not more than 2,500,000, but this minority, inspired by the plotting of expatriates in New York, has enslaved the other 160,000,000 and maintains its power by stark terrorism.

From where did the Kuomintang Party now dominating China, composed in the main of a small group of Cantonese radicals and professional revolutionaries, receive its mandate to rule over the whole country? Starting with a mere handful of discontents led by Sun Yat-Sen, defeated by the Northern military clique from imposing their half-baked republican ideas of government over the country, this movement could have been nipped in the bud had there existed adequate means of railway communications south of the Yangtze enabling the North to dispatch its troops hurriedly to the disaffected areas. Immune from military punishment, Sun Yat-Sen proclaimed the independence of Canton and allied his little political group with Moscow in order to enforce a unification by the sword that he was unable to bring about by political compromise or other peaceful methods. Under the skilled organizing genius of

Soviet political advisers and military leaders, the Kuomintang Army subjugated the rest of China Proper and fastened its sponsors on the people as the sole governing power—a party dictatorship which has degenerated into another military tyranny stronger, better equipped and more determined to hold fast to its “living,” than the system displaced.

The Kuomintang revolution known as the Nationalist movement could never have passed the boundaries of Kwangtung without outside assistance. How much did Moscow subscribe to the war-chest that enabled this small group of Cantonese revolutionaries to fasten their despotic rule over the whole country? Even today there are less than 300,000 members in the dominant party in China which, by following the same terrorist methods as their Russian teachers, have extended their rule over the other 500,000,000. In both instances, these minority dictatorships have been recognized by the Powers as the legitimate government.

These precedents establish the rule that any minority enjoys the right to impose its will on the majority if it can gain control of the army, and that other nations will recognize the accomplished fact. If these principles are extended to Manchoukuo, it would not require a spontaneous revolution to justify in the eyes of the outside world the overthrow of the government and a declaration of independence. If a Cantonese-Kuomintang political faction numbering less than 300,000 could ally itself with Moscow in order to impose its rule over all China, then any Manchurian group, no matter how small or insignificant, is equally justified in seeking the assistance of Japan to regain control over its own country and, by the same logic, it is entitled to the same sympathy and recognition as the Powers extended to the Canton-Moscow group.

Conditions in Manchuria were unlike those prevailing

in Canton. When Sun Yat-Sen proclaimed the independence of Canton, the recognized government of China was that of a Manchurian war-lord who had conquered North China and ruled the country from Peking, squeezing the very life blood of the Manchurians to the last drop for the money to pay for his huge military establishment and wars of conquest. What the Cantonese could do with impunity, was certain death for the Manchurians. Only when the military power of their tyrant was overthrown by the Japanese could they safely follow the example of the Cantonese, proclaim their independence and enter into an alliance with Japan, not to embark on wars of conquest to impose their rule over China Proper, but to keep within their own territory and build up and restore a national vitality that had been sapped by years of cruel oppression such as few peoples have ever been called upon to bear.

Yet a commission of otherwise sane and sensible gentlemen insist that only a spontaneous uprising unassisted from the outside, can justify the Manchurians in overthrowing a tyrant and setting up their own government. The Manchurians are not supermen. They could not be expected to do something that no other people have ever succeeded in doing. Their real crime was in taking advantage of an opportunity created by Japan and accepting her assistance in establishing the new state. Had it been Russia who drove out the bandit oligarchy and organized the country into a new Soviet Republic, perhaps the world would still be applauding such altruistic disinterestedness. But under either set of circumstances, why blame the drowning man for his association with the boatman who saves him?

#### A CONFLICT OF TREATIES

In view of these facts, the decision of the League in no way binds Manchoukuo. Manchoukuo is not a member

state of the League. If an act of injustice has been perpetrated and imposed in perpetuity, by a treaty or a covenant which ignores previous treaties to respect the rights of the people of Manchuria, and these people at the first favorable opportunity regain their lost rights, it does not entitle those who imposed the Nine Power Treaty and incorporated it into international law, to consider only the violation of their own law and to dismiss as inconsequential the more important considerations, whether, even if it was wrong for Manchoukuo to throw off the obligation imposed upon her, it would not be still more wrong to persist in enforcing it. No time limit being fixed to the Nine Power Treaty, the people of Manchoukuo naturally chose the first opportunity to regain their rights, an opportunity which if not seized at that moment, might never have occurred again. That they did seize the first favorable opportunity, stands to their credit and reinforces their claim to an independence that was never surrendered. No people or nation can be esteemed a wrong-doer which merely avails itself of its legal rights.

What practical means are there of reconciling two treaties, one incorporated into the fundamental law of a state and then ignored in a multilateral pact entered into by that state and written into the law of nations? One of these treaties must be wrong. From the viewpoint of Manchoukuo, the League Covenant and Nine Power Treaty are neither just nor reasonable. They cannot cancel or supersede a prior obligation that stands in the records as a recognition of their legal rights. Therefore, as will be explained in Chapter XXII, in Manchoukuo's opinion, the Covenant and Nine Power Pact have no bearing on its affairs.

To save itself from extinction and to solidify the power of a sectional war-lord temporarily occupying the capital at Peking, the diplomats of the "Republic of China," true

to their traditions, bartered away the rights of the Manchus to perpetuate and fix in international law the fiction of China's existence as a sovereign state. That being the case, the dispute narrows down to one between the Republic of China and the independent State of Manchoukuo. If not settled reasonably on the basis of the facts of history and the terms of solemn treaties, then it must necessarily drift into a situation where the final decision will rest upon force. This is exactly where this dispute is leading us.



## CHAPTER XIV

### LAW VERSUS LIBERTY

**I**N supporting China and refusing to recognize the existence of Manchoukuo, the world is openly encouraging the Chinese war-lords to reject direct diplomatic negotiations for a settlement and supporting them in arming for a war to reimpose their rule. Even taking the extreme view that Japan's resort to self-defense was an act of aggression, the final decision as to her guilt must perforce rest upon the outcome of the dispute between "The Republic of China" and Manchoukuo as to the right of sovereignty. An act which rights a grievous wrong and reestablishes the independence of an oppressed people will never be held as illegal or as an aggression by those set free as the result of this act. If the "Republic of China" through illegal methods established and maintained a nominal sovereignty over the territory by sheer force and in callous violation of a solemn treaty, it cannot fairly charge Japan with aggression until its claim to sovereignty over the region is legally upheld. As this is not a question that can be submitted to outside arbitration without placing in jeopardy the legitimate rights of the Manchurians, the question we should ask is not whether the treaty rights of this or that foreign state are being impaired, but whether the people of Manchoukuo having obtained their desires, can demonstrate their ability to contribute more to the general welfare and peace of the world than the system displaced. The real justification for the creation of the new state is to be found not in methods by which its inde-

pendence was established, but in the use which it will make of it. If it can build up an orderly and effective system of government and thereby add to the well-being of its people and the prosperity of the world, the historian of the future will not inquire too closely into the legality of the act.

Under their treaty commitments, the Powers cannot recognize Manchoukuo without offending "China." But, in the words of Briand, "What is China?" Is it not the warlord or political faction temporarily in control of Peking, Nanking or Canton, as the case may be, and which the Powers for their own convenience have agreed to recognize as representative of the whole? How then can recognition of Manchoukuo offend the puppet the Powers themselves have set up? The offense, if any, is not against "China," but against their own inflexible definition of what is merely a geographical expression and conceding to this imaginary state a sovereign status it does not and can never possess.

#### MANCHOUKUO HAS A JUST CASE

Manchoukuo, therefore, has a good case established on a solid basis of facts which cannot be lightly set aside by assertion and counter assertion. It has a right to have that case defended. It may not be a good case in international law, but from the standpoint of morality, justice, humanity and reason, it is impregnable. International law may now transcend the higher law and, however unjust, may be nevertheless binding. Yet I venture the opinion that this conception of justice could never have bound a people who over the centuries have extracted by outright rebellion against the established law of the time, every liberty and right now enjoyed by the enlightened nations of the world.

The great events in world history which have marked the progress of civilization have come about not by law

but by defiance of law and the use of force. There remain many wrongs to be redressed which cannot be redressed by legal means. There are peoples once constituting nationalities and now under the control of alien powers, who dream of national greatness; nations which have lost a part of their territory live in hopes of regaining it and liberating their people from foreign yokes. No plan has yet been devised for the legal settlement of questions such as these that could be successful or conducive to the advancement of civilization, because it would mean that the *status quo*, must be maintained. The question of whether a portion of a nation should be entitled to its independence is not a matter for judicial settlement. An unfavorable decision would still leave such people as free as they were before to assert their independence and maintain it by force of arms, if they could do so.

It is unwise to assume that a treaty which seemed necessary and desirable thirteen years ago, must remain fixed in international law when immediately after its ratification it became evident that it was based on a false premise and rendered invalid by rapidly changing conditions. Confronted as we are with political issues of real moment embracing the right of a people to self-determination and independence, it becomes a duty to throw aside all prejudice and approach these problems with an open mind.

If we strip the subject of its legal technicalities and international political implications and have the courage to follow truth and reason to whatever results they lead, we will find that there is a side to the case of Manchoukuo that has been dismissed as of no consequence by those schooled in a privileged game and enjoying the favor of governmental power, who have arrogated to themselves the exclusive right to interpret the laws they have had such a large share in making and applying. It is only by following the trains of thought and interest which actuated the

Manchurian leaders in declaring their independence and comparing it with the motives which have guided other people in similar circumstances, that we can hope to understand why the Eastern and Western world have split into opposing camps, each holding to its own conception of what is right.

If I disagree with a policy to which the nation is committed, it is not because I would in any way detract from or minimize a decision based squarely on the legalities of the case or question the good faith, intelligence, or intention of those who guide our foreign policies. There has been no error of law, strictly speaking, in the decision of our government. I do contend, however, that our treaties which constitute the law, rest upon a misconception and that our error of judgment is not one of law but of fact, which could have been corrected by an appeal to a higher tribunal, had such a tribunal existed. But there was no appeal from the verdict. The judges delivered their decision in strict accordance with their interpretation of the law as it was written into treaties and rejected any appeal based on an equally just law and rule of right. It all depends which facts and which law are to govern.

#### THE WALL OF REMEMBRANCE

The League of Nations takes refuge behind that palladium of postwar imperialism, the Covenant. With a mockery that is sublime and a cynicism without parallel, the nations have erected their palace on the shores of a lake whose waters at their point of exit almost lave that Wall of Remembrance, upon which is carved deep in enduring granite the fundamentals of human liberty, the rights of man and those other precepts of the fathers which have been handed down and stand today as the bulwarks of our civilization.

One almost expects to see the giant stone figures of the great reformers, Calvin, Farel, Beze, Knox, Coligny, Henry IV of France, William the Silent, Frederick William, the Great Elector, Roger Williams, Cromwell, Stephen Bockay and the others, stepping out of their wall and marching in silent and stately dignity to the Quai de Woodrow Wilson, up the steps of the Palace of the Nations into the Assembly Hall of the League and protesting against this desecration of hallowed soil. The Wall of Remembrance at Geneva is one of the most impressive and inspiring monuments of the world. The Swiss Government should take it down and reërect it in front of the main entrance to the Palace of the League of Nations where it will serve as a constant reminder to all who enter and leave of those principles which must be preserved, lest we perish.

Serenely conscious of its rectitude, with the Bible in one hand, the Declaration of Independence in the other and the name of God on its lips, the United States takes its stand firmly on the sacrosanct Nine Power Treaty. It holds the people of China to the strict observance of a one-sided doctrine inspired and written into international law to facilitate doing business with them on terms of equality with other nations. It upholds a theory of government and nationalism discarded as barbarous and impractical nearly three centuries ago when the law of nations and sovereignty was established.

Manchoukuo merely asks the members of the League Assembly to take an hour's outing from their arduous duties of orating to visit the park in the old part of Geneva, stand before that wall of stone and fix in their memory the elementals of human liberty and the basic law of the civilized world which persist as the only justification for their drawing salaries and for being in Geneva.

It also invites the members of the League Assembly to call upon the Secretary General of the League to produce

and publish as part of the record the 586 documents signed and sealed by the responsible officers of every public body and association in Manchoukuo attesting to their desire for independence. These important documents, formally and personally handed on January 23, 1933 to the Secretary General by the representative of the Government of Manchoukuo at Geneva, are now buried in the archives. They are precious historical documents to the people of Manchoukuo, the evidence which supports the declaration of independence made by their delegates in congress assembled.

Until these documents are officially published by the League, it is guilty of suppressing vital evidence to uphold its verdict against the new state. These signed and sealed documents constitute irrefutable evidence that in any court of law would be accepted as having a vital bearing on the case. The Secretary General of the League could not transmit this testimony to the Assembly because the League did not recognize the existence of the new state. The people of Manchoukuo were denied even the right to testify in their own behalf.

When the League admitted Soviet Russia to membership, protests were received from every subject state in the Soviet Union (Azerbaijan, Northern Caucasus, Georgia, Turkestan and Ukraine) against this recognition of a government which maintains them in subjection by armed occupation and sheer terrorism. Yet Red Russia was welcomed with open arms into this association of free states and now sits on its council making the laws that the freemen of the world are expected to obey. The cause of human liberty as exemplified in the case of the exploited serfs of Manchoukuo and the helpless peoples of the subject states of Soviet Russia, does not concern the League of Nations which has become merely an instrument for maintaining the balance of power in Europe.

The people of the United States might reflect on how far they have strayed from the principles upon which their own nation and faith have been erected, how without the consent of the governed their government annexed Puerto Rico, the Philippines and Hawaii and joined the great imperialistic brotherhood of Europe. They might ponder over the reasons why their government retains possession of Puerto Rico against the will of its people, why they must hold and fortify Hawaii and defend the Canal Zone at all costs. They will come to the conclusion that even in their case, the end justifies the means, that the very existence of the nation depends upon holding these strategic keys to its security. Yet Japan, faced with the same problem of national security has assisted the people of Manchoukuo to establish their independence, and is pledged to uphold and respect their sovereignty.

It would repay those who object to Japan's course of action in Manchoukuo to visit the Library of Congress in Washington and stand before the original of the Declaration of Independence and read again the great principles therein set forth. They have much greater force and weight when seen in the original handwriting, with the actual signatures of those whose names are now revered by a grateful people. A few minutes meditation before this shrine will prepare the mind to understand how far we have strayed when we read again the non-recognition doctrine of Henry L. Stimson.

Manchoukuo makes no appeal. It takes its stand on the primary law, the law engraved deep in the enduring stone of the Wall at Geneva and enshrined in the Library of Congress at Washington. It asserts its right to an independence that was never surrendered or lost, the right of its thirty million people to rebel against tyranny, declare their independence and pursue in their own way their undisputed right to achieve peace, happiness and security. Con-

scious of the righteousness of their cause and determined to preserve their liberty, these people declare with all sincerity and with a full knowledge and realization of what it may cost, their irrevocable and inflexible decision to defend and preserve that independence by every means within its power.

#### AN ACT OF GOD

The act of any people breaking away from the oppressive rule of a despot does not constitute guilt. Whatever has been done is without any act of injustice. On the contrary, justice has triumphed. The sword of Justice can be wielded in many ways and by many peoples. The rapier of France thrown in the scales against England, gave to the world a new republic; the sabres of the North set free the slaves of the Southland; the blade unsheathed "in the Name of Humanity," liberated Cuba; the bayonets of the Allies changed the map of Europe and the sword of the Samurai restored independence to Manchoukuo. If liberation of Western peoples from the yoke of tyranny and slavery is hailed and recorded in history as Acts of God, the freeing of the thirty millions of Manchuria must also be attributed to the same agency. An act of God does injury to no one.

What is justice? How can justice be dispensed without hearing both sides of a case? What kind of justice is it where the judge is witness in his own cause and from whose decision there is no appeal? Does the right of interpreting the treaties rest with the American Government alone? Can the League of Nations try and condemn a member state for an alleged infraction of its Covenant and assume infallibility in its decision? It tried and condemned Japan, rejected the right of Manchoukuo to give evidence in its own defense, and closed the door to any appeal from its



verdict. Is it any wonder that Japan withdrew from the League or that Manchoukuo has refrained from any further attempt to justify its independence before an unsympathetic and prejudiced world?

#### WHEN THE LAW FAILS

All the major League Powers at some time or other have been compelled to employ force in defense of their interests in China when these interests have been exposed to serious danger and the Chinese Government was unable to avert that danger. That force must be always present or infuriated mobs would rise up and massacre the foreigners, bandits would carry them off for ransom and the pirates who swarm the coast and rivers would make navigation impossible. These are real and ever-present dangers and the Nine Power Treaty which recognizes this state of lawlessness, must be set aside and ignored when urgent necessity calls for application of the law of self-defense. Even the United States maintains its fleet, its gunboats, two full regiments on a wartime footing and a legion guard to protect the lives and properties of its citizens. If the United States with 9,000 citizens and investments of \$230,000,000 in China maintains such a formidable armed force for their protection, how much more justified is Japan in maintaining a much larger force in the same country where her investments total nearly \$1,400,000,000 and her nationals outnumber ours at least twenty to one?

The mere fact that foreign gunboats patrol the rivers of China and foreign regiments guard her main treaty ports, is convincing evidence that the Powers place no faith in the doctrine of the sovereignty of China or in the ability of its government to discharge its fundamental duties. Yet, they enter into solemn treaties recognizing the existence of

the sovereign state of China, admit her to a seat in the League of Nations and then dispatch armed forces to occupy strategic positions on the soil of this sovereign state in order to protect their interests against the impotency of its government to discharge its obligations.

## CHAPTER XV

### NO FIXED RULE FOR REVOLUTION

**S**OVEREIGNTY carries with it certain fundamental and inescapable obligations. When a group of free states, provinces or communities delegate or surrender their powers to a central or federal authority, the duty effectually to secure to these states, provinces and communities immunity from all violence, foreign and domestic, devolves squarely upon this central government. If this central or federal government is unable to afford that protection, then each of its component parts reverts to its original status and is entitled to take such measures as the exigencies of the situation may require.

If, however, such a government be imposed upon a people by foreign treaties, foreign recognition, foreign warships and foreign regiments and fails to discharge its rudimentary obligation to protect all sections under its supposed rule against outside or domestic violence, then, the province or section confronting such a menace is justified in reverting to its independence and defending itself by any and every means within its powers, or, it is squarely up to the Powers who enforced the central government upon them, to uphold and maintain their principle. If the interested Powers decline to intervene and the province menaced is unable properly to protect itself in such an emergency, then it becomes the duty of the neighboring state whose security is placed in jeopardy to act in self-defense while there is yet time to do so.

“Human nature revolts,” said Jefferson, “against the

supposition of a state unable to provide in emergencies against danger or ruin. When, therefore, the representative bodies, to whom power has been delegated, are dissolved, power reverts to the people, who may exercise it to an unlimited extent by assembling or appointing deputies, or in any way they may think fit; and should the American people under such circumstances take upon them to discontinue their connection with the British Empire, none will be so bold as to decide against the right or the efficacy of such avulsion."

A principle laid down by the founders of our own liberties as justification for separating from a tyrannical government must be universal in its application. The people of Manchuria had delegated their powers to General Chang Tso-lin, who abused his trust by raising huge armies to maintain them in a state of bondage. When his son and successor was overthrown by the armies of Japan acting in self-defense, the power reverted to the people of Manchuria to be exercised in the way they thought best to guard against any further attempt to despoil them of their liberties.

It is irrational to argue that these people did not want their freedom; that nothing had been heard of independence before September 18, 1931 and that the separatist movement did not make headway until after the events of that night. The statement is not true. There had been several attempts to overthrow the tyrant, but they were all suppressed with ruthless ferocity. Conceding, however, the truth of this affirmation, it does not detract from the right of the people or a small group of their leaders to come out in the open and declare for independence, when, in their opinion, it was safe for them to do so. That is the history of most revolutions. The Dutch revolution began with a secession from Spain of only three states. With revolution in the air and armed resistance against Great Britain fore-

shadowed in 1774, "*not a dozen men in the American colonies at that time wished for independence.*" Never in the history of the world did any country have as able and talented a group of contentious lawyers and embryo statesmen as the Colonies when they decided to break with the mother country, yet it took two years of traveling back and forth on the part of delegates, holding conferences, get-together meetings and the convoking of a Continental Congress before the Colonists became convinced that complete independence was the only solution to their problems. The cry for liberty in Cuba found no echo in the hearts of the masses until the "Army of Invasion" under Gomez and Maceo carried the war to the very doors of Havana and hung every Spanish sympathizer residing outside the fortified zones. Aside from a few professional plotters and a small group of foreign-educated enthusiasts deriving their financial support from "overseas Chinese," the great masses of China did not understand what the revolution against the Manchus was all about.

#### CHINA'S REVOLUTION A FIGHT FOR "STATES RIGHTS"

There was no popular revolution in China for the creation of the "Republic." The movement seized upon by the plotters in Wuchang had its origins in the assertion of provincial rights against the imposition of a centralized railway control that would have wiped out and destroyed forever the ages-old status of separate and independent regions linked with Peking under the imperial Manchu rule by a viceregal system which, on its face, recognized the utterly irreconcilable differences among the tribes and kingdoms of what is known as China. A declaration of provincial, or state rights on the part of the people of Szechuan protesting against any interference by Peking with their absolute sovereign rights to build and control

the operation of their own communications system, was the spark that started the movement that spread like wild-fire throughout the Yangtze region and created the opportunity for the Cantonese plotters to convert it into an anti-Manchu revolution. It is only necessary to recall how a timid brigadier general in command of the Imperial troops at Wuchang was routed out from under his bed at the point of the revolver and compelled to assume command of the "Republican Army," to understand that there was no concerted plan or spontaneous movement for a republican form of government in China on the outbreak of the so-called revolution for the establishment of "republican principles." Yet the astute Cantonese, with a greater knowledge of English and foreign ways of thinking and, with the assistance of able publicists and propagandists were able to put the republican movement over. Practically every manifesto, every pronunciamento, every appeal to the world emanating from the Republican Government at Nanking was written by a past-master in the art of propaganda, one of the brightest and most able foreign newspapermen who ever came to China. The Chinese themselves had nothing to do with it and, outside of a few very young American-educated followers of Sun Yat-Sen, did not understand what it was all about, except that the Manchus were out and they were in.

#### CHINA AND THE BALKANS ALIKE

There is little difference in governmental structure between China and the Balkans. Since the battle of Kossova in 1389 when the Turks gained control over most of the Slav-populated area of the Balkans, up to the middle of last century, the Islamic rule held these people together under an outward semblance of unity. As soon as the Turkish power began to decline, these southern Slav peo-

ples split into their various tribal elements and formed new states, such as Greece, Bulgaria, Roumania, Servia and Albania. Take the example of Yugoslavia alone where, in addition to the preponderating Serbian group, we find the Croat and Slovene, Montenegrin and Bosnian, Macedonian and Herzegovinian, with Turks, Albanians, Bulgars, Greeks, Italians, Roumanians and Magyars, all fiercely hating each other and waiting for the propitious moment to spring at each other's throats. Wilson and his professional advisers, in complete ignorance of Balkan history, thought that by merely drawing lines through the map all these bitterly divergent groups could be welded into a united nation. They settled the affairs of Europe and sailed back to the United States leaving the new states to stew in their own juice.

For three centuries, under the strong rule of the Manchu, the petty kingdoms and states of Han were brought together under one rule and passed as a united nation, but as soon as the Manchu power disappeared and a Chinese war-lord attempted to prolong the fiction, all these bitterly hostile elements united to drag him down. The Washington Treaties concerning China repeated the mistakes of Paris over nationalities in Europe. No recognition of a single war-lord, military group or political faction can ever compel these people to be friendly with each other. The only way to stop their wars is to split them into their logical administrative groups, no matter how small, and bind them by treaties to keep the peace as is done in Europe. Often, it may be necessary to provide a disciplinarian from the outside to keep the new ship of state on its course as Japan is doing in the case of Manchoukuo. Failure to recognize this fundamental principle by an undue prolongation of the present situation must result in grave consequences for Western civilization. A solution of Chinese disorganization is the world's greatest need today

There is no difference in principle between the much-advertised Revolution of 1911 which ousted the Manchus and ushered in the Republic and the methods by which the people of Manchuria freed themselves from the yoke of the Republic and restored the Manchu Emperor to the throne of his Fathers. The Cantonese revolutionaries took advantage of the Szechuanese revolt for "state rights" to declare the Republic and the Manchurians seized upon the opportunity created by Japan's resort to self-defense to re-assert their independence. That is all. Circumstances rather than desire chose Japan as the liberator of Manchoukuo.

It is because foreign Powers have ignored the causes which led up to a revolution which changed an empire of independent states held together under the imperial authority by a viceregal system into a so-called republic, that China has ever since been torn asunder by civil warfare, divided into its original independent tribal entities all fighting each other for the supremacy that carries with it foreign recognition and the right to impose their rule over all the others by the sword. As the people of the State of New York will never submit to being ruled over and tyrannized by a group of Texan politicians and gunmen supported by an army, or an Al Capone racketeering bandit oligarchy having its capital in Chicago, so Manchuria will never consent to being ruled by the Cantonese bagmen, Szechuan will never lay down and be squeezed to death by the pirates of the Delta, or Hopei, Honan and Shantung submit to any southern group. It simply cannot be done and any attempt to prolong the horror by adherence to outworn treaties is a crime that in due course will recoil upon those who have perpetrated it. The interference of the West in the East can never cease to be other than asinine until it realizes that *China is not a nation*.



## CHAPTER XVI

### ASSISTED REBELLIONS

**W**E are told that the independence of Manchoukuo could never have been brought about without encouragement and aid from the Japanese. Admitted. What of it? Could the American Colonies have achieved their independence without the aid of France? Could San Martin have liberated Chile from Spain without the support of Lord Cochrane's fleet? "The Argentine army of San Martin gave effective help to Chile and with Chilean troops practically achieved the liberation of Peru and in that result the Venezuelan Bolivar had also a share. Colombia and Venezuela helped one another and both helped Ecuador." Could Greece have won its freedom from the Turks without that careless shot which started the great naval battle of Navarino and destroyed the Turkish fleet, binding England, France and Russia irrevocably to the Greek cause? Could Cuba have become a nation without the aid of the United States.

### TEXAS AND PANAMA

How about Texas? Americans are familiar with their own school-book version of the Texans' fight for liberty and the annexation of the Lone Star State into the Union, but the historians of Mexico tell an entirely different story which simply by changing the names and substituting Japan for the United States could stand word for word as a Chinese indictment of Japan.

A ruthless and overbearing race of men, greedy for land and trade, respecting no rights or laws which barred their way, deliberately set themselves to the work of despoiling their neighbor. They violated contracts; they intruded themselves into Mexican territory without passports or permits. Their official representatives at the Mexican capital fomented domestic intrigues, attempted to buy for a song what they intended to take by violence, and shrank not from corruption in gaining their ends. American citizens took part in revolutionary movements to overthrow a friendly government; American naval officers seized Mexican ports in time of peace, pulled down the Mexican flag and hoisted the Stars and Stripes. Finally, Americans raised a revolution in Texas, tore that province away from a peaceful republic, and then made war to get more territory. Such was the Mexican view of the drama.<sup>1</sup>

Our justification for annexing Texas seems to rest on the fact that during the first half of the nineteenth century Mexico was not an orderly nation with a representative government and whenever during these troublous decades a stable government appeared, it was usually a tyranny. Harassed by revolutions, debts and peasant wars against feudal landowners, distracted by a small middle class dallying with doctrines of liberty, democracy and self-government, Mexico could not develop the resources and trade of Texas. So with China in Manchuria. The rôle played by Japan in Manchuria is identical with that played by the United States in Texas except that Japan has not annexed her protégé.

Japan has been charged with deliberately plotting and planning over a long period of years to annex Manchuria. After all, Japan fought two wars over the possession of this territory and was bludgeoned or buncoed out of the fruits of victory. Her investments of a billion dollars developed

<sup>1</sup> Charles A. Beard, *The Rise of American Civilization* (New York, The Macmillan Company, 1934).

and brought prosperity to this bandit-infested wilderness and made it what it is today. Even if she did look forward to the time when she could manufacture a pretext to seize the country, she had considerable justification, much more than the United States had in its designs upon Texas.

Our plans to acquire Texas were formulated and maintained a profound secret for over twenty years before this Mexican territory was finally annexed and admitted into the Union. Our object was not so much to acquire territory as to open up a new area for slavery. Slavery was not permitted in the backward state of Mexico, and its laws prohibited the entrance of slaves into Texas. But our settlers swarmed in and fixed this institution on Mexican soil. We finally went to war and got what we wanted, but in doing so destroyed forever the faith and trust of all Latin American people in our honor, our integrity and our good intentions. We will never live it down.

#### PANAMA

Is it necessary to mention Panama? Possession of the Canal Zone was essential to our national security, so Roosevelt took it and let Congress debate and while the debate went on, so did the Canal. If Americans had any sense of humor at all they would chuckle over the way our apt Japanese pupils are now endeavoring to explain in correct diplomatic language Roosevelt's equivalent of telling the world what to do and where to go to.

#### HOW BRITAIN OPERATES

Perhaps we would like to hear what an Englishman thinks of this situation. Mr. W. Kirkpatrick, M.P., writing in a recent issue of the *English Review*, says:

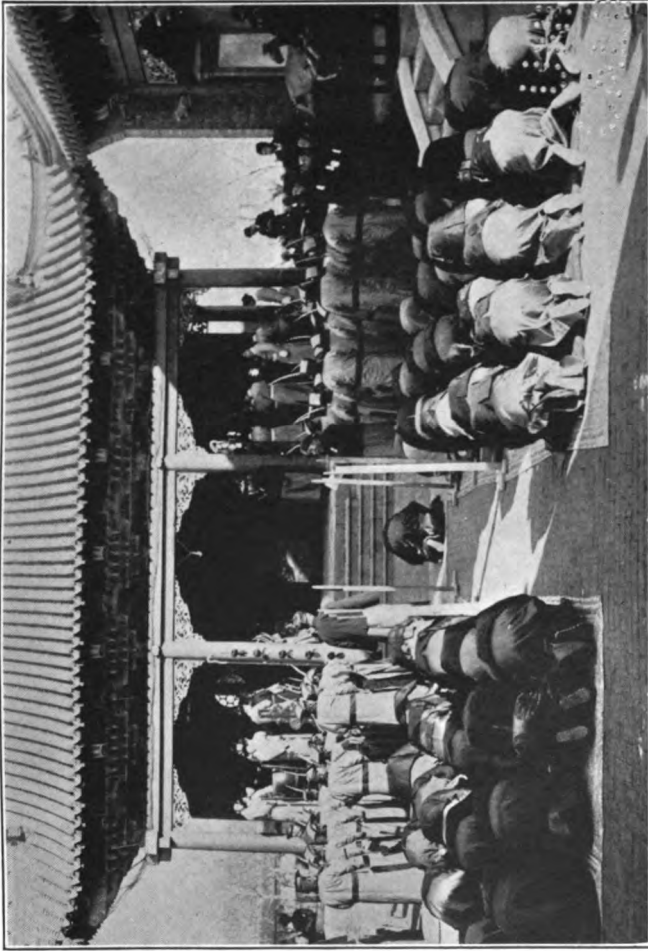
Our history in India and in other parts of the world afford parallel instance after instance of good work by our political

officers and diplomats where we have been involved in restoring dynasties small and great and in giving friendly guidance through our men on the spot to secure the restoration of a monarch who would suit the people and our own interests best. Is the gravamen of the charge against Japan then, that her intelligence service and her local diplomacy has been too efficient? What about the Punjab, or Oudh or Hyderabad and the Nawabs of Bengal, not to mention Egypt in more recent history. Japan is no less and no more justified in her approval of the displacing of adventurers who had no title to rule—who ruled by the force of mercenaries and extortion—than we were before and after all India came under the Crown, in approving and assisting the setting up of rulers in disorganized states in India.

#### WHO IS TO BE THE JUDGE?

It did not require two years for the leaders of the people of Manchoukuo to come to a decision when the opportunity offered itself. Within six months their discussions and conventions terminated in a flat declaration of independence and a grim determination to defend it against all foes. Had the question been put to a plebiscite the result might have shown a divided sentiment as to the form of government but there would have been complete unanimity as to the necessity for a change. Insofar as their duly appointed representatives reflect the will and wishes of any people, the delegates who assembled in conference and declared the independence of Manchoukuo, expressed a demand that came spontaneously from the hearts of their people. What caused this declaration? The violation of the rights of the people? What rights? Not their chartered or constitutional rights; these they never enjoyed. It was their rights as human beings that were being trampled upon.

The people of our northern states once went to war with their brothers south of the Mason and Dixon line to free



**MANCHURIANS HONOR CONFUCIUS**

Prime Minister Cheng Hsiao-hsu entering the Temple of Confucius at Hsinking.

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a people whose human rights were being set at naught. These people received their freedom without raising a finger in behalf of it. They seemed to be quite happy in their bondage. They did not rise up in revolt like the slaves in Haiti and massacre their owners. There was no real demand for freedom, they were ignorant of their rights as human beings, but they had these rights thrust upon them to eliminate once and for all a political irritant that was holding back the Nation on its onward march towards prosperity and greatness. Maybe the Samurai of Japan had something of the same idea when they forced the opportunity that the Manchurians seized upon to free themselves from slavery. Maybe they inspired them to declare their independence and aided and abetted them in other ways to stand on their own feet. Who has the right to judge them?

The great South American Liberator, Simon Bolivar, complained of the same passive submission to their fate amongst the natives of Venezuela, Colombia and Ecuador. He denounced the Revolutionary Junta for not being ready to free "the stupid peoples who do not know the value of their rights." Discussing this situation with his generals, one of them, General Sucre, as I recall, declared; *"If these peoples do not know what Liberty means, if they are ignorant of their rights, we will force Liberty upon them and after they have it they will be grateful and thank us."*

Something similar to this took place in Manchoukuo. The great mass of the ignorant people had no conception of their rights. They did not know the meaning of the word "liberty." They only knew that they were being oppressed but dared not voice a protest or discuss their wrongs let alone risk a general rebellion, for fear of being mercilessly slaughtered. All they had were certain duties and privileges derived not from human consciousness, but

from military decrees, police orders or regulations. They had no rights innate and inalienable they could claim as human beings. So like Bolivar and his generals, the leaders of the people of Manchoukuo forced Liberty upon them and although many do not yet understand what it is all about, they know that they are freed from oppression. They are grateful for the change and with arms in their hands will bury themselves in the ruin of their country if the world insists on subjecting them to the yoke of Nanking.

There are cynics who will smile at this and continue to urge that it was the Japanese who forced independence upon the people of Manchoukuo. Let us assume that this is true. Let us admit that the people of Manchoukuo are not fit in their present state for free institutions. Let us grant that the Japanese set out deliberately to liberate Manchoukuo. Is there any difference between the life work of Bolivar and that of the Japanese General Honjo in the execution of the greatest work heaven has been able to entrust to men, the task of saving a people from slavery?

But, continue the sophists, the cynics and the advocates of a new-world order, General Honjo broke a treaty when the troops under his command resorted to the primal law and, in so doing, made possible a situation that enabled these people to free themselves from bondage and declare their independence. This is all wrong. Japan must surrender her right to self-defense. No longer can any general exercise his own judgment as to the provocation necessary for him to defend by arms the interests entrusted to his care. If fired upon, he must not fire back. He must talk it over, communicate with his government, which, in turn, must lay all the facts before the League and ask its permission before proceeding further. Japan must repudiate, dishonor, and degrade a loyal general and his subordinates



for exercising their own judgment when called upon to defend the property they were detailed to guard.

See what they did. They actually set free thirty million people from the rule of that popular, fox-trotting, play-boy of Peking. Maybe his father was a bandit, maybe his bandit uncle at Kirin ruled behind the scenes; maybe they were squeezing the very life blood from the people of Manchuria to maintain their armies. What of it? We admire this boy-bandit. He is a fine fellow. He is the Co-Ruler of China. His right-hand man directs the diplomacy of China. Another favorite sits on the Council of the League. He is one of us. We must stand together. He buys airplanes. His arsenal, the largest in Asia, is the best market for our machinery in that part of the world. We cannot lose these orders.

Japan cannot be permitted to do anything which takes this favorite of the legations away from us. The rules of warfare and military tactics must be rewritten. They cannot apply in this particular instance. Japan must undo the consequences of her acts and compel the people of Manchoukuo to again bow their necks to the yoke of this agreeable and likable tyrant. Japan must repent and come to us for absolution and forgiveness before we can admit her on a friendly footing.

I would not like to stand on that great day of judgment before the bar of God and plead that our treaties take precedence over the laws of Heaven; that our treaty rights that maintain a tyrant in power are superior to the rights of thirty million of God's creatures to that life and liberty that is the common heritage of all His children. I may be wrong. There may be those who hold otherwise. But the time will come when they will learn too late that there is a higher law than the treaties. As we have judged, so shall we be judged.

## WEST VIRGINIA AND MANCHOUKUO

Granted, for the sake of argument, that Manchuria is an integral part of the "Republic of China," what is the difference in principle between its erection into an independent state and the formation of West Virginia into a new state and its admission into the Union in violation of the Constitution? If a minority in any state can declare illegal the act of secession passed by the majority and then set up what it claimed to be the true government of Virginia, sending its senators and representatives to Washington, and the federal government recognized it as the only legitimate government of Virginia, the precedent would seem to justify a minority of the people of Manchoukuo in taking similar action when they disagree with the majority.

The people of Manchoukuo never subscribed to the "Republic." They never came under the rule of the "Republic." There is no such thing as the "Republic of China." There is no Constitution, nothing that binds one state to the other. The Manchurians remained Manchurians and the Manchu Emperor, the Imperial Clan, the Princes and the Bannermen, remained the owners of the soil of Manchuria under the terms of a solemn and binding agreement confirming them in their rights. Let us assume, however, the validity of the Chinese claim that Chang Hsueh-liang subordinated his authority over Manchuria to Nanking and that Manchuria thus became a part of the "Republic" and, that the majority of the people being Chinese, they favored this step. Let us admit the relevancy of all this rigmarole to a case involving the fundamental rights of thirty million people to their freedom. If accepted as evidence, it is offset at once as a violation of the fundamental law of the "Republic."

The example set by the State of West Virginia tells us that a minority loyal to the fundamental law, that is, the

Constitution, and its old allegiance can override the majority when the latter is unable to impose its will, set up its own government, declare its independence and maintain it pending such time as a government is evolved that it can unite with and delegate its power to. Not only that, but if the precedent of West Virginia be followed, this minority government, under the armed protection of the Federal Authority, becomes the government of the majority, shifting its capital to Alexandria and then to Richmond at the end of the war. In other words, just like any other revolution where a minority imposes its will by armed force on the majority and gets away with it. A small minority of the people of Manchoukuo may also argue that as the "Republic" does not exist, government in China goes to those who control the largest armies and that, by allying himself with these predatory groups, Chang Hsueh-liang violated the fundamental law and disregarded the will of the people from whom his father derived his power, they have a right to disown what he has done and override his decision. West Virginia did exactly that, expressed in other terms. How then can any American deny to a minority of the people of Manchoukuo the right of preserving their allegiance, independence and neutrality under almost similar conditions.

## CHAPTER XVII

### AN UNREAL STATE

**A**FTER all, what did they secede from? Certainly not from the rule of the bandit oligarchy headed by Chang Hsueh-liang. They merely escaped from under his yoke. They are told that they seceded from "the Republic of China." The "Republic of China" does not exist. The overwhelming majority of the Chinese people have not the slightest idea of what a republic means. In a country where 96 per cent of the people are illiterate, with no conception of their rights, where they have never been trained in the arts of self-government, where there is no machinery for holding an election to ascertain their will or wishes, where, from time immemorial, they have been the prey of their rulers, and never fought or shed blood for their rights, it is an insult to our intelligence to insist upon calling China a republic. At the best, China is ineffective feudalism at its worst. Ten miles outside the Treaty Ports we are back two thousand years. Nothing has changed.

There we will find populations of many different types as distinct and even further apart from each other than the Nordic and the Mediterranean, speaking different dialects and languages, possessing no capacity for self-government, no sense of a common nationality, with no aspirations for independence and indifferent as to who rules over them as long as they are permitted to procreate and gain a precarious existence, which, at its best, is just one hop ahead of starvation. These myriads of human beings, launched on the great experiment of self-

government without training or fitness or tradition, owe their very right to exist to the whim of the local bandit-chief or military despot who holds the district as his "living." In our undue haste to recognize the "Republic of China" we handed over these myriads of human beings, at that time, peaceful, contented, unused to modern arms and warfare, to the rule of untried theorists with no experience in practical administration, no qualification to lead the people along the paths of self-government and imbued solely with the ages-old predatory traditions of a race where office is synonymous with plunder and the enrichment of the official and his family. We assumed that 400,000,000 illiterate Chinese had arrived over night, as by a miracle, at that stage of political development where they were competent to discharge the duties of a citizen of a republic, with all that it implies, and we held out our arms in comradeship and dubbed their ghastly mockery of democracy, "Our Great Sister Republic."

#### HEINOUS OFFENSE AGAINST HUMANITY

We ignored the fact that whatever had been done in centuries of slow development of political institutions in the West was the result of the possession of a soul and inherent fighting qualities on the part of our fathers who would not submit meekly to injustice or see their rights trampled under foot. The Manchus were effete, inept and had exhausted their mandate, but bad as they were, they were still a hundred times better qualified to rule than the horde of rapacious harpies and vampires who have picked clean the bones and sucked the last drop of blood from their defenseless victims. Since it assumed the guise of a republic, China has sunk lower and lower in the political scale until today it is anarchy pure and simple, with the people enslaved and ground down under the heel of insatiate des-

pots who have no more mercy or consideration for their suffering than a ravenous tiger has for his prey. In some districts of China the farmers recently paid taxes twenty-seven years in advance. Or, if we want stronger language, turn to page 159 of the Supplementary Documents of the League Commission of Inquiry, which reads:

The author is unacquainted with any instances in recent times where a Government has so ruthlessly, systematically and over so long a period of time exploited and taxed its own people in such a disgraceful manner as have the Manchurian officials. The disgrace was all the greater because the burden was imposed on those least able to bear it and because practically nothing was given in return for what was taken. In short, it was nothing but monstrous official robbery, the extent and effects of which it is difficult to appreciate.

Summing up, the same investigator concludes:

. . . The Chinese currency situation prevailing in Manchuria on September 18, 1931, was appallingly bad, and stands as irrefutable testimony that the Chinese authorities were guilty of a most heinous offense against the millions of poor struggling humanity over whom they exercised jurisdiction.

#### HUMAN LIBERTY SACRIFICED

Incidentally, these quotations fully justify the independence of Manchoukuo. These conditions are typical of the whole of China, whose five hundred million people living under a so-called republican form of government, have no vote and no voice in the management of their own affairs. Elections are unheard of. There is no parliament. The bullets, bayonets and bombs of armies contending for supremacy take the place of the ballots which determine who is to rule over the "stupid people."

Two, three, or more decades ago, a mere recital of their

wrongs would have staggered the civilized world; their appeals for a release from their misery would have stirred the heart of Christendom, and an outraged civilization would have called a halt to such barbarities. But the cries of agony which well from the hearts of these lowly peasants, their pleas for justice, fall on ears deadened by the horrors of the Great War and by a new conception of humanity and nationality written into Covenants and Treaties.

The first task of government is to provide food for its people; in China the first task of its rulers is to buy the arms with which to enforce slavery upon them and if they rebel, to slay them. The great Christian Powers employ all the arts of diplomacy to obtain the orders for furnishing the war-lords of China with these implements of death. President Wilson once said that "the United States must regard it as one of the duties of friendship to see that from no quarter are material interests made superior to human liberty and national opportunity." Reconcile this lofty principle to what we are doing in China today, if you can. The greatest inhumanity the world has ever known has been created and is being perpetuated by the well-intentioned and self-styled humane nations of the West. And they stand as one in opposition to the attempts of any fragment of the monstrosity they have built to escape, by whatever means are at hand, from its miseries.

#### NO ARTICLES OF CONFEDERATION BIND THE STATES OF CHINA

Notwithstanding the above patent facts, there are many American writers who insist that Manchoukuo has illegally seceded from the "Republic of China" in the same way that the states of the South seceded from the Union in 1861. Such arguments give strength to the Southern Chinese declaration that they will never rest until Manchou-

kuo "*is retaken.*" The theory of union as exemplified in the United States and the illegality of any state seceding from that union, is invoked as sufficient reason to deny to Manchoukuo its right to independent status and sovereignty and to legalize and justify the employment of force to preserve the territorial integrity of this imaginary set-up.

There is no analogy between the Thirteen Colonies which declared themselves "free and independent states" to unite under the Articles of Confederation and the independent status of the Eighteen Provinces of China. "Sovereignty" as defined by Lincoln, "is a political community without a political superior. With the sole exception of Texas, no one of the American States was ever a sovereignty. The States have their status in the Union, and they have no other legal status. If they break from this they can only do so against law and by revolution."

By no stretch of the imagination can this theory be applied to the provinces of China. There are no Articles of Confederation, no National Constitution, no agreement whatsoever between the sovereign states of China subordinating their independence to a central or federal authority. They remain free and independent, each section standing firmly on its traditional right of self-government, opposing by force of arms all efforts to coerce them into submission to any central power. They do not admit that this defense of their rights constitutes an act of rebellion against the government recognized by the Powers. They contend that it is merely a contest for supremacy between them and the foreign recognized authority for the enjoyment of the lawful revenues of their state which are now illegally withheld and paid into the treasury of the recognized government by a foreign-supervised customs service protected by foreign fleets and gunboats.

Only by overwhelming military force can these states or provinces be brought under the hegemony of the for-



eign recognized faction. Then they become subjugated states with an army of occupation garrisoned in their chief cities to facilitate the levying and collection of the tribute which maintains the people in bondage. Whenever the conquerors relax their vigilance, the people, true to the lessons of history, will rise and massacre their oppressors.

## CHAPTER XVIII

### REPUDIATION OF FIRST PRINCIPLES

**A**S long as the foreign Powers uphold one war-lord and legalize his importation of arms, munitions, bombing planes and war-material and concede to him all the time necessary to consolidate his rule over the whole country, these five hundred million people can never escape their unhappy lot. The war-lord who finally succeeds in establishing his rule, will become the most powerful militarist of the age, the Napoleon of Eastern Asia. Obviously, the beneficiary of the favors of the Powers must uphold a doctrine which legalizes and perpetuates his right to autocratic rule. Spokesmen for "official China" will never dissent from or protest against a principle that sets aside the primary law in their favor. For that reason, the world is never permitted to hear the case for the "people of China." They can expect no sympathy or consideration from the great liberty-loving nations of the West whose statesmen, placing their Covenants and trade interests above the rights of man, have incorporated the doctrine into a perpetual treaty and the law of nations.

Unless some nation not bound by the treaty intervenes in their behalf, there can be no escape from the hell into which we have consigned them. But at this moment there is intervention. It comes from a source which but yesterday we would have regarded as malignant and unendurable but which today, so great has been the moral breakdown of nations, we accept with indifference. We see Soviet Russia entering the lists as the champion and savior of China,

taking advantage of the chaos and discontent to implant the doctrines of Communism. One-quarter of the total population of China now professes Communism. Over vast sections, the Red Ensign of the Hammer and Sickle has supplanted the Blue Banner of the Koumintang Sun. While this takes place we submit with a good grace and even applaud, but we grind our teeth if Japan helps Manchoukuo toward self-government. Yet we cannot blame these masses of central China for accepting any political leadership that promises relief from their sufferings. Starving, despairing people know no politics. Our self-denying treaties have brought the people of China to this. We granted a charter to a nation that does not exist. We conferred a Bill of Rights upon a people unprepared and unfitted to defend and exercise them. The Treaty designed to help the Chinese develop the free institutions of a self-governing republic has been transformed into a Magna Charta for Communism, converting the country slowly but surely into an appanage of Moscow.

FICTION YIELDS TO TRUTH

We persist, however, in calling China a Republic. Even the older term "the Chinese Empire" was a misnomer, an error of Western cartographers. Its ruler was called "The Emperor of China," while the country, in reality, was the Manchu Empire, ruled over by the Ta Ching Dynasty that came out of Manchuria. Except as to the lower Liao Valley, Manchuria was never a part of, nor did it ever belong to, China. It was, as its name implies, the land of the Manchus. For the last three centuries, China formed part of the Manchu Empire. The term "Republic of China" is merely a diplomatic fiction accepted as truth for the convenience of facilitating diplomatic relations and holding some one central authority in that country responsible

for the conduct of international relations and for the payment of its foreign obligations.

But fiction must yield to truth. Where there is truth, fiction cannot exist. As the Powers for their own convenience have agreed to place fiction before truth, they now find themselves committed to uphold the fiction at the expense of the truth. They have gone so far with their deception and entered into so many treaties based on the falsehood that they dare not now recede and admit their error. The farce must be played out, even though millions of innocent human beings are annually sacrificed to give effect to the make-believe that China is a united nation. The right of the people of any part of China to break away from the tyranny of their war-lords and set up their own government is denied by treaties which compel them to remain under the yoke of the despot recognized by the foreign Powers as most convenient for them to deal with. In the fiction of law, equity always exists, and an upright judge in making his decision prefers equity to strict law. But even this fundamental rule of justice has been disregarded in arriving at a verdict over Manchoukuo.

#### REPUDIATION OF FIRST PRINCIPLES

“Proof lies upon him who affirms, not upon him who denies.” The League and the United States affirm that Japan has violated certain treaties and that the independence of Manchoukuo was brought about by illegal methods, that is, by force. Japan protests that she has violated no treaties. The League and the United States, disregarding her denials, proceeded to try, judge and condemn her without consideration for her side of the case and with no regard whatsoever for the fundamentals involved in the creation of the new state of Manchoukuo. Every precept, every maxim, every principle which underlies the Ameri-

can conception of liberty has been repudiated in order that a fiction of diplomacy may continue to masquerade as the truth. In favor of life and liberty all things are to be presumed, yet this primary and irrefutable dogma is also denied in the case of the people of Manchoukuo, who, we are told, prefer hardship, misery and serfdom under the yoke of Chinese bandit overlords to freedom, happiness and comparative prosperity under their own rulers. To state the case, is to refute it.

“The same God who gave us life, gave us liberty at the same time.” He did not single out any one people as the beneficiaries of His blessings. He has no chosen people, nor has He set aside any portion of His footstool as God’s Own Country. The fundamentals of law, of liberty and of right apply equally to all His children, whether they be white, brown, black, yellow or red. For some of these racial groups to claim for themselves a monopoly of these gifts from the Almighty and deny to others their right to equal opportunities, constitutes a denial of the fundamentals of their civilization and a betrayal of their faith. And yet, this is exactly what has happened in the case of Manchoukuo. We have elevated our man-made laws and treaties of political and commercial expediency superior to the laws of God and of Nature, overriding the right of a people to freedom in order to preserve a fiction that any school boy can see through. We demand equal opportunity for our trade with China and to hold the country intact so we can extract the greatest profit from our doctrine, we deny to the peoples of the various provinces of China their right to equal opportunity in applying their own conception of independence or to invoke the same just principles upon which our own liberties are erected and for whose preservation we will lay down our lives, if needs be, as cheerfully as those who made them possible.

## CHAPTER XIX

### MANCHOUKUO ARRAIGNS ITS JUDGES

**I**T is an old precept of law that we "*cannot dispute against a man denying first principles.*" For this reason, Manchoukuo declines to defend its case against the one-sided judgment of the League of Nations and the United States. William H. Seward, Lincoln's secretary of state, once said, "There is a higher law than the Constitution." Manchoukuo holds that there is a higher law than international law. The welfare of the people is the supreme law. Standing firmly on the fundamentals, she declares that international law as laid down in the League Covenant, the Nine Power Treaty and the peace pacts is contrary to the natural law and, therefore, has no force. The treaties, as well as the League Report, cannot and do not detract from the right of the people of Manchoukuo to their independence, no matter how or by what means that independence be achieved.

These 30,000,000 people had become slaves of their military and bandit overlords. Ignorant, starving, unarmed, terror-stricken and at the mercy of their brutal taskmasters, it is surprising that even after the opportunity came these underdogs had the courage to rise at all and assert their rights as human beings. Up to September 18, 1931, they had no opportunity to revolt and overthrow their oppressors. Held in subjection by an army of over 400,000 men, how could they break out in spontaneous revolution? They were justified in taking advantage of any opportunity to free themselves. What necessity forces, it jus-

tifies. Whatever is done by a people in defense of their rights as human beings is legal and all the laws and treaties that go to make up the lawless code of nations cannot despoil them of the right to seek by every and any means to free themselves from slavery. Necessity laughs at the chains of law; it makes lawful that which is otherwise unlawful; necessity knows no law.

So the thirty million people of Manchoukuo in their dire necessity laugh at the law as expounded by the League and the United States and place upon them the burden of proof that they are not entitled to the same liberties enjoyed by other peoples. The people of Manchoukuo challenge their judges to state the reasons why they should not enjoy their right to self-government under any form most acceptable to them; why they of all peoples of the world, should be denied the right to rebel against misrule, oppression and injustice and be condemned to remain under the yoke of alien war-lords.

Manchoukuo will never humble itself to ask for recognition, nor will it conduct a propaganda or press campaign in this or any other country having that object in view. Recognition may be delayed until the acknowledgment is superfluous and ridiculous, but the first overtures must come from those who have so unjustly condemned the new state and rebuffed its people. It is not for the people of Manchoukuo to plead their case before the freemen of the world. It is squarely up to those who have condemned, penalized and ostracized them to defend their own betrayal of those almighty and everlasting principles upon which all law, progress and civilization are founded.

## CHAPTER XX

### PUPPETS EVERYWHERE

**T**HE world insists upon calling Manchoukuo a "puppet state." Admitted that the people of Manchoukuo, unskilled in the arts of government, are willing at the outset of their experiment to accept the friendly assistance of Japanese experts to organize the new state; does that necessarily imply that Manchoukuo is a puppet? How many puppet states exist in the world today? How many smaller sovereign states dare assert their complete independence of and full equality with the great Powers? How many Latin-American or Caribbean republics are dominated by the United States? Would the independent commonwealths of the British Empire be altogether free to act for themselves under given conditions? Is not India a member of the league of self-governing independent states, yet is it not obviously a puppet of Britain? Can we imagine the states of the Little Entente adopting major policies without first consulting and receiving the approval of their French ally and protector?

What then is an independent, sovereign state? As Professor Edmunds says: <sup>1</sup> "Once we admit that a sovereign state possesses 'hegemony' in a certain geographical area—and it is conceded to all great Powers—it is absurd to speak of a right of independence. The two terms are utterly irreconcilable. The status of 'hegemony' implies a free hand, with a primary right of depredation. Thus one by one the

<sup>1</sup> Sterling, E. Edmunds, *The Lawless Law of Nations* (Washington, D. C., John Byrne & Company, 1925).



smaller American republics have been reduced to the position of subject states by the United States. . . . At best the right of independence is, and always has been, the right of the most powerful; and it is a consequence of this truth that every State in the world today, that can borrow or extort the money, is an armed camp."

#### MONEY FOR THE MARIONETTES

How long would the National Government of the "Republic of China" maintain itself in power without the proceeds of the foreign-supervised customs and salt gabelle being paid into its treasury? Withdraw the foreign fleets from the China coast and the gunboats from her rivers and each provincial war-lord would declare his independence, seize the ports in his bailiwick and appropriate these revenues to his own use. China is a puppet with many masters. In other parts of the world, the success of any rebellion or revolutionary movement hinges largely upon the ability of the rebels to occupy the ports and deprive the recognized government of its customs revenues. China is the only country where this right is denied by creditor nations. Without the protection of these foreign warships, which tolerate no interference with the customs, the Republic of China would split into its natural divisions, each one standing upon and asserting its complete independence.

It is not because of any solicitude for the rights of the peoples of these various sections of China to their independence that these gunboats are kept on the job, but because the Powers are determined that the interest payments on their loans secured on the customs revenue will not be defaulted. There are no American loans to China secured on the customs revenues, but strange to say, American warships invariably line up with those of Europe to protect

the customs from falling into the hands of provincial authorities who, from time to time, declare their independence. It is a strange sight to see American warships employed even indirectly to protect the loans of nations who have repudiated or defaulted on their debts to the United States.

#### AMERICAN GUNBOATS IN CHINA

The presence of foreign cruisers and gunboats in Chinese waters is imperative for the protection of the lives and properties of the nationals of the naval Powers and as the only safeguard against unrestricted piracy along the coasts. But when these warships step outside these legitimate functions to protect the Chinese customs against seizure by provincial authorities, declaring their independence of the central government, they become an armed agency for the collection of debts. These same naval Powers would hesitate before landing an army to protect or take over the operation of a Chinese railway or enterprise on which their loans have been defaulted, but they have no scruples about using their navies to protect the security for other loans.

The South American states have all subscribed to the "Drago Doctrine," maintaining that force cannot be used by one power to collect money owing to its citizens by another power, and that doctrine is now upheld by the United States. Once again, it would appear that what is good law and practice in other parts of the world is not applicable to China. If the American Government will not resort to force to collect the debts owing to its citizens by Latin-American states, how can it defend its gunboat policy in China where Americans have no loans secured on the Chinese customs?

Ponder over this and we will come to the conclusion that

the real reason for the presence of American warships in the ports of China at such moments, is not because we are concerned with safeguarding the security for European bondholders, but in conserving unimpaired the territorial and administrative independence of China in order to give effect to our own doctrines. We agree in a solemn treaty to respect the territorial and administrative integrity of China and to concede to her all the time necessary to work out and establish a stable and efficient government, we then pick the war-lord most convenient to deal with, hand over to him the revenues collected under the guns of our warships and deny to any other faction, province or section, the right to declare their unquestioned independence and enjoy the revenues from the trade that flows in and out of their territory. If that is not intervention in the internal affairs of China, I do not know what to call it.

Look at Nanking! Foreign advisers fill every ministry and bureau of the national government. League experts by the score fall over each other drawing up paper plans to teach these people the rudiments of government, of finance, of law, of hygiene, sanitation, education and the other fundamental obligations of a modern state. Behind this puppet show on the Yangtze can be seen the smoke drifting lazily from the funnels of the foreign warships which guarantees the payment of the funds to keep the marionettes performing. Yet with this picture before them, foreign newspapers malign, slander and sneer at Manchoukuo, ridicule its ruler and cast aspersions on the honor and integrity of a group of patriots, who, recognizing their inexperience, are seeking the salvation of their country by inviting the aid of a neighboring state which, at least, understands their necessities. They malign an isolated and inexperienced people, doing the best it can in the face of stupendous difficulties and with immeasurable handicaps, which grasps the only hand of experience that is available.

## CHAPTER XXI

### MANCHOUKUO NO TREATY-BREAKER

**A** CASE can be made out to prove that Japan violated some treaty when her Kwantung army resorted to force in defense of her interests in Manchuria. Her guilt, however, is a matter of opinion. But admitting for the sake of argument that Japan did violate a treaty, it concerns only those with whom she signed that treaty. The dispute does not interest the people of Manchoukuo. They, at least, have broken no treaties. There is nothing in the Nine Power Treaty which prohibits any section, province or district of China from declaring its independence of the recognized government if it can maintain that independence by force. The fact that Manchoukuo, after declaring itself, entered into an alliance with Japan for mutual defense cannot be held against her in law, for the reason that the precedent was clearly set by Canton when it declared its independence of Peking in 1925 and then entered into a secret alliance with Moscow, not to maintain its independence, but to conquer and impose its rule over the whole country. The fact that this Bolshevized-Cantonese group did succeed in establishing its rule over Central China and was immediately recognized by the Powers, constitutes another legal precedent which fully vindicates Manchoukuo in entering into a mutual defense pact with Japan.

It is true that Britain and France did make an effort to protect their interests by joint armed intervention, but as the United States refused to coöperate, they let matters

take their course. This non-action of the United States when Soviet Russia was openly leagued with Canton to overturn the Peking Government would seem to disqualify it from protesting against any similar alliance between Manchoukuo and Japan for the defense of their interests against the Communist menace.

The only justification for the intervention of the United States in the Manchurian dispute is that Japan is a signatory to the Nine Power Treaty, while Soviet Russia is not. We could say or do nothing to stop Russia but employed the full weight of our diplomacy against Japan. This is another proof, if such proof be needed, that the treaty constituted a charter of license to Moscow while prohibiting Japan the right to defend herself. Our attitude, while based on sound law, is discriminatory and provocative.

So much has been said about Japan violating the Nine Power Treaty that it is well at this point to stop and consider one fact. In conformity with Article VII of that treaty calling for full and frank communication between the contracting parties whenever a situation arises which, in the opinion of any one of them, involves the application of the treaty, the British and French Governments acted early in 1927. At that time of great danger to the lives and properties of their nationals in the Yangtze Valley (when it looked as though the Nanking horror would be repeated and all foreigners butchered and their women dishonored by the Communist hordes sweeping up from Canton under the banner of Chinese Nationalism), they requested the American Government to join in a united armed front against this menace to their combined interests.

The American people have never been permitted to know the full details of the Nanking outrage and the extent to which American women were subjected to indignity and worse. The missionaries themselves suppressed the truth. Yet with this experience fresh in its memory, facing

the possibility that similar anti-foreign outbursts would follow, the American Government declined to coöperate with Britain and France or admit the necessity for such armed intervention. As no single foreign Power will resort to any punitive expedition or even show of force in China without the full coöperation of others, who would otherwise employ the opportunity to advance their own interests at the expense of the one initiating the move, the plan had to be dropped. No intervention of this nature could even be suggested in secrecy by one Power to another, for fear that it would immediately leak out to China and be followed by a boycott against the trade of the nation instigating the move. Whether intended or not, the position of the United States in 1927 in refusing to coöperate with the other Powers in armed intervention against the Red menace places on record our determination to permit events to follow their natural course in China. It was equivalent to serving notice on all the other signatories to the Nine Power Pact that invocation of Article VII will have no result as far as we are concerned, other than to acquaint China of what is proposed and subject the Power initiating the talks to reprisals.

When the American Government would not approve of or consent to such measures when proposed by Britain and France, it most assuredly would never have endorsed a similar proposal emanating from Japan. Whatever our motives, they can be interpreted as placing us on the side of the Chinese Reds and when Japan's existence became endangered by the steady, forward thrust of Communism along all of China's borders, compelling her to act while she had time to do so, it becomes a very delicate question just how far she is bound by the provisions of Article VII of the Nine Power Treaty and how far the other signatories have the right to invoke it when Japan's existence is placed in jeopardy by a non-signatory state.

The refusal of the American Government to coöperate with Britain and France in 1927 when their vital interests seemed endangered, may help us to understand why in 1931, when Mr. Stimson appealed to the Powers for a united front against Japan (who, after all, was only doing what Britain and France proposed at that time as a joint enterprise) he found them willing, out of respect to us, to give lip-service and moral support to the treaties, but beyond that, nothing. Had the United States coöperated with Britain and France in 1927 the Red Terror that now threatens all China would have been crushed in its first stages and Japan perhaps would have had no reason to become alarmed for her safety or to take such steps as she deemed appropriate to safeguard her security. We cannot have it both ways. Aside from all other aspects of the case, the inconsistencies of American diplomacy and somewhat selfish aims of our policies, precludes any signatory from invoking Article VII with any hope that we will give our consent to concerted or individual action in defense of special interests. Whether or not Japan was committed under the Treaty to consult with us before taking action to defend herself against a non-signatory, is a matter that will be discussed later.

## CHAPTER XXII

### THE FUNDAMENTAL LAW OF THE CHINESE REPUBLIC

**T**HERE can be no dispute over the right of the people of Manchuria to declare their independence nor over the legality of their act. Whatever dispute is permissible is one confined to Manchoukuo and the Republic of China.

Here the picture changes and we find that, instead of Manchoukuo, the Republic of China is the violator of solemn treaties. The Abdication Agreements<sup>1</sup> between the Republic of China and the Manchu Emperor, the Manchu Princes and the Bannerman are, for the Manchurians, the supreme law, overriding all treaties that may have been subsequently entered into between the Republic and Foreign Powers.

The Revolution of 1911 convinced the Manchus that they could no longer impose their rule over the people of China without recourse to a long-drawn-out civil war. The Manchu policy was one of peaceful settlement. In pity for the sufferings of the great mass of their unoffending people, they honorably bowed to the will of Heaven. The following extract from the merciful mandate of the Empress Dowager sets a precedent that should guide the United States, the League and the Republic of China in arriving at a similar humanitarian solution to the present dispute over the independence of the homeland of the Manchus:

<sup>1</sup> See Appendix III.



In ancient times the ruler of a country emphasized the important duty of protecting the lives of his people and, as their shepherd, could not have the heart to cause them injury. Now the newly established form of government has for its sole object the appeasement of the present disorder with a view to the restoration of peace. If, however, renewed warfare were to be indefinitely maintained, by disregarding the opinion of the majority of the people the general condition of the country might be irretrievably ruined and there might follow mutual slaughter among the people, resulting in the horrible effects of a racial war. As a consequence, the spirits of Our Imperial Ancestors might be greatly disturbed and millions of people might be terrorized. The evil consequences cannot be described. Between the two evils we have adopted the lesser one. Such is the motive of the Throne in modeling its policy in accordance with the progress of time, the change of circumstances and the earnest desire of Our People. Our Ministers and Subjects both in and out of the Metropolis should, in conformity with Our Idea, consider most carefully the public ideal and should not cause the country and the people to suffer from the evil consequences of a stubborn pride and of prejudiced opinions.

It is overlooked that at the time of the abdication, it was still open for the Manchu Imperial Family to retire to Mukden, its old capital in Manchuria, and to reoccupy the throne of its great ancestor who conquered China. Had the Manchu Court decided to retire temporarily or permanently to its Manchurian home, it could never have been dislodged by Chinese revolutionaries nor could Manchuria have become even a nominal part of the so-called Republic of China. As a matter of fact, it has never been more than a nominal part of China. There was nothing to prevent the Manchus from retiring to their homeland. That they refrained from so doing, was because they did not perceive the necessity, having faith in the binding power of solemn treaties, trusting to the honor of the Chinese Republic to

keep inviolate the terms of the Abdication Agreements as an integral part of the revolutionary settlement and because the agreements had been incorporated in the fundamental law of the republic.

No matter how much the Nationalist official of today may dispute the validity of these Abdication Agreements or how unimportant they may appear to foreigners in comparison with their own treaties, the legal fact remains that they are as binding and sacred as any treaty ever entered into between sovereign states. Marshal Tuan Chi-jui, whose memorial to the Throne was the decisive factor in securing abdication, said at the time, "If the Throne accepts its terms it is our intention to register the Agreements with the Hague Tribunal." The acceptance of the terms by both parties were regarded as permanently binding with no cancellation possible and no modification except by mutual consent. Copies were sent to each of the foreign legations in Peking for permanent record. Every honorable Chinese official of the old school who took part in the negotiations admits that they entered into a solemn agreement with the Ta Ching Emperor which bound the country until a new arrangement is made. Even today and despite the new wave of Bolshevist morality spreading over the country, should the question be left to the Chinese people, their ethical character would assert itself and confirm the rights of the Manchus and their Emperor. Should any difference of opinion be registered it would disclose a cleavage along purely sectional lines, with the Northern provinces upholding the inviolability of the agreement and the Southern or Cantonese factions voting solidly for repudiation of their terms.

#### A CASE OF POETIC JUSTICE

Foreign judges of Manchoukuo were severely critical of the selection of Pu-Yi as Chief Executive of the new state,

and now that he has been elevated to his rightful position as Emperor, they ridicule him as a "Japanese puppet," arraign him as a "traitor to China" and sneer at him as a "weakling" who dares not call his soul his own. No thought seems to be given to the fact that Pu-Yi is not a Chinese, that he owes no allegiance to China, that he and his forebears were Manchus and, that the Chinese Republic entered into a solemn treaty with his family to recognize and respect his status as a "Foreign Sovereign." This young man was legally protected, in so far as it was possible by such means, in his position as ruler of the Manchus and of their homeland. The only honorable way out of the Abdication Treaties by unilateral action, was to recognize this right and reinstate Pu-Yi as Emperor of Manchuria. This, the Bolshevized-Cantonese group directing the diplomacy of the "Republic" declined to do and tore up the Abdication Treaties on the plea that they encouraged the revival of a monarchist movement. That may have been true and it is easy to understand that these Cantonese revolutionaries were always fearful that the Northern Provinces, which had never accepted their "republican ideals," might return to their old allegiance.

That Pu-Yi is alive today, seated on the throne of his fathers, is due, not to any Chinese regard for their pledged word, but to the security against assassination afforded him by residence in a Japanese policed concession. Whether the Japanese protected him in order to use him at some appropriate time and conveyed him to Manchuria for the purpose of setting him up as ruler of the new state, or whether it all worked out according to the "Will of Heaven" is a matter that does not concern the Chinese or Western nations. The Chinese Republic had robbed him of his patrimony, his home, his country and plotted openly to remove him. He owed nothing to China. Western public opinion, if it has any interest in the matter at all, should

be guided by right and justice and not swayed by prejudice or opposition to monarchical forms. Pu-Yi has told the story of how he came to leave Tientsin and enter Manchuria and if there are any who doubt his veracity and still cling to the belief that he was kidnapped by the Japanese, put aboard a destroyer and conveyed under guard to Dairen, then they must admit, that after all, it was a case of poetic justice.

#### A BRAZEN ARGUMENT

Every clause of the Abdication Agreements has been callously violated. The annuity of the Emperor and the Mongol and Manchu Princes and the pay of the Manchu, Mongol and Chinese Bannermen, was never adequately met; their private and communal property was appropriated by the Republic; the Imperial Treasures were looted and sold to raise funds for "Republican" armies; the Imperial Tombs were desecrated and looted by the Republican troops; the title of Emperor as a Foreign Sovereign was annulled on November 25, 1924; the Imperial Princes and leading Chinese officials who remained loyal to their monarchical ideals, escaped death and confiscation of their wealth by seeking refuge in Dairen, or by placing themselves under the protection of the International Settlements; the Emperor was ejected from his Palace and took refuge in the Japanese Legation at Peking. Later, he escaped to Tientsin, where he again found protection under the flag of the Rising Sun. He could not move outside the narrow limits of the International Concessions without risking arrest, imprisonment or death. Kept under strict surveillance, in constant fear for his life, he dared not return to his homeland and take his rightful place as the sovereign of his people. There was no redress, no court of appeal, no hope even of the Manchus' obtaining the arms or the financial support to regain their rights. Treaties en-

tered into between the foreign Powers and the "Republic of China" confirmed the latter in its violation of a sacred promise. The whole world stood arrayed against the Manchus. Justice was subordinated to pacts which upheld the inclusion of their territory as an integral part of the Chinese Republic.

Not until the armies of the usurper were dispersed and his power broken before the onslaught of the Japanese, could Pu Yi return to his own country. Then we have the picture of the ousted tyrant brazenly petitioning the League of Nations to restore his authority over the land and the people he and his father so mercilessly exploited for twenty years. He took his stand on the sanctity of treaties entered into between the "Republic of China" and the Foreign Powers which ignored the existence of that fundamental pact upon which the Republic itself owed its existence. The tyrant could appeal for justice before the Court of the Nations but the people of Manchoukuo whom he had outraged, oppressed and degraded were not permitted to answer. Their pleas were coldly rejected. They did not exist. The picture has changed. The people of Manchoukuo with arms in their hands now declare to the League and to the world that before the "Republic of China" can appeal for justice, it must render justice. The Republic made a scrap of paper of its most sacred covenant with a people who, confiding in its pledge of honor, surrendered their arms and their right to rule rather than plunge the country into a protracted civil war. There is no time limit in international law for the revival of claims of this nature. The Manchurians stand on the law and contend that treaties entered into between the foreign Powers and the "Republic of China" subsequent to 1911 in no way detracts from the binding power and sanctity of the Abdication Agreements written into the fundamental law of the republic.

The disarmed and trusting Manchus saw their homeland taken over by a bandit, whose Shantung forebears entered Manchuria as tenants of the White-Bordered Manchu Banner Corps. They saw their lands confiscated and parcelled out in huge grants to the family and intimates of the despot, and cultivated by assisted immigrants brought from regions south of the Wall under conditions which converted them into serfs. He then conscripted an army of 400,000 men and erected the largest arsenal in Asia to hold his "conquest." They then saw their tyrant recognized as one of the great personages of the civilized world, accepted by foreign governments as a ruler in his own right. They paid the bill for his wars of conquest which carried his banners to the banks of the Yangtze. They saw their bandit overlord seat himself in the Imperial Palaces at Peking, the home of their sovereign. They watched with amazement this usurper making plans and preparations to set himself up at Peking as the founder of a new Manchurian bandit dynasty. When he died and the power passed to his son they were bled white to pay for new wars of conquest which again seated their young tyrant in the Imperial Palaces at Peking with the title of Co-Ruler of China. They saw his representative elected to a seat on the Council of the League of Nations where as a member of that body he could protest against, silence and discredit any appeal for justice from an enslaved people. Subjected and maintained in bondage by overwhelming military power, lacking the arms or the money to revolt and assert their rights, deprived of any appeal to a court whose judges numbered amongst their members the representative of their oppressor, these people hailed as an intervention of Heaven, the action of the Japanese troops which dispersed the armies of their tyrant and ended his power for evil. The Manchus are now told that they have died out as a race; that they have been absorbed by the

Chinese; that Chinese immigration since the abdication has determined the ownership of the soil; that their homeland is now Chinese territory in which they have no legal rights. The brazenness and iniquity of these arguments is accepted by the Western world as true to fact and the rights and equity of the Manchus in their own country swept aside as of no consequence.

## CHAPTER XXIII

### MANCHOUKUO AFFIRMS ITS RIGHTS

**N**O people, nation or community can by treaty bind itself into slavery, yet that is how the Manchu Abdications Agreements have worked out in practice. It is overlooked in all these discussions over China and Manchoukuo that sovereignty is not the personal attribute of any one ruler. When we speak of a sovereign state we do not mean that the state is sovereign, but that the people within well defined territorial limits have the right to establish a new form of government when the old has outlived the purpose for which it was created. When the authority of the Crown of Great Britain was repudiated by the founders of the United States, the sovereign powers formerly exercised by the wearer of the Crown passed to the states and, in the American conception, to the people of the states. The source of authority in each state was the people; and the government of the state was the people's agent. If that is good basic law for the people of the United States, then the principle must hold good in Manchoukuo and in China. For the moment the people of China cannot exercise their sovereignty against the huge armies maintained to deprive them of their liberties but wherever this pressure is released or relaxed and the people once more can assert their rights, there is no law, treaty or covenant that can deprive them of this prerogative.

"Events of the World War," says Charles Cheney Hyde <sup>1</sup>

<sup>1</sup> Charles Cheney Hyde, *International Law Chiefly as Interpreted and Applied by the United States* (Boston, Little, Brown & Company, 1922).



“with respect to Alsace-Lorraine and Poland, justify the conclusion of fact that people compelled by force to consent to yield their territory to alien rulers long retain the belief that, regardless of the terms of the agreement, no impropriety attaches to the effort to regain their loss. Respect for the sanctity of treaties is not enhanced by engagements which impose terms which the nationals of one contracting party deems it desirable and praiseworthy to defy, whenever a favorable opportunity, however long delayed, presents itself.”

That long delayed opportunity came to the Manchurians on the dispersion of Marshal Chang Hsueh-liang's armies before the onslaught of the Japanese. The mills of the gods grind slowly, but they grind. The Manchurians, thanks to Japan's resort to self-defense, stand once more with arms in their hands ready to defend and hold what is theirs. Their rightful Emperor is seated on the throne of his fathers and a loyal people has gathered around him determined to go down fighting for its liberties rather than again bow the necks of its numbers to the yoke of a Chinese war-lord to please the League of Nations and give effect to principles embodied in treaties which repudiate their legal and just rights. The people of Manchoukuo care nothing for what the world thinks about them. They reject as irrelevant the legalities, technicalities and the jargon of the professional diplomat whose vision is limited to precedents, protocols and exchanges of official correspondence. They look their judges in the eye, unabashed, unafraid, conscious of the righteousness of their cause and deny the right of any court to adjudge them guilty of crime against the law.

## CHAPTER XXIV

### THE ANVIL CHORUS

**T**HE establishment of the new State of Manchoukuo was accepted by a critical world as confirmation of Japan's intention ultimately to annex the country, but as time passed and its legitimate ruler was restored to the throne of his fathers, order slowly brought out of chaos and steps taken to develop industry and trade, the tendency is now to charge the Japanese with digging themselves in to stay, transforming the Manchu Empire into a Japanese colony in everything except name.

Now that the League and the United States have refrained from applying sanctions against Japan, and China is left to solve her own problems, a new campaign is being launched to keep alive the suspicions and resentment against Japan in the hope that what the world would not do for Manchoukuo, it may be forced to do for China proper. It is now frankly admitted that Japan had a strong case and the world would have respected her more had she openly and unblushingly annexed Manchoukuo without resorting to "palpable fictions" about respecting the will and wishes of the thirty million people of Manchoukuo for their independence. It seems to rankle that Japan did not live up to her alleged reputation as a despoiler and instead has actually erected an independent Manchu state, so the explanation now being widely circulated is that this is all eyewash, the screen behind which she is concealing her real intention to dominate the whole of China.

It is pointed out that democratic government is alien in

China and Japan, and any form of government in Manchoukuo must necessarily be imposed and not elected. This is true in the broad sense, for although there exists no machinery in China to ascertain the will and wishes of the people there remain the traditional organs of public opinion, the guilds, chambers of commerce, mercantile, religious and educational groups which, together with other public bodies, form what is equivalent to the qualified voters in more advanced democratic countries and in so far as it is possible under such a system, reflect the popular will. It is true that the demand for independence was not a direct mandate from the people at large but, coming as it did from the delegates of the principal public bodies of the state, it expressed the popular desire under the only system available for ascertaining it.

The methods employed to bring about the independence of Manchoukuo and set up a new government are no whit different than those which preceded the Declaration of Independence of the Thirteen Colonies. A state erected on democratic lines in which the power rested with all the people had not been conceived until the founders of the republic pointed and blazed the way and even then when they signed the Declaration of Independence it cannot be said that they reflected the will and wishes of even a majority of the people of the colonies. The democracy created by them went through years of political turmoil and popular education before the traditional leaning towards the monarchical form finally disappeared.

It is unfair at this time to belittle the official Manchoukuo statement that the creation of the new state reflects the unanimous will of its 30,000,000 people because of the absence of the machinery considered essential in a democracy to ascertain their wishes. The great mass of the people of Manchoukuo prayed for any change that would bring relief from their sufferings and left the decision of

the form of government to be established to the discretion of the delegates appointed by the public bodies to convene in assembly for that purpose. That these delegates voted to return to the older system of government that they understood and on that foundation build up a form of constitutional monarchy suitable for their needs, is no more remarkable than the action taken by the delegates of the American Colonies representing a minority, for setting up the only system of government which would vindicate their radical theories and justify their complete breaking away from England. It is premature to state that the government of Manchoukuo under its Emperor will be any more despotic than the monarchical system under which the people of Great Britain enjoy a greater freedom and where there is more pure democracy in government than in many republics that profess but fail to live up to the tenets of their faith.

The League Commission's pessimistic comments on the ability of the government of the new state to establish law and order within a reasonable time, reform the currency and balance the budget, provided the cue for a group of writers who, notwithstanding all proofs to the contrary, still prophesy disaster and seek to prove that the Japanese military are in full control, masking their real intentions while waiting for another propitious moment to extend their conquests. It is really remarkable how the Japanese are making more and more difficult their plan to grab that country.

#### A SATISFIED PEOPLE

The people of Manchoukuo seem to be the only ones not worrying about their ultimate fate. They have on record the oft-repeated pledge that Japan's fundamental policy is a most scrupulous respect for their sovereignty and independence and are confident that Japan will religiously

adhere to this solemn engagement. One doesn't shoot Santa Claus, even though he comes down the chimney wearing a kimono and a pair of *getas*. For the moment they are happy and contented in their new found freedom. If other nations decline to recognize them, they must of a necessity rely largely on Japan for the capital to develop their resources. It may seem that the Japanese are monopolizing the choice investments, but even that is not worrying the Manchurians. They realize that these enterprises will never prosper if they overstep certain limits and impair the sovereignty Japan is pledged to uphold. Japan has committed herself to a policy that is almost a faithful replica of America's adventure in imperialism in Cuba and the Philippines. Our lesson is before her.

No minority committees of native Manchurians have appealed to the League or the Powers for protection; there have been no petitions for a restoration of the old régime; no manifestoes from discontented groups; the only protests have been confined to those emanating from official spokesmen of the war-lord system seated in the League and officiating as their diplomatic representatives in the capitals of the great Powers. Even the ousted tyrant, Chang Hsueh-liang, on his return to China after a year abroad, declared that the only solution to China's problem was a system of confederated independent states. Stripped of his once great power as "Co-Ruler of China," his voice no longer counts in the councils of a clique upon whom the Powers have conferred the right of supreme autocratic rule.

#### CHINA'S TESTIMONY DISCREDITED

The Chinese official answer to this is that no group in Manchoukuo would dare protest openly against the new régime; that the people are ruled by terror and would pay for their temerity with their lives. Let us assume that this

is true. Then let us remember that under the rule of the Changs, the tea-houses, restaurants and public meeting places were placarded by police warnings reading: "Political Talk, or Discussion of State Affairs is Prohibited," that free speech and a free press were suppressed and that those who broke these regulations were summarily decapitated in the open street or led out and stood against a stone wall and shot. The same extreme methods for the repression of political thought are employed throughout all "Republican China."

It has not been long since Soviet Russia was inducted into the League of Nations. Her admission was accompanied by protests from groups in every one of her so-called associated republics accusing her of trampling upon their liberties by force and holding them in subjection by stark terrorism. The records of governments maintaining themselves in power by such ruthless elimination of all opposition disqualify them from accusing others of resorting to the same methods, or of being entrusted with the defense of oppressed minorities. Their testimony is discredited by their character. Unless sheer brutality has superseded the principles underlying the creation of the League, such charges should carry no weight when coming from China or Soviet Russia.

Even if all the Manchus have died out or been assimilated to the point where the people of Manchoukuo are now all good Sons of Han, they still retain their right to secede from a state set up and maintained by the Powers through a system of treaties which reject the principle of provincial independence. It is worthy of note that all talk about the indivisibility of China and the reconquest of Manchoukuo does not emanate from the northern provinces of Shantung and Hopei which have furnished the emigrants whose descendants now constitute such a large percentage of the population of Manchoukuo, but from

Southern Canton and Kwangsi, from people physically, linguistically, mentally and in every other way, different from those over whom they assert their right to rule. Left to themselves, the people of the Northern provinces would combine with their blood-brothers in Manchoukuo and set up a new Northern Confederation. To enforce the principle of the integrity of China under these conditions, handing over to a Southern group the right to impose its rule over the peoples of the North, is merely to repeat the proven mistakes of Europe, breeding undying hatreds and sowing the seeds of future wars. The crime of Poland fades into insignificance before such a miscarriage of justice.

## CHAPTER XXV

### FOLLOWING AMERICA'S LEAD

**I**T is entirely too early to question Japan's good faith. Americans should recall how their own solemn promises and protestations of altruism were skeptically received and sneered at when, after the Spanish-American War, we promised independence to Cuba. Observers from every country south of the Rio Grande foregathered in Havana watching every move made, always critical, doubting, anticipating bad faith. Many of our own people interpreted our altruistic promise as merely a subterfuge—like a campaign pledge—to be abandoned after a triumphant election. It was indeed a surprise when the American Government fulfilled its promise to the world. We gave independence to Cuba with a string tied to it. Our capitalists then swarmed in and bought up its lands, its forests, its tobacco plantations and sugar mills, cigar factories, its railways and public utilities. We established our control banks, took its bonds and then, because the United States was the largest purchaser of its products, Congress juggled the tariff until our economic control became a yoke more galling than any system of armed conquest could have imposed. All this was done in the utmost good faith and with a self-satisfied sense of our benevolence. Our exploitation of Cuba has brought ruin, unemployment, starvation and discontent to the people we rescued from the rule of Spain, and thrown them into the arms of Moscow. The beneficiaries of our altruism are now striking at this country through its huge capital investments in that island. Retribution always comes.



I will say nothing about the Philippines. There is a striking analogy in the situation existing in Manchoukuo since September 1931, to that in Cuba from January 1899 to May 20, 1902. The help given the Cubans by the United States is synonymous to that given by Japan to the Manchurians, while the measure of Japan's provocation was comparable to that of the United States in those earlier days. The analogy continues in the doubts, suspicion and open scoffing of the good intentions enunciated by the United States at that time and of Japan's in these days. The analogy goes even further, for after setting up the new Republic of Cuba, "at its request," we loaned them advisers and experts for every department of the new government. We were indignant that our good intention was doubted, just as Japan is today.

The United States set an unparalleled example to the nations of the world. Japan has been the first, and only, nation to follow that example, but we, who created the precedent, have now become the doubters. Instead of irritating us, we should accept Japan's imitation as the only sincere form of flattery. Having been unjustly indicted in a case so similar, we should be the last to cast aspersions on the good faith of another. As we have had to pay for our sins of aggression, so Japan in due time will be called to account if she fails to live up to her promises or attempts to fasten the yoke of economic slavery on the people of Manchoukuo.

But Japan will not fail to keep her pledges. She cannot, she dare not break them. She has set herself a task that no other nation or combination of nations is capable of or courageous enough to tackle. Her very existence depends on the success of Manchoukuo. Within a decade of good government, peace, security and prosperity, the poor, dumb, passive masses of Manchoukuo will, like the Turks, weld themselves together into a nation, free, sovereign and

able to discharge its international obligations under a government having their welfare at heart. It is unfair, nay immoral and provocative to stand on the terms of an unalterable, irrevocable and highly discriminatory treaty holding these people subject to a government which cannot maintain its territorial or administrative independence against its own domestic foes, a government which cannot establish its authority even in its own bailiwick; a government petted, pampered, permitted to break its treaties at will, declare openly its intentions to drive the foreigners out of China, and in other ways ignore its obligations. Japan has committed no wrong in Manchoukuo and it ill becomes the American people to cast doubts on her intentions until they have finally complied with their own pledges in the Philippines.

## CHAPTER XXVI

### BACK TO THE LAW

**I**T will be seen that there are several very important questions of law and equity involved in the Manchurian dispute which cannot be disposed of by setting up a new law, in this case a treaty, designed primarily for the protection of foreign trade interests, and invoking the sanctity of this instrument as a reason for a refusal to recognize an equity that overrides the interests we hoped to legalize and perpetuate. Because we overlooked this simple element of justice and there has been no protest on the part of the sufferer, our error has passed current as law, until we are now so firmly convinced of the righteousness of our cause that we came perilously near being plunged into war in order to vindicate our one-sided interpretation of the law.

The Abdication Agreements between the Manchus and the Republic of China were in every way solemn treaties incorporated into the fundamental law of the republic and the preamble to its draft constitution. These agreements therefore became the law of the land, the law which determined all further international law covering China. These agreements were conditional contracts, in which the condition precedent was fulfilled by the Manchus, who, after filing the contract with the foreign Powers, laid down their arms, disbanded their troops and lost their power to enforce compliance with the terms of the contract, thus placing upon the republic the doubly solemn duty to respect and uphold their rights and upon the foreign Powers, the moral obligation to bear witness to the sanctity

and legality of the compact. The signing of any subsequent agreement between the Powers and the Republic such as the Nine Power Treaty without honoring the conditions laid down in the Abdication Agreements was an illegal act and cannot be rendered valid by its confirmation by the Powers and incorporation into the law of nations. The rights of the Manchus still persisted. The contract in evidence of their rights was on record in the foreign offices of all contracting Powers, but by that time, the Manchus, despoiled of their rights and possessions and terrorized into submission to their fate, dared not openly protest without incurring immediate retaliation.

In résumé, the Abdication Agreements were recorded with the Powers and therefore stand in international law. The Manchus could not resist; there was no court before which they could appear and demand justice; so there can be no prescription of their rights. As there is no time limit in international law to such claims, they still persist in all their original vitality and legality. The self-imposed autocrats of the "Chinese Republic" had no more right to sign and ratify the Nine Power Treaty and commit the government to a violation of its fundamental law than Woodrow Wilson had to commit the American Government to the Versailles Treaty and the Tripartite Alliance for the defense of France. Had there been in existence a constitutional government in China, truly representative of and deriving its powers from the people, the betrayal of the Manchus in violation of the fundamental law of the republic, would have met the same fate as Wilson's attempt to impose his will over the Senate and override the constitution of the United States.

Under such conditions, the signing of the Nine Power Treaty on the part of the "Republic of China" was illegal, if not an outright act of fraud. A binding treaty or contract cannot arise out of an illegal act and as all the contracting

Powers had full and exact knowledge of the existence of the Abdication Agreements, their signing and ratification of the Nine Power Treaty was also illegal, condoning and concealing the fraud. But as fraud on the part of the outside Powers cannot be presumed, their error must be attributed to ignorance, but here again, ignorance of things of which the proof existed in their own archives, does not excuse. If it is a fact that the Abdication Agreements were duly signed, sealed, attested to and copies filed with the Powers, then that fact is a certainty on the face of it and becomes the law. Ignorance of the law does not excuse its violation.

If the Powers can arrogate to themselves the right and authority to do something they consider the more important act, even though this be in violation of the law, they have the same right to render justice and do what may appear as the less important. In the same way that the fiction of the "Republic of China" has been constituted into a legal reality, it may be destroyed. Whose is to give, his is to dispose. Withdrawal of recognition to the Nanking Government set up and maintained by the Powers or an ultimatum issued by these Powers to the war-lords advising them to compound their difficulties and unite under a central government competent to discharge its international and domestic duties, would resolve these complicated Chinese questions into issues which will reveal each province standing on and asserting its complete independence.

#### WHY THE MANCHUS DID NOT PROTEST

That the Manchus did not protest or resist does not mean that they approved or acquiesced in the error. They fulfilled their side of the bargain, and the other party to the contract, becoming the stronger, callously proceeded to repudiate its obligations. The Manchus might have reg-

istered a protest against the Nine Power Treaty with the Powers concerned, with the League or appealed to The Hague for justice, but let us remember that these unarmed people had passed through the horrors of the Chinese Revolution and they remembered Sianfu, Nanking, Canton and other massacres of their defenseless people. What they experienced may be gathered from the following eyewitness description of the Manchu massacre in Sianfu in 1911:

No human sentiment of pity could stay their dreadful fate; lust only in the case of women extinguished their thirst for blood. Shot down, sabred, committed suicide, burned alive, fled to be butchered elsewhere, with the exception of the women survivors, after a week of slaughter a population of twenty to thirty thousand has disappeared.<sup>1</sup>

The law which denies to the accuser the right to be heard after a reasonable time unless he can account satisfactorily for the delay is fully answered in the case of the Manchus. No, there was no protest from the Manchu emperor, the Manchu princes or the Bannermen. The Manchus had disappeared underground. To escape further persecution, dishonor and death, the disarmed Bannermen and their families assumed Chinese names, claimed Chinese ancestry and enrolled in the Chinese armies. It is not difficult to understand why, for the last two decades, the Manchu, Mongol and Chinese Bannermen and their families have not dared to admit their existence or put forward a claim for their rights in a land ruled over by brutal war-lords and bandit-chiefs who would have exterminated root and branch any element which disputed their power.

The Manchu equity in their homeland as defined in the Abdication Agreements, may be outside the code the

<sup>1</sup> Percy Horace Kent, *The Passing of the Manchus* (London, Edward Arnold, 1912), p. 131; also J. C. Keyte, *The Passing of the Dragon* (London, Hodder & Stoughton, 1913), pp. 42-46.



DEPARTMENT OF FINANCE



DEPARTMENT OF JUSTICE



DEPARTMENT OF EDUCATION

MANCHOUKUO GOVERNMENT BUILDINGS AT HSINKING





Powers have set up, but it is nevertheless consistent with reason and must, therefore, interpret the law. This equity must be conceded lest the wrong remains unpunished. There is still another angle to the law, overlooked in any discussion over the status of Manchoukuo. The people of China have never delegated their power to Generalissimo Chiang Kai-shek of Nanking or to the Kuomintang Party, so it was impossible for the Nationalist Government to delegate any of these powers to Marshal Chang Hsueh-liang, the ruler of Manchuria. This young autocrat fell heir to the powers conferred upon his father, Chang Tso-lin, by the people of Manchuria in 1916, both of whom abused their trust by placing the people in servitude and holding them there with the sheer weight of mercenary armies. This fact is established in the League Report, which says:

When the Revolution broke out in 1911, the Manchurian authorities who were not in favor of the Republic, succeeded in saving these provinces from the turmoil of civil war by *ordering* Chang Tso-lin, who was later to become the dictator of Manchuria and North China, to resist the advance of the revolutionary troops.

This bears out the contention of the people of Manchoukuo as to their sovereignty and independence of action. That the Changs, father and son, subsequently betrayed the people, terrorized and enslaved them, does not destroy the rights of the people who delegated their powers to them, or their right to resume their powers at any time when conditions make it possible and feasible for them to do so.

## CHAPTER XXVII

### MANCHURIA ALWAYS INDEPENDENT

**I**T is necessary to stress certain absolute truths which require no exposition and which no outside nation acting as judge is called upon to challenge. Up to 1911, Manchuria was indisputably Manchu territory. That it was permitted to come even nominally under the rule of the Republic is traceable solely to the Abdication of the Manchu emperor and the fact that the Manchu Imperial Clan, the princes and the Bannermen resident in Peking, confiding in the binding quality of the agreements written into the Fundamental law of the Republic, did not perceive the necessity of retiring at once to their homeland. The people of Manchuria saved their country from the fate of the rest of China by empowering General Chang Tso-lin to defend their frontiers against an invasion of the Republican armies. No Chinese war-lord from districts south of the Wall has exercised authority over Manchuria since the advent of the Republic. Its ruler has always been a Manchurian who not only kept the others out but, true to tradition, invaded China Proper and brought the northern half of the country under his rule. That Chang Hsueh-liang conquered north China in 1930, making Peking his capital, and then entered into a pact with the war-lord of Nanking to divide the country between them while, to fool the foreign Powers, Nanking was permitted to pose as the recognized government, in no way brought Manchuria even nominally under the rule of Nanking. Chang Hsueh-liang was never the subordinate. He was the "Co-Ruler of

China," equal in rank and prestige to Chiang Kai-shek, a fact he impressed upon all foreigners who met and talked with him. When Chang Hsueh-liang's military power was broken, and he could no longer terrorize the people of Manchuria into submission, the right to rule did not pass to his partner despot in Nanking, but to the people of Manchuria from whom his father originally derived his powers. When the people of Manchuria declared their independence they committed no injury or injustice to China or the Nanking war-lord, who has never even visited Manchuria, cannot speak the language, and would probably be mobbed if he stepped foot in the territory without an army at his back. If China, or better said, Nanking, was not injured by the declaration of the independence of Manchoukuo, it has no cause for action, no right of appeal to the League or to the United States.

It is worthy of note that the Nanking war-lord did not claim any direct injury but immediately handed over direction of the diplomatic establishment of his government to his Manchurian Co-Ruler so the latter could make his own appeal to the Powers and conduct his own fight before the League. The young marshal would never have confided the defense of his interests to any of the Cantonese or Chekiang group of China's foreign-educated diplomats without some guarantee of their fidelity, something that Chiang could not give. The appointees of the Manchurian war-lord took over full charge of the Ministry of Foreign Affairs at Nanking; he dispatched his trusted henchman to Geneva (where he was coached and advised by an ex-assistant secretary of state of the American Government), while his right-hand man and confidant was made Chinese assessor to the League Commission of Enquiry and then appointed Minister to France and delegate to the League to conduct the fight and protect his interests. China's fight over Manchuria was therefore directed entirely by Chang's

men, all proscribed by Nanking and permitted to take office only because the Co-Ruler of China demanded that his own men be entrusted with the defense of his interests.

#### CHINA'S CLAIMS REST ON ILLEGAL PACTS

All through the dispute over Manchoukuo, the Chinese Government and its official spokesmen have rested their claim to sovereignty over Manchoukuo on the Covenant and Nine Power Treaty and appealed to the League and the Powers for justice. Had the League functioned as a court, Manchoukuo could have presented its case, demanded compliance with the Abdication Agreements and clarified the issues before world opinion. China could appeal for justice, but there was no appeal permitted to the Manchurians. The League would accept no evidence from the Government of Manchoukuo. It was a rebel state. It did not exist. It had no status, no right of appeal. The door to justice was slammed to in its face, while the violator of a sacred trust was occupying a seat on the League Council and a judgeship in its permanent court of international justice! Denied a hearing before the League Court, this leaves the dispute to be settled between Manchoukuo and the Republic of China.

The people of Manchuria have suffered. They have been humiliated, cowed and terrorized into submission. With pent up anger in their hearts, they have read the lies that their race has disappeared and died out. The law may sleep but it never dies, so they have bided their time, praying to Heaven for a release from their sufferings and an opportunity to right their wrongs. This, in brief, is what they have done and now, once more in possession of their rights and the arms wherewith to defend them, they stand on the law, challenge the validity of a verdict that perpetuates the wrong and openly arraign their judges for arriv-

ing at their decision in ignorance of, if not in violation of, the law.

In the face of the truth and in violation of the law, public opinion throughout the world insists that the League Covenant, the Nine Power Treaty and the Peace Pact of Paris has ushered in a new world order, bringing repentance without restitution and confirming a *status quo* which fixes and perpetuates the rule of the imperialist powers over their conquered or annexed territories. The slate has been wiped clean. We place these treaties above the right of a people to self-determination, and the right of nations to self-preservation, and refuse to recognize any change in the *status quo* brought about by force. Let us therefore examine these treaties which we have set up as the supreme law, and while we are wrestling with these legal inconsistencies, let us remember that the people of Manchoukuo are now enjoying a condition of peace and opportunity to develop and prosper such as they have never had before.



**PART III**  
**ON THE TREATIES**





## CHAPTER XXVIII

### DID JAPAN VIOLATE THE PEACE PACTS?

**J**APAN is accused of violating the League Covenant, the Nine Power Treaty and the peace pacts. Whether she did or did not is no concern of the people of Manchoukuo but as their elemental rights have been contemptuously set aside and spurned as of no consequence in arriving at the verdict pronounced against Japan, it is difficult to explain the case for Manchoukuo without at the same time defending and vindicating Japan. The vital interests and security of the two empires are now so indissolubly joined together that the case for Manchoukuo must of a necessity be merged into and become part of the case for Japan, yet without in any way invalidating or weakening the fundamentals invoked by Manchoukuo. The non-recognition doctrine of the League and the United States is based squarely on the verdict pronounced against Japan as a treaty-breaker, and as this directly affects the future status and welfare of Manchoukuo, it becomes necessary in any examination of the latter's case to deal sympathetically with that of Japan. As this brief is prepared exclusively for presentation to the court of American public opinion, it is superfluous to enter into any discussion over the merits of the dispute between Japan and the League.

In effect, Japan denies the charges that she has violated any treaties, but let us admit for the sake of argument that Japan violated the League Covenant. Does that concern the people of the United States? We are not a member of the League. Twice the people of this country placed themselves emphatically on record that they would not join the

League. If Japan violated the Covenant, that is a matter between Japan and the League. We had no right to intervene in such a dispute nor to cooperate with the League in finding a settlement.

If we are not interested in the League, we are in the peace pacts. Did Japan violate the peace pacts? Again, Japan answers emphatically; No! She points out that the peace pacts are based on the theory that self-defense is the fundamental duty of a State, overriding all treaties, commitments and the rights of other nations. The occasion for self-defense is definable only by the state itself. The American Monroe Doctrine is merely the assertion of our supreme duty of self-defense. This nation would go to war if this doctrine be infringed and we would not tolerate outside intervention to ascertain whether or not we had acted in good faith in resorting to self-defense. As far as our own interests are concerned, our fiat is law. We are supreme on the American continent and will brook no interference with, or investigation into, our actions. Yet the principles we assert on our own behalf, accept in practice for ourselves, incorporate openly in the League Covenant and *sub-silencio* in the Peace Pact, cannot seemingly be extended to another nation when, in its opinion, its existence is placed in jeopardy.

It is superfluous in this study to examine at length the exchange of diplomatic correspondence leading up to the final acceptance of the terms of the peace pacts for the renunciation of war as a means for the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin which may arise among the nations. Mr. David Hunter Miller in *The Peace Pact of Paris*<sup>1</sup> has brought together and preserved for public reference all the documents and correspondence connected with a treaty,

<sup>1</sup> David Hunter Miller, *The Peace Pact of Paris* (New York, G. P. Putnam's Sons, 1928).

the outstanding feature of which is that the right of self-defense remains unchanged. The British Regional Doctrine and its antithesis advanced by Egypt, Persia and Turkey, together with the American Monroe Doctrine constitute reservations preserving to Great Britain and the United States the right to interpret self-defense in terms of these doctrines, while Japan expressly reserves the right of self-defense as a general principle, without specifying any region for its application.

In the full exercise of rights expressly reserved by the United States and Great Britain to cover their special regional interests and acting within her own reservation in accepting the Pact, Japan announced that she had resorted to self-defense in Manchuria, yet the right to define self-defense in her own way was denied to her and the United States joined with the League in sending a commission to Manchuria to ascertain whether or not she was telling the truth. No other self-respecting nation would have tolerated an inquisition that reflected on the honor of its army and placed the word of its statesmen in question, unless convinced of the correctness of its attitude.

#### THE NIGHT OF SEPTEMBER 18, 1931

The story of what happened on that fateful night of September 18, 1931, has been told and retold, but the single outstanding fact emerges from every version of the incident that an explosion occurred on or near the railway between 10 and 10:30 P. M. Naturally, there are two sides to the story. It is useless to examine the conflicting reports of what happened that night, so I will confine myself to the opinion and verdict of the League Commission, which reads as follows:

Appreciating the tense situation and high feeling which had preceded this incident, and realizing the discrepancies which

are bound to occur in accounts of interested persons, especially with regard to an event which took place at night, the Commission, during its stay in the Far East, interviewed as many as possible of the representative foreigners who had been in Mukden at the time of the occurrences or soon after, including newspaper correspondents and other persons who had visited the scene of conflict shortly after the event, and to whom the first official Japanese account had been given. After a thorough consideration of such opinions, as well as of the accounts of the interested parties, and after a mature study of the considerable quantity of written matter and a careful weighing of the great mass of evidence which was presented or collected, the Commission has come to the following conclusions:

Tense feeling undoubtedly existed between the Japanese and Chinese military forces. The Japanese, as was explained to the Commission in evidence, had a carefully prepared plan to meet the case of possible hostilities between themselves and the Chinese. On the night of September 18-19th, this plan was put into operation with swiftness and precision. The Chinese, in accordance with instructions, had no plan of attacking the Japanese troops, or of endangering the lives and property of Japanese nationals at this particular time or place. They made no concerted or authorized attack on the Japanese forces and were surprised by the Japanese attack and subsequent operation. *An explosion undoubtedly occurred on or near the railroad between 10 and 10:30 p. m. on September 18th, but the damage, if any, to the railroad did not in fact prevent the punctual arrival of the south-bound train from Changchun, and was not in itself sufficient to justify military action. The military operations of the Japanese troops during this night, cannot be regarded as measures of legitimate self-defense. In saying this, the Commission does not exclude the hypothesis that the officers on the spot may have thought they were acting in self-defense.*

The last sentence, obviously, was an afterthought in which can be discerned the hand of the two military members of the commission. No American or French general

who might be called upon to face a similar situation in the Canal Zone, in the Philippines or in Morocco, could wholly condemn their Japanese colleague. In fact, I have reason to believe that they sympathized with him and told him so.

THE LEAGUE VERDICT DESTROYS AMERICA'S RIGHT  
TO SELF-DEFENSE

No similar set-up exists in the world that could be drawn upon for comparison. The defense of the Suez Canal is not dissimilar. The Panama Canal is vital to the security of the United States. The South Manchuria Railway is deemed of equal importance for the defense of Japan. Both are heavily guarded by soldiers. Suppose that Colombia had placed on record its refusal to recognize the independence of Panama or the validity of the treaty between that country and the United States, conceding to the latter the Canal rights. Suppose that Colombia, indignant over the way it had been treated by the stronger state, had reserved to herself in open international conference, the right to regain sovereignty over her lost territory on all future appropriate occasions and, that she was secretly supported and encouraged in this stand by the strongest European Powers jealous of our prosperity and growing might.

Suppose that Colombian irregular troops and "bandits" were constantly slipping into the Canal Zone, sniping at ships passing through the canal, breaking machinery and committing other acts of sabotage and our troops were prohibited from going outside the Zone in pursuit of these evil-doers. Suppose that on some dark night a small group of these Colombian soldiers should sneak in and throw a bomb into a lock or a pump house and that our patrols surprise them as they are running away, what would our patrols be expected to do? The verdict of the League, concurred in by the United States, becomes the law. Our pa-

trols must hurry to the nearest telephone box and report the facts to their Company commander who must then call Headquarters and transmit the report of the patrol. Canal Headquarters must then radio to Washington for instructions. The United States Government would then communicate all the facts to Geneva and request permission of the League to defend its property. In the meantime, the Colombian patriots would have retired deep into their mountain fastnesses or impenetrable forests, there to celebrate a grand victory and prepare for another foray into the Yankee Canal Zone. Some day we will build another canal through Nicaragua where the situation would be still more complicated and approximate closer the Japanese position in Manchuria.

Does any sensible American believe that his army or marine corps would lay down meekly under such continuous provocation and wait for orders from Headquarters, Washington and Geneva before performing their duty? If there are any who labor under such an illusion, they do not know anything about their own army or the Leather-necks. They would do exactly as the Japanese army did under similar circumstances and they would never stop until they had chased those marauders right into the capital city of the country to which they owed allegiance. The American Government and the American people would stand solidly behind them and tell the meddling world in no uncertain words and tones that they would tolerate no interference in a matter of such vital importance to their security. If the other Powers insisted on their right to sit in judgment and delivered a verdict to the effect that the action of our troops could not be regarded as measures of legitimate self-defense, even though they may have thought they were acting in self-defense, and demanded that we retire all our troops to the Canal Zone and surrender our right of self-defense to the Colombian army pending the

formation of an international police to be organized for that purpose, I am afraid that the United States would do exactly as Japan did. We would withdraw from further association with the League and prepare to defend our vital interests in our own way.

The New York *World-Telegram* recently drew attention to the ease with which the Panama Canal could be blasted to pieces in twelve hours and close the channel for months. Although the long ditch is now more closely guarded than ever in its history, in former years a group of enemies might have run its entire length, sowing destruction where they pleased, without let or hindrance. Vital points are still unguarded. The hydro-electric plant, the Diesel-engine plant, the machine shops, the drydock at Balboa and the Madden Dam are exposed to sabotage, while a steamer loaded with explosives passing through the locks or a charge planted in the Culebra Cut would put the Canal out of commission indefinitely. Should Colombian or Panamanian "patriots" resort to the same tactics employed by the Chinese bandits and troops against the South Manchuria Railway, the United States would be brought face to face with the same problem that Japan was called upon to solve on the night of September 18, 1931.

Like the Japanese army in Manchuria, the French army in North Africa and the British army in Egypt and India, the American army in the Philippines and Canal Zone have plans for every emergency. When the button is pressed releasing these forces it is not so easy to halt their operations. Certainly not within forty-eight hours. Yet in that short space of time a Japanese force of 11,000 railway guards occupied the capital and the main strategic centers of Manchuria and overthrew its government. Chang Hsiao-liang's veterans were in full retreat towards Chinchow and the campaign was over.

All this may have been prearranged but I venture the

opinion that had any general commanding a Western division of 11,000 men, deliberately invited an issue with forces outnumbering him twenty to one, he would have been court-martialled and shot for incompetency. There was no guarantee that the Chinese would not fight. Had they been imbued with ordinary fighting spirit they would have driven the Japanese guards into the sea or across the border into Korea long before reinforcements could have been rushed to the scene. If, however, we insist that it was all prearranged, the incident will go down in history as the most harebrained, foolhardy plan ever conceived by a military strategist.

#### JAPAN INVITED INVESTIGATION

The mere fact that Japan invited the League to send a Commission to investigate the facts on the ground is sufficient proof that she believed she had committed no wrong. That she permitted her highest officials to be cross-questioned, examined and placed on the witness-stand, is further evidence of her good faith and intentions.

Let us hark back to the blowing up the Battleship *Maine* in Havana harbor in 1898. When the Spanish Government requested that a joint investigation be conducted into the causes of the explosion, we not only declined but placed every obstacle in the way of an independent Spanish investigation. We might have invited an international arbitral inquiry to establish the facts, but we held to our own conception of justice by being the judge in our own case. The report and findings of our Board of Inquiry made war with Spain a certainty. Yet, thirty-six years later, we are still in the dark as to what caused an explosion that launched the nation into a war, where our boys marched to the battle-cry, "Remember the *Maine*!"



## THE "MAINE" DISASTER

I recall the *Maine* incident merely as evidence of our own touchiness and unwillingness to submit our affairs to outside investigation where our national honor, interests and the efficiency of our officers are involved. The events of the night of February 15, 1898 are stamped indelibly on my memory. With my colleague, Sylvester Scovel of the *World*, I was the first to reach the wreck, arriving there just as Captain Sigsbee was entering a cutter to proceed to the Ward Line Steamship *City of Washington*. One hour later, Captain Sigsbee handed me his official dispatches to the Secretary of the Navy and to the Admiral at Key West with the request to place them on the wire, explaining that he could not trust any of his officers or men ashore that night.<sup>1</sup>

The secret official inquiry into the causes of the explosion which followed, was held on the revenue cutter *Mangrove*. The actual work of investigating the hull was directed by that silent, hard-fighting old sea-dog, "Dick" Wainwright, who issued strict orders that no newspapermen were to be permitted near the wreck. Nobody broke through that cordon but myself. The independent Spanish investigation was under charge of the Chief Engineer of the Havana Port Works (*Obras del Puerto*), an old personal friend and colleague, who knew me only as an engineer. He cordially invited me to accompany him and all during the progress of the investigation I sat in the Spanish launch taking notes of what the divers had to report as they came to the surface. My presence in the Spanish boat caused my American naval friends considerable surprise and they tried to shoo me away, but they were good-natured about it.<sup>2</sup>

<sup>1</sup> Captain Charles D. Sigsbee, *The "Maine," An Account of her Destruction in Havana Harbor* (New York, The Century Co., 1899), p. 77.

<sup>2</sup> *Ibid.*, p. 166.

At that time I was too good an engineer to be a successful reporter. There was no evidence of an outside explosion nor any proof that the harbor had been mined for the express purpose of mooring the *Maine* over one. There was, however, every indication that the explosion was internal, which might, however, have been caused by an initial shock from the outside. As an engineer, I wanted facts. The *World* wanted a story on the facts. All I could gather were theories, rumors, surmises and pipe-dreams. I am afraid that my editors thought I was a dud, but I could not unearth the facts for the story they wanted.

I had my own theory. On the morning after the explosion while the wreck was still burning, I visited it to take photographs. Being an electrical engineer by profession, I was interested in the wiring exposed on the upturned side of the superstructure deck. I pried off four brass fuse boxes as souvenirs and found two of them fitted with heavy copper wire instead of the regulation fuse bug. A short circuit on either of these lines, would if strong enough, have blown the main fuse in the dynamo room, or failing this, caused overheating and fire at the point of contact. If these wires passed near or on the outside of the magazine, it might have explained what otherwise seemed so mysterious. On the other hand, it was also possible that these fuse boxes had been used as junction boxes which would explain the copper wire. Produced before a commission of inquiry they would have constituted evidence of gross carelessness. My Spanish engineer friend offered me quite a sum of money for these boxes, but I declined to let them go out of my possession. I subsequently presented one to the makers, the General Electric Company. The other blackened relic with the copper wire in place as I found it, is somewhere in my office in Shanghai. This is the first time I have ever publicly referred to the incident and do so only to emphasize how easy it is to make mistakes.

During the progress of the investigation I passed my days in the Spanish diver's boat and at night played poker in the Hotel Inglaterra with the officers of the *Maine*, telling them what I had learned and trying to pry out of them by indirect and hypothetical questions what they knew. They didn't seem to know anything. They just played poker. It cost Mr. Pulitzer more money than I care to mention.

The findings of the court of inquiry were brief. The personnel of the court were conscientious and sincere, and its findings were fully justified from the evidence then available. They reported that they could obtain no evidence fixing the responsibility upon any person or persons. But that was sufficient. The newspapers had already judged the case. In the eyes of the American people Spain was convicted of having caused the explosion, and the nation clamored for war. However, the thought persists that had we accepted Spain's proposal for a joint investigation or even brought in a disinterested arbitral court, the verdict would have calmed public opinion and averted hostilities.

As I look back on the secret and one-sided *Maine* inquiry and then recall my recent experience traveling around Manchoukuo with the League Commission and its staff of experts, college professors, League advocates and pro-Chinese enthusiasts, interviewing foreigners of their own nationality, missionaries and newspapermen and review again the stenographic reports of the cross-examination of ranking Japanese army officers, I am convinced that had such tactics been employed in the *Maine* investigation, and high officers of the American navy placed on the carpet and examined by a Spanish or International Board of Inquiry in the same manner and spirit that the generals of Japan were cross-examined, their testimony weighed and checked against the stories of foreign pro-Chinese journalists, missionaries and merchants in order to make out a case against

them, the chances are that an incident would have been precipitated at the inquiry that would have made superfluous any official declaration of war. That the super-sensitive, punctilious Samurai warriors of Japan with their high code of honor, subjected themselves to these grillings in a language they but imperfectly understood, with no understanding of Western methods of conducting themselves creditably under such circumstances, proceeding under every conceivable handicap, is the highest testimonial to their desire to have the truth known. The League Commission of Inquiry, like all other investigating bodies which arrive at a decision in advance, based on prejudices or political commitments, built up the evidence to substantiate its point of view. Japan's case was lost before the investigation began. The manner of her defeat certainly "was not cricket" as the British might be expected to say.

It may be true as some contend, that the explosion of the night of September 18, 1931, which damaged a rail section of the South Manchuria Railway, did not constitute sufficient provocation for the Japanese to take such drastic measures, but again that seems to be a matter which Japan is permitted under the treaties to resolve for herself. In the *Maine* incident, we conducted our own inquiry, published our findings, went to war, changed the map of the world and emerged from the conflict a first-class power on the strength of our own verdict. Spain had conceded all our demands, but the nation clamored for war and President McKinley sent his message to Congress proposing forcible intervention as the only solution of the difficulty.

While the treaty of peace was being discussed in the Senate, the January following, two shots fired at night at the Santa Ana bridge-head near Manila, started us on another three years' campaign of conquest. Although Aguinaldo, the Filipino general, expressed his regrets and affirmed that the firing was purely accidental and unau-

thorized, General Otis insisted on regarding it as the commencement of hostilities. There was no international court for the Filipino patriots to appeal to for an impartial inquiry. The treaty with Spain was ratified with only one vote to spare and the nation precipitated into a war in which ten thousand American troops lost their lives, thousands more permanently disabled and \$600,000,000 expended, before the "Filipino insurrection" was crushed.

Provinces were devastated, cities destroyed, reconcentrado camps à la Weyler established, "Hell-Roaring Jake" Smith civilized them with a Krag in Samar until finally Aguinaldo was captured by General Funston and the war of conquest was over. Yet "these people were far superior in their intelligence and more capable than the natives of Cuba," ". . . more fit for self-government than were any of the nations south of the Rio Grande when we recognized their independence. By our conduct towards them during the war with Spain and by the statements to them of our commanders, we had recognized them as allies." But we coerced our allies into becoming our vassals. Aside from a few "old foggy" Americans who still believed in the Declaration of Independence, nobody ever questioned the sincerity of our motives or tried to marshal world opinion against us because we acted "without sufficient provocation." And, despite the vote in Congress to give them their independence in ten years' time, if the ultra-expansionists and Open Door advocates have their way, long before that time has expired, they will find some pretext to violate the pledge of the nation.

#### MONROE DOCTRINE FIXES THE LAW

In the opinion of one of the American experts attached to the League Mission, Japan unwisely chose to rest her legal case on the explosion of the night of September 18,

and the investigation failed to uphold her. This is beside the point. Japan had many grievances against China, as China had against Japan. Incident followed incident in rapid succession (in the same manner that friction and clashes engendered suspicion and hostility between the Filipinos and their American liberators) any one of which could have served as a pretext to justify Japan in resorting to force to protect her interests. Japan did not have to manufacture a pretext. The tension was so great that even one shot in the dark would have set off the explosion. That Japan rested her legal case on the "incident" of September 18 was because she had no option in the matter. The events of that night and the next two days handed over control of her government to the army. The Japanese Army has its own high standards of honor, and when it is told in so many words that its explanation of what occurred on the night of September 18 is a pack of falsehoods, that the explosion was manufactured to conceal a prearranged plan of aggression, is it any wonder that it crawled into its shell, instructed its delegate at Geneva to withdraw from the League and since that time has been feverishly preparing for the show-down implied in the League's condemnation and the Stimson Doctrine of Non-Recognition?

As long as the United States adheres to its interpretation of the Monroe Doctrine as one of self-defense, assumes the right to define the time and place to exercise that right and rejects outside interference or investigation into the causes which impel it to act, what warrant have we in probing too deeply into the affairs of an Asiatic nation which advances the same plea in justification of its actions? In like cases, the judgment is the same. An argument from a like case avails in law. We cannot lay down a law that justifies our own actions and in that same law deny to another nation the right to take similar action. If we take the position that the Monroe Doctrine is not a policy upon

which the United States is willing to await hearing, consideration and recommendation, then the United States has not acted in good faith in signing the peace pacts. If the American policy will not stand the test of consideration and investigation, it is time for the United States to scrap the Doctrine.

SELF-DEFENSE DENIED JAPAN

If we have been justified in our past armed interventions in the Caribbean and reserve the right under the peace pacts to take similar steps in the future in defense of our security and will brook no intervention or investigation into our actions, then Japan would seem to be equally entitled to apply the same law when her own interests and security are imperilled. Other nations also have an irreducible medium of interest, to defend which is their highest duty. It is our duty to study, recognize and accept that bed-rock of interest as the only safe way to avoid conflict. Before we condemn Japan for breaking the peace pacts, we should study the diplomatic correspondence leading up to their signature and we will then come to the conclusion that Japan has merely followed the law as interpreted by ourselves for the advancement and protection of our own special interests.

From my personal knowledge of the high character of the Japanese general in command in Manchuria on the night of September 18, 1931, I am satisfied that his testimony and that of his officers, coincided with the facts. The verdict, however, has gone against him. A fact-finding commission appointed by the League, by language and training, hardly capable of appreciating an Oriental situation, cast a doubt on his veracity, condemned his government and transformed Japan into a moral outcast amongst the nations. This is the reward Japan receives for playing the game according to the rules laid down by the

West. In requesting a full and frank investigation into her actions, something that no other first-class Power would tolerate if conditions were reversed, Japan now finds herself dishonored and ostracized, with the whole world lined up on the side of the enemy she defended herself against while it was still within her power to do so.

PENALTY FOR EXPOSING SOVEREIGNTY TO  
WORLD COURTS

If self-preservation is the first law of nature and of nations, we have here a case where a sovereign state of today may well fear the consequences of the morrow if it thoughtlessly allows itself to be dragged up the steps of a tribunal only to find itself at the end of its journey before the very throne of law. Notwithstanding that on two previous occasions Japan had attended international peace and disarmament conferences, and found the meetings transformed by China and her friends into a tribunal for her arraignment, the rulers of Japan, conscious of their innocence, again thoughtlessly permitted themselves to face another international inquisition whose findings and verdict were, because of the issues involved, a foregone conclusion. Is it any wonder that Japan, after three such trials, is now convinced that she can never expect justice from an international court or conference dominated by Western nations and, that she will insist in the future upon settling disputes as they arise in separate negotiations with individual powers? There will be no second Geneva for Japan.



## CHAPTER XXIX

### THE NINE POWER TREATY AND ITS RESOLUTIONS

**I**F Americans are not concerned in Japan's alleged violation of the League Covenant and there exists an honest difference of opinion as to whether or not she broke the peace pacts, there remains the Nine Power Treaty which she signed in Washington in 1921. Here, at least, we seem to be on solid ground, with the right to feel aggrieved over any infraction of a pact that embodies and perpetuates our traditional Far Eastern policies. This, then, must be our real grievance against Japan, but there are eight other signatories to the pact and unless there is complete accord and a readiness and willingness to exert joint pressure upon a violator, the United States is not called upon to assume single-handed the championship of the treaty.

The Nine Power Treaty committed its signatories to *respect* the sovereignty, the independence and the territorial and administrative integrity of China and to provide the fullest and most unembarrassed opportunity for China to develop and maintain for itself an effective and stable government. The contracting Powers furthermore agree not to enter into any treaty, agreement, arrangement or understanding, either with one another, or individually or collectively, with any Power or Powers, which would infringe or impair these principles. It was also agreed that whenever a situation arose that rendered discussion desirable, there should be full and frank communication between the contracting Powers concerned. These three clauses formed the backbone of the treaty and are always

quoted to prove that Japan violated her pledges. But it is generally and conveniently overlooked that there are Thirteen Resolutions which form part of, but are not embodied in the treaty, and which the contracting Powers obligated themselves to observe.<sup>1</sup> It is unnecessary to review all these resolutions. Two will be sufficient. Resolution No. 4 provides for a Board of Reference for Far Eastern questions to be established in China to which any questions arising in connection with the treaty could be referred for investigation and report. This Resolution was not accepted by China and the treaty lost its principal aim and value. China was to be her own judge in situations as they arose.

If, as Mr. Stimson avers in his note to Senator Borah, the Washington Conference was essentially a disarmament conference, then the heart of the Treaty is found in Resolution No. 10, in which China agreed to reduce her military forces and expenditures. At that time (1921) the Chinese armies were estimated at about a million men<sup>2</sup> whose maintenance constituted a severe drain on the public revenues and whose presence contributed to the prolongation of China's unsettled political conditions.

How has this resolution been observed? These armies have been steadily increased until today they number 2,500,000 to 3,000,000 men. The *China Year Book*, 1932,<sup>3</sup> estimates the strength of all forces under arms, excluding irregulars, at 2,245,536. The personal army of General Chiang Kai-shek, military dictator of the Nanking Government, is placed at 1,000,000. In addition to the armies of the recognized government and independent war-lords, there are some 2,000,000 armed bandits and Communists, a total of, roughly, 5,000,000 men in China carrying guns,

<sup>1</sup> *Conference on the Limitation of Armament* (Washington, D. C., Government Printing Office, 1922), Treaty Section, pp. 1640-59.

<sup>2</sup> *Ibid.*, p. 1304.

<sup>3</sup> H. G. W. Woodhead, *The China Year Book*, 1931-32 (Shanghai, The North China Daily News & Herald, Ltd.).

preying on the people and fighting amongst themselves for the supremacy that carries with it foreign recognition and enjoyment of the revenues collected under foreign supervision.

#### WHO BROKE THE TREATY?

The cost of maintaining these armies constitutes a drain on the resources of the country that cannot be estimated. Official budgets of income and expenditures are misleading and intended to be so. Take the budget figures of 1929-30 as given by Mr. Woodhead in *The China Year Book*. The strength of the armies under control of the National Government at Nanking is roughly one million men. The expenditure on military establishments is given as \$245,000,000 (silver), or \$245 per soldier. This works out to \$20 per month. At that period the silver dollar was worth twenty cents gold. It would seem from this that it cost just four dollars per month to feed, clothe, house, arm and equip one soldier. Preposterous! If we assume the same cost for every other soldier in the regular provincial armies, the irregulars, the communists and bandits, we have a total of \$1,225,000,000 for the maintenance of five million men.

Obviously, these figures do not include the sums expended for rifles, equipment, automatics, aeroplanes, machine guns, tanks, motor transport, heavy and light artillery, shells, rifle cartridges, explosives and the thousand and one other minor items which go to make up the equipment of an army and which must be imported from abroad or turned out in the twenty-three arsenals scattered throughout the country from the imported raw and partly finished materials.

The fine art of deception is not unknown in China. The Chinese ministry of finance, advised by expert foreign jugglers of accounts can always show a balanced budget,

but no amount of bookkeeping legerdemain will convince any serious-minded person that a Chinese soldier can be maintained on four dollars a month. If he can, then the rest of the world may well tremble if a strong China is evolved out of the present chaos. These figures do not include the vast sums raised by internal taxation, opium revenues and other sources which go to make up the real cost of these armies. Ninety per cent of Nanking's ordinary revenues are derived from the customs, salt, tobacco, oil, stamp, flour and other taxes and contributions levied on foreign trade at the ports under the protection of foreign gun-boats.

Nanking is responsible for the issue of twenty-three internal loans with a face value of \$972,000,000; out of these a total of \$706,000,000 was in suspense on February 28, 1932. The bulk of these loans is secured on increased customs revenues, the contribution of foreign trade to Nanking's war-chest, made possible by the lead of the United States in conceding tariff autonomy. Foreign trade is now taxed all that the traffic will bear. The law of diminishing returns is beginning to operate. It can be said without fear of refutation that the wars of China for the past seven years have been paid for by the foreigner.

So it will be seen that the revenues for the maintenance of the other four million armed men in China must necessarily be derived from sources other than those noted in the budget of the recognized government. When it is recalled that in Manchuria under the rule of the Changs, over seven billion dollars in irredeemable paper notes were foisted on the people at the point of the bayonet in exchange for the produce of their toil, that land taxes have been collected in other provinces twenty to fifty years in advance, that the growing and sale of opium provides the revenues for the upkeep of several provincial armies and, that the people are bled white in other ways to support

their oppressors, we can begin to understand what it all means.

I submit that the cost of maintaining these five million men, providing them with food, clothes, housing, arms, munitions and other basic necessities is double or treble the figures revealed in the published budgets issued as window-dressing for the edification of the foreigner. The total cost of these armies, including all war materials imported from abroad, must approximate two to three billion dollars a year. The maintenance of these armies not only make impossible any financial rehabilitation or trade revival but is responsible for China's present unsettled political conditions which make of her a formidable menace to the peace of the world.

Let us return to the Nine Power Treaty and Resolution No. 10 which forms part of that treaty. Resting its verdict on the text of the main treaty, the world has condemned Japan for violating its terms. Of course, China has not violated the treaty. She is permitted to do as she pleases. The American Government and our organs of public opinion are bitterly critical of Japan because she does not desire to renew the naval limitation treaty at the old ratio. Notwithstanding that Japan has assured us that if conceded parity she is willing to reduce her navy to a basis of 2-2-2, all we can see or understand is that Japan is preparing to dominate the Far East and close the door to our trade. We are told by the jingoes that we must build up a huge navy to maintain an equality of opportunity in our trade with China. That is one side of the picture.

The other is clear to even the most superficial observer. Foreign trade with China is now the main source of revenue for a government whose efforts to maintain itself in power for the past seven years is responsible for the death of twenty-five to thirty million people. Every cent collected in customs duties goes to maintain the armies which prey

on the people and destroy their purchasing power for foreign goods. Here we have a picture of an arms racket such as no foreign legislation or American senatorial resolutions can interfere with. Every nation is determined to obtain its share of this ghastly business. Their "Merchants of Death" enlist diplomatic and official support to sell their specialties, while long-term credits secured on the increased customs revenues finance the deals. Foreign trade pays the bill.

The world accuses Japan of breaking the Nine Power Treaty. Let the charge stand. But what can be said for the other Seven Powers who have closed their eyes to China's violation of the treaty and who, for the sake of trade and profits, conceded to her a tariff autonomy which has provided the funds for the increase of her regular armies from one million to three million men and made possible the wars which have caused the deaths of five times as many as were killed in the World War? Japan may have broken the treaty in self-defense but her accusers stand convicted before the bar of public opinion of condoning its violation by China for the sake of a few paltry dollars in trade profits.

## CHAPTER XXX

### THE CHARTERED LIBERTINE

**L**ET us go back to the Washington Conference. All the principal Powers having interests in China were invited to attend with the sole exception of Soviet Russia. Russia at that time was an outlaw nation. She was down and out, disorganized, bankrupt, powerless, and not expected to get back on her feet for a generation. Eight great Powers solemnly affixed their signatures to a treaty to respect the territorial and administrative integrity of China while Russia, whose policies were known to all, was given a charter of license to do as she pleased in Asia.

Even during the progress of the conference, Russia was taking Mongolia under her wing and the ink had hardly dried on the treaty when she set up and recognized an independent Soviet Republic in that territory and admitted the new state into her system of Socialist republics.

Mongolia is a tableland occupying 1,370,000 square miles in the heart of Asia, with vast economic possibilities and resources, populated by some two million semi-nomads who gave their name to one of the great divisions of mankind and who live under a tribal organization and are ruled over by their own princes. Mongolia is the strategic key to China from the Northwest. Whoever controls Mongolia controls the northwest passes into China proper down which for ages the hordes of Central Asia swept into the lands of the Hans and imposed their yoke of conquest. Although always independent, the territory formed part of the old Manchu Empire and as such was considered an

*false*

integral part of the Republic when it succeeded to the rule of the Manchus. The status of Mongolia was practically the same as that of Manchuria, the Mongol Princes allying themselves with the Manchus for the conquest of China while retaining sovereignty within their own territories. It is unnecessary to examine further the status of Mongolia and its relations with China and Manchuria. If we accept the Chinese contention that Mongolia formed an integral part of the "Republic of China," then the establishment of a new independent Mongol state dominated by Moscow, constituted a flagrant violation of the principles subscribed to by the eight major Powers. A territory more than twice the size of Manchuria was lopped off the main body of China without a note of protest from the Powers, and today we find a closed Mongol Republic in which no foreigner can travel, reside or do business. There is a well disciplined Mongol army of about 75,000 drilled and led by Soviet officials. There is no Open Door to Mongolia, it is now a private Russian preserve, the only entrance being through Siberia and with a passport viséed by the Soviet officials at Moscow.

#### THE CANTON-MOSCOW CONSPIRACY

Within a few years after the absorption of Mongolia we find Moscow allied with Canton in order to enforce the rule of the Kuomintang over all China. Soviet political advisers, military leaders, propagandists and cheer-leaders organized the Nationalist armies and led them to victory, a direct intervention in the affairs of China for the purpose of overthrowing the established government and setting up a Communist régime.

The terms of the secret alliance between Canton and Moscow have never been made public but that such an understanding existed is clearly indicated by the course of



events. Moscow, as we shall show, was employing China as the spring-board for world Revolution, yet the Powers most vitally affected could do nothing without appearing to intervene in the internal affairs of China and obstructing her right to work out her own form and ideas of a stable and efficient government. The Nine Power Treaty tied the hands of all its signatories, while Russia was conceded full liberty to work her will in China.

#### THE RED MENACE

The seeds of Communism sown during the Soviet domination of the Kuomintang Party have taken root and grown to the point where insiduously and without the knowledge of the outside world, the Yangtze and Central China regions have come to be dotted with independent Soviet republics maintaining large armies and challenging the power of the central government. Lost in the vast solitudes of this isolated back country populous nations have come into being without the world knowing of their existence. The facts surrounding the growth of this movement are becoming better known as the truth is slowly breaking through the wall of official censorship. During the summer of 1934 two books<sup>1</sup> were published in the United States setting forth the facts surrounding Communism in China, the actual strength of its armies, its plans and hopes for the future. A glance at the map following which shows the distribution of the Red Armies and Sovietized regions will help to understand better than any lengthy exposition, how widespread is the movement and how difficult it is to suppress it by force of arms.

There are no railroads or roads in China over which an army can quickly be transported from one region to another, and any insurgent force resorting to purely defensive

<sup>1</sup> Victor A. Yakhontoff, *The Chinese Soviets* (New York, Coward-McCann, Inc., 1934).

warfare can remain in the field indefinitely. Chased out of one place, its members unite in another and bring the surrounding district under their rule. There is an old maxim to the effect that "you cannot lick a man if he won't let you." If he keeps running away and refuses to fight except when the odds and terrain are in his favor, he can keep it up until the other fellow is exhausted. The Spaniards maintained an army of over 200,000 to suppress the Cubans whose forces never exceeded 18,000 effectives, yet the latter kept the Spaniards busy chasing them around the country for five years. Something like that on a much vaster scale is happening in China. Generalissimo Chiang Kai-shek with all his immense armies drilled and directed by the most expert German military minds, cannot cope with the mobile Communist forces. If we accept the figures in Agnes Smedley's book, *China's Red Army Marches*,<sup>1</sup> over 100,000,000 people in China, nearly one quarter of the total, are living under Communist rule today, while their armies, active and volunteer, number nearly a million. But whether true or mere propaganda, the fact remains that after six successive major campaigns, Chiang Kai-shek has been unable to suppress the movement. He stands with his back to the wall, fighting a life and death struggle for the survival of his government. Should Chiang fail to put down the Communist menace, the next government of China will be Red, another so-called independent Soviet republic added to the system ruled from Moscow.

As this book goes to press, reports from China indicate that General Chiang Kai-shek's armies have at last compelled the Reds to retire from their stronghold in Kiangsi, and that, despite the attempt of the troops of Nanking, Kwangtung and Kwangsi and other provincial militarists to

<sup>1</sup> Agnes Smedley, *China's Red Army Marches* (New York, Vanguard Press, 1934).

block their retreat, they are now entrenched in western Kweichow. The failure of the Kwangsi army to cooperate with Nanking in opposing this westward trek is attributed to the existence of a "non-aggression pact" concluded between the Reds and Canton. The far-western provinces, Szechuan, Yunnan and Kweichow, now become the battleground for the Communist control of China. "Who rules Szechuan, rules China." The fight for supremacy still goes on. The success of Chiang Kai-shek in Kiangsi in no way changes the main picture. It merely shifts the center of interest and of operations to a section of China inaccessible for modern armies and where Great Britain and France will be compelled to adopt measures to defend their menaced interests.

If, in the next year or so, the Nationalist Government of China should be dominated by the Left Wing of the Kuomintang Party, it will then attempt to impose its rule over North China and Manchoukuo. The Red armies of the Yangtze and South China, over two million strong, will move northwards and their comrades of the Soviet Far Eastern Army and the Red Army of Mongolia will march in unison. Manchoukuo will be caught in the jaws of the Communist nutcracker. There is now no doubt that China is preparing for a war of revenge upon Japan and to fasten once more on the people of Manchoukuo the yoke of her brutal war-lords. Ammunition plants, steel mills, airplane factories and other war-material establishments are being planned in preparation for such a war. As fast as the money is obtained, contracts for their erection are being awarded. Every cent that China can raise is earmarked for the purchase of the most modern implements of death. A Chinese Government Military Commission, "the most important group ever sent abroad" in the middle of 1934 was touring Europe and the United States seeking the best the world could offer in war and transport machines. China

is rapidly becoming the world's best arms market. A Senate Committee has been sitting in Washington probing into the activities of the munitions manufacturers, trying to fasten upon them responsibility for war scares and preparations for war, yet the most active agent in the promotion of war is a treaty ratified by that same Senate as the law of the land.

## CHAPTER XXXI

### LEGALIZING THE SLAUGHTER

**C**IVIL war is now generally regarded as illegal. Only in China where it has been forced upon the provinces by a treaty which denies their right to independence, is civil war still regarded by the Western world as legal. The horror of war between nations that underlies the world peace machinery does not extend to warfare between factions fighting for supremacy under the terms of a treaty which legalizes such strife. As long as these provinces or factions continue fighting the Central Government for supremacy, that is perfectly legal, but when they announce a determination to withdraw from the conflict and stand on their undisputed independence, they become rebels, and the diplomatic machinery of the Powers is set in motion to penalize them for breaking the treaties. Embargoes are placed on shipments of arms to these "rebels," but the faction recognized by the Powers is extended huge credits and loans wherewith it can purchase the most up-to-date instruments of death to consolidate its power. If there was any real humanitarianism in international policies, any sincere and practical regard for the rights and sufferings of the harassed and despairing peoples of China, or any honesty in the campaign to abolish war, the League of Nations and the governments in the Nine Power Group would serve notice on the war-lords of China, giving them six months in which to compound their differences, disband their useless armies and unite under some form of centralized or federalized authority that can discharge its

fundamental duties to the people under their rule and to the world at large, or, be prepared at the expiration of the term of grace to accept their own definition of disunion as a basis for the creation of a group of independent states to be recognized by the Powers as national entities. To sanction any prolongation of the tragedy that each year condemns to death millions of peaceful, hard-working, lovable people, powerless to defend themselves, while supplying their executioners with the most modern implements of mechanized slaughter, is a travesty on justice, an indictment of our civilization, a blot on the pages of history that no amount of political whitewash can obliterate.

#### AN INDICTMENT

There are no words strong enough to accuse, arraign and indict those responsible, however indirectly, for the present deplorable situation in China. The misguided Western statesmen who, in pursuit of their own selfish national ends, conceived and fashioned the perpetual Nine Power Treaty and handed over 500,000,000 helpless people to the rule of a group of irresponsible, venal, debased and insatiable military upstarts, insensible to human suffering and incapable of understanding the first elements of decent government, will be held accountable before their God for a mistake that has already cost the lives of probably thirty million defenseless human beings. The Almighty has his own way of righting these wrongs and if these abandoned peasants and workers are now assembling with arms in their hands to the standard of Antichrist, instead of the "Great Sister Republic" our visionaries and sentimentalists hoped would arise, there now emerges another Red Terror, we have only ourselves to blame. For that is just what is happening. Trade profits, either now or in the future, any political benefits or bal-

ances of power in the Pacific that might accrue to the American nation as the result of a rigid adherence to such treaties, bought at such an enormous sacrifice in innocent blood, can bring no lasting benefits. As we have helped to enslave others, so in time we ourselves will fall beneath the yoke. The same Red powers of destruction sweeping over Asia to whom we gave a charter of license, are already within our own gates. What we are witnessing in China may well be repeated in our own country. Communism triumphs only through one medium, sheer, stark, brutal, ruthless terror, the elimination of all who oppose its rule. There was one way to stop the slaughter that goes on without end in China, and that was to abrogate the treaty upholding the one-man rule and allowing a set time for all factions to come together or be split into their tribal elements. It is probably too late to remedy the mistake. Communism is now entrenched in the heart of China and the Treaty Powers must continue to support the fiction represented by Chiang Kai-shek until millions more defenseless human beings are added to the score that the people of China will hold forever against those who intruded themselves in their affairs. But the Western world should at least evince sufficient intelligence to appreciate what is going on.

#### ALTRUISM IN THE PHILIPPINES, SELF-INTEREST IN CHINA

Up to the time of the Spanish-American War, the American people and Government held firmly to the principle that the worst possible native government is better than the best government any foreign power can supply and that interference in the affairs of the most backward people could never be beneficial to either the uplifted or the uplifter. The early American dogma guided our policy until we were bitten by the bug of "Manifest Destiny"

which in one year legalized our conquest of the Philippines and placed a ban on the Powers doing likewise in China. Manifest Destiny thrust upon us the "white man's burden," and we embarked on the task of elevating the Malay to our own level while over on the mainland of Asia we reverted to our old ideals to preserve intact under one government some 500,000,000 people in order to facilitate our right to do business with them on a basis of equal opportunity with all other nations. We maintain the Open Door in China lest we lose a bit of trade and, despite our humanitarianism, sacrifice to it millions of human lives. Pure, unadulterated altruism in the Philippines; cold, hard, calculating self-interest in China.

Secretary Stimson in an open letter to Senator Borah on the reasons why the United States should retain possession of the Philippines said, in effect, that we must hold the Islands as a base to enforce respect for the Open Door, that is, the integrity of China. The right of the Filipinos to freedom was subordinated to a policy that guarantees the perpetual theoretical independence of 500,000,000 Chinese so we can at all times do a profitable business with them; holding the weaker people in vassalage in order that another race may be free. Good commercial policy, but poor principle. President Roosevelt has reverted to basic American dogma in the Philippines and it only remains to extend the same principles to China, recognizing the right of the Chinese people to an independence based on the same Jeffersonian law that underlies our own conception of nationality and sovereignty.



## CHAPTER XXXII

### THE RECORD OF INTERVENTION

**A**LTHOUGH the moral grounds advanced to justify intervention in the affairs of another state in order to put an end to religious persecutions, grievous oppression of its subjects or proceedings repugnant to humanity, are not always satisfactory and are held illegal, some authorities contend that a foreign state has, under certain circumstances, the right to interfere in the affairs of another state involved in a civil war at the invitation of either party to the conflict. Actual armed intervention is, however, rarely resorted to, the general practice being to lend assistance with diplomacy, money, arms, munitions, advisers and other thinly disguised reinforcements. It is difficult at times to draw the line between the point where "diplomatic and financial support" ends and actual armed assistance begins, so easily is the latter concealed behind and merged into the former.

The recent history of China is one long record of such interventions to bolster up the recognized puppet government and in some instances even to support the "rebellious independent provinces." The Reorganization Loan of 1913 to Yuan Shih-kai killed the Republic of China at its birth. Japanese loans to the Anfu clique were an indirect support to this Northern Group of militarists to consolidate its authority over the South. Russian money, arms, political advisers and military experts under a secret alliance with Canton, enabled the Kuomintang Party to conquer the Northern Provinces and, through recognition

by the Powers, to pose as the dominant faction in the country. Foreign money in the form of advance taxes on certain commodities helped finance Chiang Kai-shek to set up a government in opposition to the Sovietized group at Hankow. American relief loans allegedly have been used to purchase war material. To the Japanese our cotton and wheat credit was a gesture to strengthen China against Japan while the Reds see in it an unholy alliance between Washington and Nanking to kill off the Communists in Central China.

Foreign warships protecting the security for the loans of their nationals are constantly on the job intervening on the side of the recognized government, at other times bombarding riverine cities, towns and strongholds held by the Reds or shelling pirate nests scattered along the coast. Although China is a sovereign state in law, she is held in financial vassalage by the Powers to a monopolistic group of bankers due to whose activities, or rather lack of activity, China's development along lines that would have assured stability, progress and prosperity has been retarded.

Intervention in some form or other is the normal condition in China, first one Power and then another defending its special interests in open or underhand ways. But, having set up their fiction and endowed it with a sovereign status that no one nation may steal an advantage when the others are engaged in fighting among themselves, they proceed to violate that sovereignty at discretion and condone the outraging of every known law of humanity by their puppet and then appeal to the law of sovereignty they have set at naught as a reason why they dare not interfere with the affairs of a sovereign state to put an end to conditions they would never tolerate in any other section of the globe. Rather than admit their mistake and apply the rules that have guided their acts in Europe and America for the determination of nationalities and the preserva-

tion of peace, fearful and jealous that some one nation might gain a little trade advantage in applying such a ruling, they squabble over naval ratios, armaments and treaties designed to perpetuate the fiction, never recking that the day will arrive when they will jump at each others throats and tear their world and civilization apart while their puppet watches the slaughter with unconcern, secure in the knowledge that when these "foreign devils" exhaust themselves, the East will again come into its own. The supremacy that was wrested by the West from the East with the application of gunpowder to warfare, will again return to its original home. If man-power combined with mechanized killing is to determine supremacy, it will remain in the East for good.

#### LET SLEEPING DOGS LIE

The industrial West, goaded on by the necessity for more and more markets for its surplus massed production output, will never learn the lesson that it is best to let sleeping dogs lie. Eighty years ago in the interests of trade, we prodded and awakened that litter of cute little Japanese bull-pups and made them come out and play with us. They have been growing since then, and although hardly full size they now stand squarely planted with teeth bared, growling and defiant, challenging the pack to come and take their bone away from them. We are not quite certain about how far we can go with those belligerent Japanese bulldogs, so we are now poking those friendly-looking chows of Cathay into activity. Perhaps not quite so ferocious as their next door neighbors but their powers of reproduction under a sufficient food supply will compensate in numbers and tenacity for what they lack in pug-naciousness.

We will do exactly with them as we have with Japan.

We will sell them our machinery and patent rights, erect branch plants, lend them our most expert engineers, pat ourselves on the back for our wonderful business acumen and within two decades they will be underselling us in the markets of the world, flooding our own country with the products of their cheap labor, and if, as all indications seem to point, they fall under Communist rule with governmental control over imports and exports, the time will come when we will either have to fight or go under in the struggle for existence.

#### JUST AN ARMS RACKET

The picture is not exaggerated. It is true to fact and all the learned arguments of the most brilliant legal minds in the world cannot change it or avert the certain consequences. The common people of China like the common people of other countries do not want to kill each other but are conscripted, dressed in a uniform of sorts, guns placed in their hands and marched out to do battle against their brothers, all to give effect to a political dogma that they must perforce belong to one nation and be subservient to one overlord. These civil wars of China are not made by the people but by swashbuckling militarists whose mandate to kill is derived from a treaty which demands unification of all the peoples of China under one central authority and which concedes to this authority a monopoly of foreign recognition, financial support and the importation of instruments of death to enforce its rule.

The Communist armies of China are now estimated at 350,000 effectives and 600,000 volunteers who boast that not one rifle or cartridge has been imported from abroad; that all their arms and war materials have been supplied by desertions from the Nationalist armies and by the surrender of entire divisions, brigades and regiments who

have joined their ranks rather than obey the command to kill their brothers. As long as these arms continue to flow freely from the outside into the arsenals of the recognized central authority and are paid for by foreign loans or credits secured on the revenues from the foreign-supervised customs, just so long will they pass on into the interior to arm Communists, bandits and other forces determined to maintain their independence of this foreign-imposed and protected central authority. The importation of arms into China thus becomes an international racket which has nothing to do with the arms manufacturers but is fostered by the existence of a perpetual treaty which no signatory has the courage or the decency to denounce.

## CHAPTER XXXIII

### THE LAW OF SELF-PRESERVATION

**I**N 1926, the Cantonese faction in league with Moscow, sent its armies north, conquered the Yangtze region and set up their capital at Hankow. General Chiang Kai-shek, who commanded the Nationalist army, broke away from his comrades and established an anti-Communist Government at Nanking. The Cantonese, the Left Wing leaders, the Reds and Moscow will never forget or forgive this betrayal, just when they had the Powers on the run and all China in their grasp. He won out and gained recognition by the Powers. Chiang must now fight the Communists or go under. The Left Wingers and the Reds are pressing him to desist from his anti-Communist drives and turn his guns on Japan. A holy war against Japan was recently proclaimed by the Red leaders in China which clearly foreshadows what we may expect if and when they come into power.

We see Russia entrenched in Mongolia, with strategic railways encircling its western borders and Turkestan. Communism is almost supreme in the heart of China with the possibility that it will overthrow the régime at Nanking. In this event it will turn on Manchoukuo and Japan. The Powers can do nothing to save the situation without first denouncing the Nine Power Treaty, something which China or the American Government will never consent to. The treaty binds Japan to respect its provisions, while Soviet Russia and now Soviet China are permitted all the time necessary to prepare for her un-

doing. In effect, the treaty has worked out in practice as an alliance between seven great Powers to prohibit Japan from taking steps to defend herself against a menace to her existence that each day grows more alarming.

#### RUSSIA GIVEN CARTE-BLANCHE

The signatories of the Nine Power Treaty bound themselves not to enter into any agreement, arrangement or understanding with any Power or Powers which would infringe or impair its objects. The treaty does not prohibit any of the contracting parties from entering into an agreement with some non-signatory Power who may have infringed its principles. But the fact that all the signatories have entered into relations with Soviet Russia after she had infringed and impaired this principle, strengthens the argument that Russia was given *carte blanche* to do as she pleased in China and that the other Powers will not protest or take concerted action to defend their threatened interests.

Had Russia not been checked in her designs; had she been permitted to carry through her Five and Ten Year Plans with her steel mills in the Altai and munitions plants scattered along the Trans-Siberian Railway, she would by now be in an impregnable position to dominate the whole of Eastern Asia. Faced with this formidable menace to her security, what could Japan do? Was she expected to wait until Russia was ready for the next forward move that would have carried her into Inner Mongolia and flanked her position in South Manchuria? Should Japan have appealed to the Powers for permission to defend herself?

#### THE LAW OF SELF-PRESERVATION

No nation will surrender its right of self-defense to the decision of another Power. It is the implied condition of

every treaty that a state cannot be expected to sacrifice its very existence to uphold its treaty obligations. "A treaty therefore," says Hall, an authority on international law,

becomes voidable as soon as it is dangerous to the life or incompatible with the independence of a state, provided that its injurious effects are not intended by the two contracting parties at the time of its conclusion. The rule is logically deducible from the general principle, itself deducible from the primary right of self-preservation, that a state cannot be presumed to have bargained away any part of its international personality unless it has done so in clear and unmistakable terms. Hence, it is an implied condition that the treaty must never, by any change of circumstances, have such an effect.

Any agreement [says Hyde] which purports to do violence to the underlying principles of international law, must to that extent be regarded by the family of nations as internationally invalid. This is none the less true even though the contracting parties are not disposed to make such a claim.

The right of self-preservation is held as a principle which underlies all law, based upon an instinct which is the first law of nature. So sacred is it that to preserve this right, a sovereign State may, in extreme cases of necessity, commit what would ordinarily be an infraction of the law of nations and violate the territorial sovereignty and international rights of another state. Says Rivier:

When a conflict arises between the right of self-preservation of a State and the duty of that State to respect the right of another, the right of self-preservation overrides the duty. *Primum vivere*. A man may be free to sacrifice himself. It is never permitted to a government to sacrifice the State of which the destinies are confided to it. The Government is then authorized, and even in certain circumstances, bound to violate the right of another country or the safety of its own. That is the excuse of necessity, an application of the reason of State. It is a legitimate excuse. . . .



The Law of Nations declares that when performance of a treaty becomes self-destructive to the party, the law of self-preservation overrules its obligations, or as Oppenheim puts it:

When, for example, the existence or necessary development of a State stands in unavoidable conflict with such State's treaty obligations, the latter must give way, for self-preservation and development in accordance with the growth and the necessary requirements of the nation are the primary duties of every State.

Bismarck put it in these words:

All contracts between great states cease to be unconditionally binding as soon as they are tested by the struggle for existence. No great nation will ever be induced to sacrifice its existence on the altar of fidelity to contract when it is compelled to choose between the two. The maxim "*ultra posse nemo obligatur*" holds good in spite of all treaty formulas whatsoever, nor can any treaty guarantee the degree of zeal and the amount of force that will be devoted to the discharge of obligations when the private interest of those who lie under them no longer reinforces the text and its earliest interpretation.

Or again, as Lord Clarendon wrote in 1854, when there was grave danger to the Christian population of Constantinople as the result of Russia's invasion of the Danubian provinces of Turkey:

When it appears that the lives and properties of British subjects are exposed to serious danger and that the Turkish Government declares itself unable to avert that danger, it is clear that the treaty has no longer a binding force upon us, and that urgent necessity supersedes its provisions.

Captain Edwin F. Glenn, Acting Judge Advocate of the U.S. Army, in his *Handbook of International Law* says that:

When a government is not able to carry out, or will not carry out, its international obligations, and, as a result of this condition, the welfare of a neighboring state is threatened, either by actual attacks on the subjects or by stirring up revolutions or by threatening the neighboring state, the latter may take the necessary steps to preserve its safety, and in such case may resort to war, or such measures short of war as will insure the same result.

#### FLORIDA AND MANCHOUKUO

He cites in support of this, the action of the United States in regard to Amelia Island, situated in Spanish territory at the mouth of the St. Mary's River in Florida, which had been seized by a band of buccaneers who preyed indiscriminately upon the commerce of the United States and Spain. The Spanish Government not being willing or able to drive them off, and the nuisance being one requiring immediate action, President Monroe in January, 1818, sent a vessel of war to drive them out and destroy their vessels and works.

Instead of pirates, let us say bandits and apply the precedent to Manchoukuo where, only on a much larger scale, the same situation is reproduced. In Manchoukuo, the outlaw leader actually became the government, with huge mercenary armies at his beck and call while the recognized government of China at Nanking was either unable or unwilling to carry out its international obligations. Japan with her army did what the United States did with her navy and while the latter subsequently seized and held Florida pending negotiation for its purchase with Spain, Japan dispersed the bandit armies and made possible the establishment of a government that could preserve law and order and discharge its international obligations.

The parallel goes even further than this. When the American secretary of state, John Quincy Adams, inter-

viewed the Spanish minister, Onis, and the latter asked what were our intentions relative to the occupation of Amelia Island, Mr. Adams replied that this was a mere measure of self-defense and asked what guarantee Onis could give that the freebooters would not again take possession to the annoyance of lawful commerce, if the American troops were removed. Onis said he could give none except a promise to write to the Governor of Havana for troops, but he admitted that, even if sufficient force could there be obtained, six or seven months might elapse before they could be sent to Amelia Island. A continuance of the occupation by the United States was thus rendered unavoidable.

In the same way, there was no guarantee if Japan should withdraw her troops within the railway zone that the bandit armies would cease their depredations and attacks on Japanese subjects and properties throughout Manchuria. There was no Chinese Government that could give such guarantees and there was no disciplined, dependable Chinese army that could have been dispatched from Nanking capable of restoring law and order. Japan had no option other than to continue to occupy the strategic centers pending some solution of the problem.

The United States did not wait for diplomatic negotiations with Spain to run their normal course. In July of the same year, General Jackson took Pensacola by storm. He not only acted without but against his instructions. He had commenced war upon Spain which could not be justified. Adams alone maintained that his proceedings were justified by the necessity of the case and the misconduct of the Spanish commandant in Florida. He averred that there was no doubt that *defensive* acts of hostility might be authorized by the executive, and on this ground Jackson had been authorized to cross the Spanish frontier in pursuit of the Indian enemy. In defending

Jackson, he pleaded the same justification the Japanese Government subsequently advanced to justify their acts in Manchuria, that, even if the question was dubious, it was better to err on the side of vigor than of weakness of our own officers than of the enemy. There are other interesting parallels to the two cases, but in the end, we got what we were after. We acquired Florida. Japan has recognized the independence of Manchoukuo.

## CHAPTER XXXIV

### THE LAW OF SELF-SACRIFICE

ON the other hand, we have that conception of international law and the moral obligations of governments as defined by Dr. James Brown Scott, in his last annual report as director of the division of international law of the Carnegie Peace Endowment, in which he holds that "international treaties involve an obligation under the law natural, always existing and everywhere prevalent, which no country in the world has the power legally or morally to violate. . . . There are certain things which neither men nor nations can touch or abrogate. One is a legal obligation; the other is a moral obligation. Whether the treaty or pact or law be legal or moral or both, it must be executed in letter and in spirit and with impeccable good faith."

It is now recognized as an essential principle of the law of nations that no Power can liberate itself from the engagements of a treaty, nor modify its stipulations, unless with the consent of the contracting Powers by means of an amicable arrangement. This is the law adhered to by the American Government and quoted by Secretary Hull in stating his position in regard to any change in the *status quo* in the Far East. Japan has not contested the binding force of this law and apparently sees no reason for seeking revision of a treaty which stands as unique in international law.

## REVISION BLOCKED

The exclusion of Russia and the inclusion of China makes it difficult on Japan's part to abide by its terms without sacrificing her right and power of self-defense. Obviously, it would not be easy to convoke a conference for the purpose of revising or abrogating the treaty by mutual agreement, for the reason that its chief beneficiary is one of the signatories and could and would effectively block any move in that direction. Nor in the event of a situation arising calling for full and frank communication between the contracting Powers, could the treaty afford any relief from an intolerable situation. Such conversations could not be maintained secret from China who would immediately resort to her traditional tactics and demand the convocation of another open conference, which, under the circumstances, would simply be another stacked tribunal for the trial of Japan, another opportunity for China to broadcast her side of the case to the world. Soviet Russia would demand participation in any discussion of these problems. The United States would support China and Russia and wield her powerful influence to induce the other Powers to stand with her. Japan would once more be denied the right to liberate herself from a situation which holds her in a trap while China and Russia will again be conceded all the time necessary to proceed with their preparation for the inevitable showdown.

Here we see a great treaty incorporated into international law, regulating and defining the status and territorial rights of a supposititious state, made perpetual and binding on its signatories in violation of every approved principle of nationality and sovereignty. The mere fact that the treaty practically excludes revision or abrogation and closes all avenues of approach to any successful nego-

tiation towards this end, is not good law, good morals or common sense. That which is resolved once and for all, should be long deliberated upon and every contingency provided against. It is plain that the Nine Power Treaty fails in this respect.

#### COMMON SENSE SHOULD PREVAIL

Where international legal experts disagree as to the continuance and avoidance of treaties and the law is still indeterminate, reason and equity must prevail. Common sense would seem to indicate that the conditions which led up to the signing of the Nine Power Treaty have changed, that the pact merely gave expression to a pious hope that has not been fulfilled and that it should long ago have been abrogated or revised.

With the changed conditions in Asia, the treaty is eminently unfair to Japan, denying to her that primary right of self-preservation to which every other signatory is appealing to justify its preparations for war and the extension of its strategic frontiers far into weaker states which cannot protect themselves and act as buffers against a hypothetical enemy. Within ten years, prostrate Russia has recovered until she is now the foremost and most formidable military power in Europe. Conditions have been reversed, and unless the Nine Power Treaty is abrogated, the world cannot expect Japan to remain bound by its provisions while Soviet Russia and Soviet China are encouraged and permitted to join forces for her destruction. That is contrary to reason and to every rule of the game as it is now being played on the chessboard of Europe.

## CHAPTER XXXV

### CHINA NOT A NATION

**T**HE basic error of the Nine Power Treaty was its recognition of the territorial integrity of China without first defining its boundaries and in assuming that the Mongols, Manchurians, Tibetans, Mohammedans, Turkestani and other independent and semi-independent tribes and peoples who acknowledged allegiance to the Manchu emperor had surrendered their independence to the Republic. China is not a nation. It is a race, a civilization, split into as many distinct and conflicting elements as exist in Europe, each warring against the other, determined to assert its right to supreme rule. The Nine Power Treaty gave the semblance of reality to this fiction by recognizing one faction as the Central Government and supporting it in its struggle to consolidate its rule over all other factions and provinces.

### INDEPENDENCE OF THE PROVINCES

No link of political union binds these warring elements together. The President of the "Republic of China" in his palace at Peking or his Sovietized counterpart in Nanking exerts no more authority over the provinces than the provinces over him. These provinces and so-called dependencies are in reality coördinate nations, compelled by the bitter jealousies of the Powers to stick together and form one entity in defiance of every principle they have laid down for the definition of nationality in



the regulation of their own affairs. The only cement that holds these peoples together is an intense xenophobia, a deep-seated ineradicable hatred of the "blue-eyed barbarians." That these provinces and dependencies hold themselves equal and independent and reject the principle of nationality imposed upon them from the outside is clearly elucidated in the League Report which says: "they never took the position that war against the Central Government was an act of rebellion. It was in their eyes, simply a struggle for supremacy between their faction and another one which happened to reside in the national capital and to be recognized as the Central Government by the Foreign Powers."

Just so. To bolster up the principles which underlie Western diplomacy towards China, this condition is twisted into an admission that these warring elements constitute a nation, but it also admits that they are each tenacious of its own rights and jealous of its independence and will accept as permanent no central government imposed upon them from the outside. The principle of the indivisibility of China and the forced subjection of all its conflicting elements to one central authority, therefore, can only prolong the struggle until one war-lord consolidates his rule over all the others. Then what?

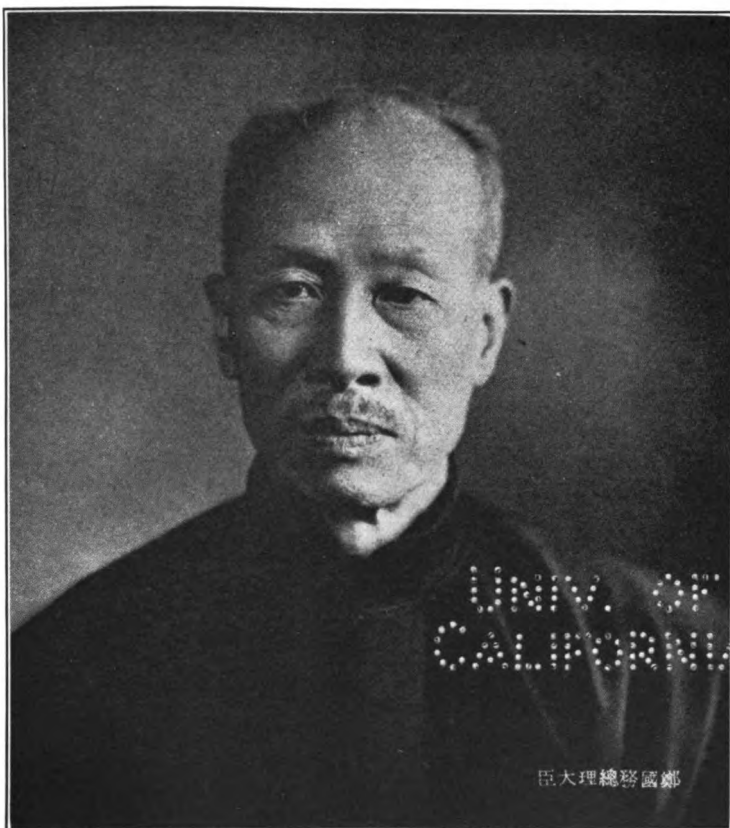
#### CRIME AGAINST HUMANITY

History tells us that it is impossible to hold 500,000,000 people together under one autocratic government, even if such a government existed. Where there is no government in the modern acceptance of the word, and where it must establish itself by force, the whole idea is a mockery of History, a perversion of Justice, a crime against humanity and a betrayal of our civilization. All empires or states founded on force have lived their short day and

are now memories. If it could not be done in the past, it cannot be done today. Certainly the Chinese have no talent for doing it.

Only by sheer conquest and the presence of huge armies of occupation can such a discordant and dissimilar aggregation of peoples be held together. They can never be welded into a nation. In attempting to enforce the principles laid down in the Nine Power Treaty, more people have been killed than were killed during the World War; more civilians have died as the result of these civil wars than died as the result of the World War. The slaughter still goes on. The attempt to unify China under one central government in order to give effect to a foreign conception of nationality, conceding to one war-lord all the time necessary to consolidate his rule by the sword over the whole country, supporting this favored war-lord by gunboats, loans and credits and handing over to him the proceeds from the foreign-supervised customs and salt gabelles, will be recorded in History as one of the most barbarous and unpardonable crimes against defenseless humanity.

It may seem necessary for a man to arise in China who will by sheer force gather into his own hands the reins of government. But I insist that this can be accomplished only by a betrayal of all those ideals synonymous with Christianity and upon which the Western conception of humanity are founded. It is a return to barbarism, to the imperialism that was Rome. The power concentrated in the hands of the conqueror will prompt him to destroy his rivals to perpetuate his power. He will fill China with miseries and convert the land into a shambles. The terms of the Nine Power Treaty which encourages this war-lord will justify him before the eyes of an admiring world. The spirit of patriotism which the West deludes itself



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H. E. CHENG HSIAO-HSU, PRIME MINISTER OF MANCHOUKUO

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ANNALS

into believing exists in China, is a fallacy. Such a conqueror will be true to type. He may be far-sighted and enlightened, he may even be a Christian, but it does not follow that he will fight to benefit his country. Being an Asiatic, he may and probably will be diverted from his original high intentions, to fight for the consolidation of his power. Conquest has only one meaning for Asiatics—spoliation. The wealth of China has flowed steadily into the pockets of the war-lords and their families.

If it took the people of the highly enlightened Swiss Confederation no less than 524 years to grow from a primitive league into a state with even a semblance of central control (from the Perpetual Pact of 1291 to the Federal Pact of 1815), how long will it take a people who have no conception of what liberty means to develop a strong, stable form of government under a similar system of centralized control? The Swiss, the Dutch, the Germans, the Anglo-Saxons and the Americans were imbued with certain ideals of freedom and local self-government and produced the strongest government of the whole when they combined. This primary urge for self-rule must come first, as it is only through a federalized home-rule system that it is possible to govern such a mass. Only by recognizing this truth and conceding to each province its own constitution, its own legislature, its own courts, judges, militia, etc., and permitting each entity to delegate certain powers to a central authority, with a supreme court to define those powers to insure solidity, can a nation arise in China and preserve its integrity. The state that is now being erected under the rigid application of the Nine Power Treaty, if it should ever succeed, will be a monument over the grave of liberty with power incarnated in an arbitrary military force which will never rest content until it has extended its sway over all Asia.

## WHAT MAKES A NATION?

What then, makes a nation? When the Roman Empire was dissolved, each independent part formed itself into a separate nation suited to its condition and needs. The old Spanish Empire was similar in its broad outlines to the Manchu Empire, both held together under a vice-regal system which recognized each division as an independent state and people. Although all these peoples of Latin America belonged to the same nationality, when the unifying cement of the Empire was dissolved they did not come together to form one nation but split automatically into their natural geographical and tribal divisions.

Notwithstanding all arguments to the contrary advanced to support the present fiction, the same thing happened in China. When the Manchu system collapsed, the Min-Che, the Liang-Hu, the Shen-Kan, the Liang-Kwang, the Yun-Kwei and the Liang-Kiang viceroyalties and the Chihli, Shantung, Honan and Shansi Governments-General, reverted to their independent status. An outside conqueror could impose his rule over these independent states but they will never consent to being ruled by one of their own kind. No power short of overwhelming military force and permanent military occupation can bind these independent states together into one national entity.

Foreign intervention has had the same effect on these people as it would have if the center of world power rested in China and the Chinese Emperor refused to differentiate between the peoples of Europe and America, holding them all as one subject nation and recognizing only one faction as representative of the whole. Powerless to rebel against this ruling, the contending tribes of Europe or America in self-defense would come together in a mutual understanding to sink their differences before

the common racial enemy. As in China today, this intense xenophobia would hold them together only so far as their foreign relations with the overlord was concerned and to lessen his excuses for interfering with them. They would still fight among themselves for supremacy.

It is false and dangerous to assume that these internal wars of China are building up a national consciousness. They are not. On the face of it, the premise is a fallacy, contrary to human nature. These wars are merely developing bitter hatreds and feelings of revenge more persistent and more destructive than those developed by wars that terminate in treaties or agreements. The subjugation of all these independent entities by any one of them will make impossible the creation of a nation such as the West insists must in time evolve from the slaughter.

Senator Huey Long is preaching the complete independence of Louisiana as the only way that State can grow in wealth and population. Should sectional rivalries and economic necessities ever result in another desire for secession and it brings about the disintegration of the United States, will any one state arrogate to itself the right to impose its rule over the others by force? If the United States should grow too large and unwieldy for a continuance of its present system of government, would it not split into its component parts with each state standing on and asserting its full independence and sovereignty? There is a limit beyond which the government of this country dares not go without inviting the issue.

## CHAPTER XXXVI

### DISINTEGRATION OF STATES

**E**UROPE, with a population of 475,000,000 is split into thirty-five nationalities and sovereign states, and the process of disintegration still goes on. The British Empire, held together by the slender ties of blood and economic interest, has been split into its component parts by the demands of its original colonies for self-government, dominion status and complete independence. The Irish Free State refuses even the oath of allegiance to King George. Burma demands independence of India; the Malay States clamor for autonomy, and the larger Crown colonies agitate for more freedom in managing their affairs. Yet the British, admittedly above all others, are endowed with a genius and training for governing.

In Spain, we find a republic within a republic. After decades of political struggle, Catalonia has finally freed itself from the central authority. Andaluçía and Viscaya are demanding similar rights. Other peoples of Europe are dissatisfied with their political status. The Filipinos have won their thirty-year campaign for independence. If put to a plebiscite, the people of Puerto Rico would vote for secession from the United States.

### HUMANE SOLUTIONS

A new conception of humane statesmanship is meeting these issues, not by dispatching armies to shoot down the discontents, but by seeking a solution through concilia-



tion and compromise. Notwithstanding that the neutrality of Ireland is imperative for the strategic security of England, can we visualize a British army invading Ireland to kill, lay waste and destroy, in order to hold the Irish to their allegiance? Will Madrid send an army to massacre the people of Catalonia and silence their cry for independence? If the new spirit of compromise and conciliation guides the statesmanship of the most advanced nations of the West, why should not the same principle be extended to Asia? If, for good and justifiable reasons, the people of Manchuria desire to secede from the chaos that is China and set up their own government, why should they be forced to remain under the intolerable yoke of alien Chinese bandit generals in order to give effect to and perpetuate some foreign imposed treaty, or policy?

If England will never employ her armies for the subjection of the Irish, why should its government approve and support a doctrine which encourages the war-lords of China to again rivet their yoke on the people of Manchoukuo? Sir Evelyn Wrench, proprietor of the *Spectator*, recently asked the question; "ought we not to meet Mr. de Valera by frankly recognizing the right of the Free State to secede from the British Commonwealth if it so desires? No sane Englishman—and most of us are virtually sane—wishes to hold Ireland by force."

#### PRINCIPLE OF NATIONALITY

No people can forever be coerced against its will. Nationalism will find a way to assert itself, passively or by force. It is for this reason that we find Europe split into thirty-five sovereign entities, nine of them with populations under a million, sixteen with less than ten million and only five, including Russia, have forty million or over. And where are there people happier than those who dwell

in such small countries as Switzerland, Holland and Denmark? Why should not the same principle of nationality be applied to the Chinese race? Why should any single province, war-lord or faction be recognized by the foreign powers as dominant and legalized by international law to extend and consolidate its rule over all the others by the sword? Why should a Chekiang general be supported in a campaign to establish his authority over peoples in other parts of China or a Cantonese political group upheld in a program to establish its hegemony over peoples of the same race and color but who do not speak or understand their language?

The fact that all these peoples belong to the same racial division, dress alike, follow the same customs, practice the same pagan rites and are bound together by close economic ties, does not signify that they constitute a national entity. If they all spoke the same language, even this would not transform them into a nation. Why should not the law we have applied elsewhere to distinguish nationalities and sovereignties and preserve the peace, be extended to China? Why should not Canton be independent in fact? Why should not Chiang Kei-shek be limited in his authority to the provinces under his immediate rule? Why should not Shantung, North China, Szechuan and other sections be confirmed in the independent status they now enjoy? Why should not Shanghai and its immediate environs be created into a free zone or an independent state? By the same logic why should not the people of Manchoukuo be permitted to secede from this rabble of warring factions and set up its own government?

## CHAPTER XXXVII

### A FETISH THAT LEADS TO WAR

**W**OULD any one seriously advance the argument that all the Negro tribes in Africa must necessarily form one nation because they are all of the same color and must, therefore, come under the domination of the Emperor of Abyssinia, as the most convenient ruler to do business with?

The Arabs of North Africa all look alike, dress alike, have the same customs, culture, traditions, religion and language; why then should not Morocco, Algiers, Tunis, Tripoli and Cyrenaica be amalgamated into one homogeneous Arab state?

It is equally difficult to distinguish between the various upper-class Latin-American types. They all look alike, act alike, dress alike, speak the same language, practice the same religion, have the same culture, the same traditions and come from the same parent stock. Yet they are split into twenty distinct nationalities and sovereign states formed more or less on the basis of the ancient Spanish colonial circumscriptions erected into national boundaries.

Like the peoples of Europe, the people of "China" are merely different tribes of the same racial division. Their manners, habits and customs, law and religion, their moral standards and political ideals—when they have any—their objectives and basic civilizations are very much the same, but Chinese names, Chinese language, Chinese customs, Chinese civilization and an analogous economic life do

not denote Chinese nationality any more than English names, language, characteristics and customs signify British nationality or French names and French civilization carry with it French nationality.

If the center of world power were shifted to Asia and a commission of five Asiatic viceroys accompanied by a group of eminent Confucian scholars should visit Europe to investigate and report on conditions in the same manner that the League Commission rapidly toured the Far East, what might be their conclusions? After visiting Lyon and Geneva, Lille and Brussels, they might come to the indisputable conclusion that Geneva and Brussels belonged to France. Going further they might be expected to conclude that Roussillon was Catalan, that the new Baltic States were clearly Russian and would be likely to refuse any reason for the existence of the tri-lingual Swiss Republic.

The commission would find other curious paradoxes arising out of wars of conquest, treaties, alliances, balances of power, application of the doctrine of self-determination and other complicated adjustments and, unable to grasp the meaning of it all and incapable of distinguishing the difference between the contentious groups, would finally come to the wise conclusion that all these "foreign devils" were crazy, and that after all Europe was passing through a period of transition and should be permitted all the time necessary to evolve a strong, central government that would unite the continent in one harmonious whole. They would probably argue that what they were interested in was trade and it would serve their interests best to hold one strong man responsible for all the others, and looking back into history two thousand years, would decide that the Italians as heirs of the old Roman Empire, had the best claim and would place their bets on Mussolini as the proper man to recognize and support. They might

require that he guard the "open door" of Europe and send fleets to help him collect all import duties. There would be just as much logic and law in this as there is in the Western attitude towards China. As any decision of this nature would only intensify the strife between the independent European states, so the fiat of the Western Powers in regard to China, can never terminate the struggle for supremacy. These people will continue to live in perpetual warfare over boundaries and the right of the strong to subjugate the weak.

India without the British Raj would be the same as China. Some people talk about the Indian nation. They might just as well talk of the European nation. Although the population of 350,000,000 is all dark-skinned people, there is far more difference between the Punjabi and the Tamil than between the Russian and the Englishman, while the American is more akin to the Turk than the Mahrattas to the Sikhs. There are more varieties of language, customs, religion and race in India than are to be found in Europe. Yet we classify them all as Hindus. India and China are parallel cases. Should full independence be conceded to India, the land would disintegrate into its component parts and slump back into the morass of corruption and savage strife from which it was extricated by British might. That even a semblance of law and order prevails in India today and the unrelated masses are held together under a loose form of federated control, enabling it to pose as a nation and occupy a seat in the League, is due solely to the stabilizing effect of the presence of a British army which tolerates no disturbance of the peace. With the disappearance of this armed control, the wars of conquest between the independent states would take on the same character as the wars we are witnessing in China only with ten times greater barbarity and bloodthirstiness.

## EVEN THE TURKS KNOW BETTER

Even Mustapha Kemal recognized that it would be impossible to build a Turkish nation along purely racial lines, and if he is now succeeding in his task and Turkey is becoming more and more a respected member of the society of nations it is because he has adhered to the aims set forth in his famous six-day speech before the Grand National Assembly in 1927.

To bring all the Turks in the world into one state (he declared), is an impossible aim. Centuries of bitter blood-stained experience teach us this. History shows no example of the success of Pan-Islamism or Pan-Turanianism. The policy indicated for us by history and reason is a national policy; that is to say, first of all to aim at the true happiness and prosperity of the nation, not to weary the people with distant aims.

By pursuing these aims, Turkey has transformed herself in a brief ten years from a semi-feudal Oriental country into a respected modern state, holding membership in the League of Nations and on excellent terms politically and commercially with all her neighbors. The example of Turkey could well be followed by China, but only if the Powers abrogate the Nine Power Treaty, split the country into its component parts, confine Chiang Kai-shek to the provinces under his actual control, recognize the independence of Canton and the Southwest, Szechuan, North China, Shantung, etc., and convey to their war-lords that the day is past when they will be permitted to extend their sway beyond the confines of the territory already under their rule. There is no more possibility of building up a Pan-Chinese nation than a Pan-American, Pan-Turkish or any other super-national state. The sooner the champions of the Nine Power Treaty get this through their heads and act on it, the sooner peace will be brought

to China and reforms applied that will bring work and food and then happiness and prosperity to the millions who otherwise will continue a menace to the peace of the world by acts as joining the Communist armies and thus making impossible any form of stable government.

There can be no cessation to a struggle for power, whose very atrocity ranks it as the most barbarous war of modern times, until peace in China is enforced from the outside by the abrogation of the senseless Nine Power Treaty followed by an ultimatum from the Powers to the warlords of China demanding an immediate armistice and the unification of the country under some form of Reich or Confederacy, with some outside agency to insure its stability. The precedent of Westphalia might be followed and a binding treaty signed to recognize and respect the independence and sovereignty of each province or territorial division. This might not end warfare in China. On the contrary, it might give rise to further strife. At least, however, it would localize it, minimize its ferocity and permit the Powers to intervene in behalf of peace and Humanity. After all, small nations are happiest and least dangerous.

As the new Turkey has gained in compactness and racial unity by the loss of Syria, Mesopotamia, Palestine and Arabia, so the new China would gain by the loss of Canton, Kwangsi, Fukien and the Southwest, Szechuan, Shantung, and North China. The setting up of these territories as independent states would free Nanking from further wars for supremacy and it would gain in confidence, self-respect and dignity as it threw off the responsibility and obligations it has never been capable of discharging. It would enable it to concentrate all its energies on the immediate pacification and development of a territory over which it has been struggling for seven years to impose its rule and which constitutes the proper limit of its

authority. Conceded the right to the enjoyment of the customs, salt and other revenues collected within their boundaries and now paid to Nanking, the other independent entities would have no legitimate excuse to contest the supremacy of the foreign imposed faction and any move of their armies into the territory of another state would automatically become an armed invasion, an aggression and desire for conquest. Provided these new states assume their proportionate share of the foreign debt secured on the customs and salt, there should be no reasonable objection on the part of the Powers to such a solution.

This principle of sovereignty and nationality that we have laid down and enforced for the guidance of our own affairs; a principle which was ruthlessly applied by an American president and his advisers to satisfy the aspirations of certain peoples of Europe and to safeguard the peace of that continent, cannot be applied in Eastern Asia because we have hypnotized ourselves into the belief that the inhabitants of that part of the world, because of their color and common racial characteristics, and because we cannot distinguish or differentiate between these types, must necessarily belong to one nation. We have made a fetish of the phrase "the territorial and administrative independence of China" and incorporated it into solemn treaties and covenants without first defining what we mean by China or delimiting its boundaries. The preservation of this fiction has become a cardinal feature of our diplomacy, the very bedrock of our Far Eastern policies, to defend which we have entangled ourselves in treaties for the limitation of naval armaments, the location and improvement of naval bases, and other commitments which are dragging us slowly but surely to the brink of war.

This ardent attachment to policies is a marked char-



acteristic of the American people and would be highly laudable if we had not already paid in full for our altruism and proclivities for meddling without understanding in affairs that do not concern us. We fixed up the Balkans to our satisfaction, and now look at the dirty mess. The nation has no guarantee that it will not be catapulted into war to uphold a treaty based on the fiction of the existence of the "Republic of China" and our pledge to uphold that fiction. If the people of the United States have any regard for their future peace, they will demand that this fiction be eliminated from their treaties and that their government adheres to the same principles in China which underlie the Western conception of nationality. Not until this doctrine of the indivisibility of China is scrapped, will warfare in China come to an end. As long as these wars are encouraged to continue, no nation can be assured that some incident will not arise to compel armed intervention in defense of its treaty rights, or joint international action against some one nation that flouts the treaty in self-defense.

Four years after the conquering Manchus set up their rule over China, the principles of the law of nations were laid down in the Peace of Westphalia (1648) which confirmed the independence and sovereignty of 355 states of various descriptions; the only way to terminate a period of incessant strife that was depopulating and impoverishing Europe. In the face of similar conditions in China, two hundred and seventy-three years after, because we could not differentiate between the peoples of the Mongolian race, the makers of modern law reversed its origins, created one super-state and legalized its status without considering its inability to impose its rule over as many conflicting interests. As a consequence, what is known as China has reverted to the condition of medieval Europe.

## BRITAIN AND TURKEY

For over fifty years, the British Government resolutely maintained the integrity of the Ottoman Empire as a vital strategic policy to keep Russia bottled up in the Black Sea and to guard the approaches to India. But there are few now who, looking back, would not recognize that it would have been better for the world at large had the British been willing to coöperate with other states in the gradual dissolution of that Empire, even though a policy of this kind might justly have been characterized as aggressive. By leaving the problem unsettled, hoping that, as has often happened in the past, time and delay might bring a solution, a series of wars in the Balkans which gave birth to several new states carved out of Turkey-in-Europe and culminating in the catastrophe of 1914, was the result. Massacres followed massacres in Turkey and Armenia, yet Britain held fast to her policy. Had the end of the "Sick Man of Europe" been hastened a quarter of a century ago, instead of prolonged by the jealousies of the Powers, there would have been no Turkish Ally of the Central Powers and perhaps no World War. For the sake of a doctrine or policy designed for the protection of trade interests or the maintenance of a balance of power in the Pacific, are we to invite another catastrophe?

## LAWS OF HUMANITY NON-APPLICABLE TO CHINA

The ruthlessness of the Turks in dealing with their subject peoples and helpless minorities staggered humanity, but millions of poor Chinese farmers may starve, millions may be done to death by their bandit overlords, millions may be degraded, deprived of their liberty and transformed into slaves; cities, towns and villages may be sacked and given to the flames, their inhabitants massacred, their

young women ravished and carried away to a life worse than death, their young men conscripted or converted into beasts of burden; the whole country could be laid waste and the cries of the despairing millions will fall on deaf ears. The laws of humanity do not apply to China. We have placed our doctrines, our policies and our treaties superior to the laws of God and the dictates of reason. The laws of humanity went into swift and certain operation when, as the result of dire military necessity, a few hundred thousand Cuban farmers were penned in reconcentration camps where they died from starvation and disease. The ears of humanity were then wide open, and the All-Highest was invoked to witness our good deeds, but when Japan, provoked beyond the limits of human endurance resorted to self-defense in Manchuria and created the opportunity for its thirty million slaves to free themselves from worse horrors, the laws of humanity no longer operated. Our impractical treaties became the superior law and Japan the aggressor. Yet I venture to assert that in the success of the aggressor lies the one hope for the future of China and the despairing Chinese people. The setting-up of Manchoukuo as an independent state, points the solution of the Chinese problem, the example that the rest of the peoples of China must follow if they are to survive.

## CHAPTER XXXVIII

### OUR OWN INTERESTS FIRST

**I**N drafting the Washington Treaties the contracting Powers placed their own interests first and the rights of the peoples of "China" last. The purpose of these treaties is best described by Secretary of State Stimson in his letter to Senator Borah, in which he said:

The Nine Power Treaty thus represents a carefully developed and matured international policy intended, on the one hand, to assure to all of the contracting parties their rights and interests in and with regard to China, and on the other hand, to assure to the people of China the fullest opportunity to develop without molestation their sovereignty and independence according to the modern and enlightened standards believed to maintain among the peoples of this earth. At the time this treaty was signed, it was known that China was engaged in an attempt to develop the free institutions of a self-governing republic after her recent revolution from an autocratic form of government; that she would require many years of both economic and political effort to that end; and that her progress would necessarily be slow. The Treaty was thus a covenant of self-denial among the signatory Powers in deliberate renunciation of any policy of aggression which might tend to interfere with that development. It was believed—and the whole history of the development of the "open Door" policy reveals that faith—that only by such a process, under the protection of such an agreement, could the fullest interests not only of China but of all the nations which have intercourse with her best be served. . . .

These treaties were written by Western diplomats in their own interests and without consideration for conditions in China or how many millions of people were sacrificed as long as their interests remained unimpaired. The Open Door was the main objective; the maintenance of the territorial and administrative independence of China merely its corollary. The whole history of the Open Door tells us that we will obtain our share of the Chinese trade no matter into how many independent states the country is divided. For many years over 50 per cent of our exports to China have been oil, tobacco and raw cotton, natural monopolies which no other nation could take away from us. Add to these automobiles and other special lines in which we excel, and it will be found that at least 75 per cent of our sales to that country are practically non-competitive, assuring to us our relative position in the market under any non-Communist Chinese Government which does not impose discriminatory duties against our goods. In other words, there is no trade advantage to be gained by upholding the Nine Power Treaty. Splitting the country into its component parts with treaties guaranteeing their independence and neutrality, bringing to an end these senseless wars for supremacy, will do more towards developing these markets for American goods than a futile adherence to an anachronistic doctrine that long ago lost its virility, its significance, and its justification. As will be seen later, the treaty is merely facilitating the conversion of China into a Soviet State. The front door opening from the sea will then be bolted and hermetically sealed and the trade entrance will be through the many little side and back doors leading into Soviet Russia.

Should Japan be unable to withstand the terrific pressure of a Sovietized China allied with Soviet Russia; should she go under or in sheer desperation and self-

defense decide to enter into some regional economic and security pact with her Communist neighbors, where would the door to China be located? If every port can be hermetically sealed by the Japanese navy, and the only other entrances are through Soviet territory, what is the use of getting excited over a century-old dogma that has lost its *raison d'être*? Why keep pin-pricking Japan, impugning her motives, questioning her good faith and marshalling world opinion against her, when upon her friendship hinges the opening or the closing of the door to China? For, in the last analysis, Japan remains the real keeper of the only door through which American trade can ever hope to enter China. We could, and probably would, go to war with Japan to keep open the passages between the chain of islands extending from Kamchatka to Luzon, but it would be a long and costly affair. Victorious, we would lose more than we could ever hope to gain. After we had vanquished Japan, we would have established firmly Communist rule over all Asia.

Mr. Stimson continues in his note to Senator Borah:

It must be remembered that this treaty was one of several treaties and agreements entered into at the Washington Conference, all of which were interrelated and interdependent. No one of these treaties can be disregarded without disturbing the general understanding and equilibrium which were intended to be accomplished and effected by the group of agreements arrived at in their entirety. The Washington Conference was essentially a disarmament conference, aimed to promote the possibility of peace in the world not only through the cessation of competition in naval armament but also by the solution of various other disturbing problems which threatened the peace of the world, particularly in the Far East. These problems were all interrelated. The willingness of the American Government to surrender its then commanding lead in battleship construction and to leave its positions at Guam and

in the Philippines without further fortification, was predicated upon, among other things, the self-denying covenants contained in the Nine Power Treaty, which assured the nations of the world not only of equal opportunity for their Far Eastern trade but also against the military aggrandizement of any other Power at the expense of China. One cannot discuss the possibility of modifying or abrogating those provisions of the Nine Power Treaty without considering at the same time the other promises upon which they were really dependent.

#### JAPAN'S BACK TO THE WALL

Japan presumably also signed these interdependent and interrelated treaties—and *resolutions*—in the hope that problems threatening her own peace and security would be solved. Have *her* hopes been realized? The Chinese army which numbered one million in 1921 is now nearly three million. Soviet Russia has an army of over a million men with 250,000 stationed in the Far East under a Commander-in-Chief who led the Chinese Nationalists to victory in 1926. From his headquarters in Haborovsk he is in constant and intimate contact with his old comrades-in-arms, now directing the armies of Soviet China, estimated at 350,000 regulars and 600,000 volunteers!

There are probably another million armed bandits in China. A Mongol Red Army of 75,000 has been fashioned out of these nomad fighters, officered and led by Soviet military experts. Since the signing of the Washington Treaties, designed to bring about world disarmament, armies aggregating five to six million have been created in Asia. While Japan was reducing her standing army to 230,000 men she has watched the steady growth of armies on the Asiatic mainland from a million more or less disorganized Chinese troops, to nearly five million in regularly organized armies, with perhaps another million so-called

bandits who can be converted into regulars at a moment's notice. The existence of these armies carries no menace to those signatories of the treaties separated by the width of a continent or five thousand miles of blue water from their field of activities. Japan, however, is next door. She cannot escape the geographical implications of her position and close her eyes to what is transpiring in Asia.

The treaty devised "to assure the nations of the world against the military aggrandizement of any other Power at the expense of China" has permitted and encouraged the growth of Chinese and Russian armies to the point where they now outnumber Japan's armies twenty to one! It is unnecessary to labor the point. The facts as stated cannot be refuted. What is the deduction from these facts? If, as Mr. Stimson contends, we cannot discuss the possibility of modifying or abrogating the provisions of the Nine Power Treaty without considering at the same time the other promises upon which they were really dependent (which include the Thirteen Resolutions), then we must admit that the treaty is designed to hold Japan fast to its terms while permitting China and Russia all the time necessary to prepare for her subjugation. The treaty has done just that. Japan is now with her back to the wall facing the consequences of a disarmament treaty which has built up armies in Asia that outnumber the combined armies of the world over two to one.



## CHAPTER XXXIX

### PAVING THE WAY FOR COMMUNISM

**T**URN for one moment to another side of the picture. America's recognition of Russia was followed by a new drive for "World Peace" with Litvinoff announcing his willingness to scrap the old policies of Moscow in return for League and American coöperation against Japan. Ambassador Troyanovsky, explaining the policy of his government to an audience in Philadelphia said: "Russia is firm for China's independence and must oppose anything that infringes on it. China must be permitted all the time necessary to work out her own salvation and form of government"; in other words, the principles of the Nine Power Treaty, to which Russia has never formally subscribed.

An authoritative article by Charles Hodges in the May, 1934, issue of *Asia* says: "*All Nanking leaders are in general agreement upon the necessity of crushing the Reds in order to survive themselves.*" Six campaigns led by Chiang Kai-shek in person have failed to suppress the Communist movement. The Soviet Chinese Republic covering "one-sixth of the area of China" is definitely on the map. The principle of the Nine Power Treaty assuring to the people of China the fullest opportunity to develop without molestation their sovereignty and independence and according to the most modern and enlightened standards was based on the assumption that China was honestly engaged in an attempt to develop the free institutions of a self-governing republic. Instead, however, of hastening the establishment of a self-governing republic, the treaty has

legitimatized a purely predatory system of vast private armies contending against each other for the exploitation of the people and, by the utter breakdown of all government, paved the way for the imposition of another Communist state allied with and taking its orders from Moscow.

#### MOSCOW'S REAL OBJECTIVE

It is not strange, therefore, that Soviet Russia now comes forward as an ardent subscriber to a principle that is clinching her hold on China. Communist literature openly links the two countries together. "*Defend the Soviet Union and Soviet China!*" is one of the appeals circulated by the Young Communist League of the United States to the sailors of our fleet when it visited New York recently.

The Kremlin preaches peace, pacifism and disarmament, but its plans for the domination of Asia are pushed steadily forward. If the Chinese Reds succeed in capturing and holding a port, only joint foreign intervention can prevent South China from becoming a Soviet state. A campaign will then be launched to subjugate North China and drive the Japanese out of Manchoukuo. Under such conditions, would Japan and Manchoukuo be justified in invading North China in order to defend themselves? We can now sense what lies behind Litvinoff's definition of the "aggressor." If his interpretation rules, the world would turn against Japan for its "unprovoked armed invasion of China" and support Soviet Russia whose Far Eastern divisions would then cooperate with their comrades in China and determine once and for all time who is to rule in Eastern Asia.

#### MUST JAPAN COMMIT SUICIDE?

Must Japan remain morally and legally bound by the terms of a treaty which threatens her very existence, or is

she justified in invoking that principle of international law under which some authorities hold that the treaty becomes invalid?

This is the crux of this whole controversy. Can a sovereign state appeal to the fundamental law of self-preservation when, in its opinion, its existence is threatened, or must it conform to that interpretation which holds that no state has the power legally or morally to violate its treaties even when its existence is placed in jeopardy. John Stuart Mill says:

“How is it possible to reconcile the inviolability of treaties and the sanctity of national faith with the undoubted fact that treaties are not always fit to be kept, while those who have imposed them upon others weaker than themselves are not likely if they retain confidence in their own strength to grant a release from them. To effect this reconciliation, so far as it is capable of being effected,” he adds, “nations should be willing to abide by two rules. They should abstain from imposing conditions which, on any just and reasonable view of human affairs, cannot be expected to be kept. And they should conclude their treaties as commercial treaties are usually concluded, only for a term of years.”

Although the Nine Power Treaty was not imposed upon Japan, yet it remains a fact that the Washington Conference was convoked primarily to break the Anglo-Japanese Alliance, curtail Japan's growing power in the Far East and build up a strong counter-balance in China. It was also confidently hoped, by the British at least, that the cancellation of the alliance would be superseded by close Anglo-American coöperation, effectively safeguarding their possessions in Asia and the enjoyment of a long established commercial supremacy in China. Anglo-American diplomacy and statesmanship laid down the rules of the game at Washington which Japan accepted as

the only alternative to a war in the Pacific. For all practical political purposes the Washington Conference constituted an ultimatum that Japan could not safely ignore. Japan knew this when she affixed her signature to the treaties, but she has not asked to be released from their terms or questioned their validity. Her interests demanded peace in the Pacific and the stabilization of China under some strong central government and she accepted cheerfully and without reservations the major provisions, asking only to save her face in the restoration of Shantung to China and refusing to submit her position or rights in Manchuria to the jurisdiction of the conference.

## CHAPTER XL

### CHINA RESERVED RIGHT TO ACT

**J**APAN accepted the invitation to attend the Washington Conference on the condition that her established rights in Manchuria should not come up for discussion. Although the conference determined the future of China to its own satisfaction by entering into the Nine Power Treaty, the main dispute between China and Japan arising out of the Manchurian Treaties of 1915, remained unsettled. China persisted in her refusal to recognize the validity of that treaty and placed on record her intention "*to seek a solution on all future appropriate occasions.*"

The following extract from the official report of the Conference on the Limitation of Armament (page 1564) is conveniently overlooked in the discussions over Manchuria.

. . . The Chairman said that it would be in order to propose that the statements made by Baron Shidehara, by Mr. Wang, and by himself should be reported to the Plenary Session and spread upon the records of the Conference.

Mr. Koo stated that his colleagues and he himself desired to indorse the Chairman's suggestion that all of the statements on this very important question should be spread upon the records of the Conference, it being understood of course, that *the Chinese Delegation reserved their right to seek a solution, on all future appropriate occasions, concerning those portions of the Treaties and Notes of 1915 which did not appear to have been expressly relinquished by the Japanese Government.*

The Chairman said that it was, of course, understood that

the rights of all Powers were reserved with respect to the matters mentioned by Mr. Koo.

The Chairman asked if the Committee was ready to act upon his suggestion that the statements of Baron Shidehara, of Mr. Wang, and of himself should be reported to the Plenary Session and spread upon the records. He added that the United States of America assented.

The other Delegations being polled, each voted affirmatively, and the Chairman declared that it was so ordered.

Upon the suggestion of Mr. Sze a vote was taken in regard to reporting Mr. Koo's statement to the Plenary Session and spreading it on the record. Each Delegation voted affirmatively and the Chairman announced that it was so ordered.

China confessedly concluded the Manchurian Treaties of 1915 with the intention of breaking them at the first opportunity. When she failed to have her point of view upheld at Washington, she proceeded to sign another treaty again reserving to herself the right to break it when most convenient. This reservation stands in the record, accepted and acquiesced in by the conference. As to whether it changed the treaty only for the reserving power or for every signatory, seems to be an open question. Common sense would indicate, however, that it definitely removed from the scope of the treaty any further dispute between China and Japan over Manchuria. To advance the argument that Japan is bound by Article VII of the treaty to communicate fully and frankly with the other signatories while China is permitted to raise the issue at her convenience which, interpreted in plain English, means when she is strong enough in a military sense to enforce her point of view, would seem to be discriminatory, holding Japan fast in a trap until such time as China is prepared to settle accounts with her. If this interpretation be accepted, the reservation to be fair must work both ways and concede to Japan the similar right to enforce respect for her view-

point whenever, in her opinion, the issue can no longer be safely postponed.

#### WHY CHINA APPEALED TO GENEVA

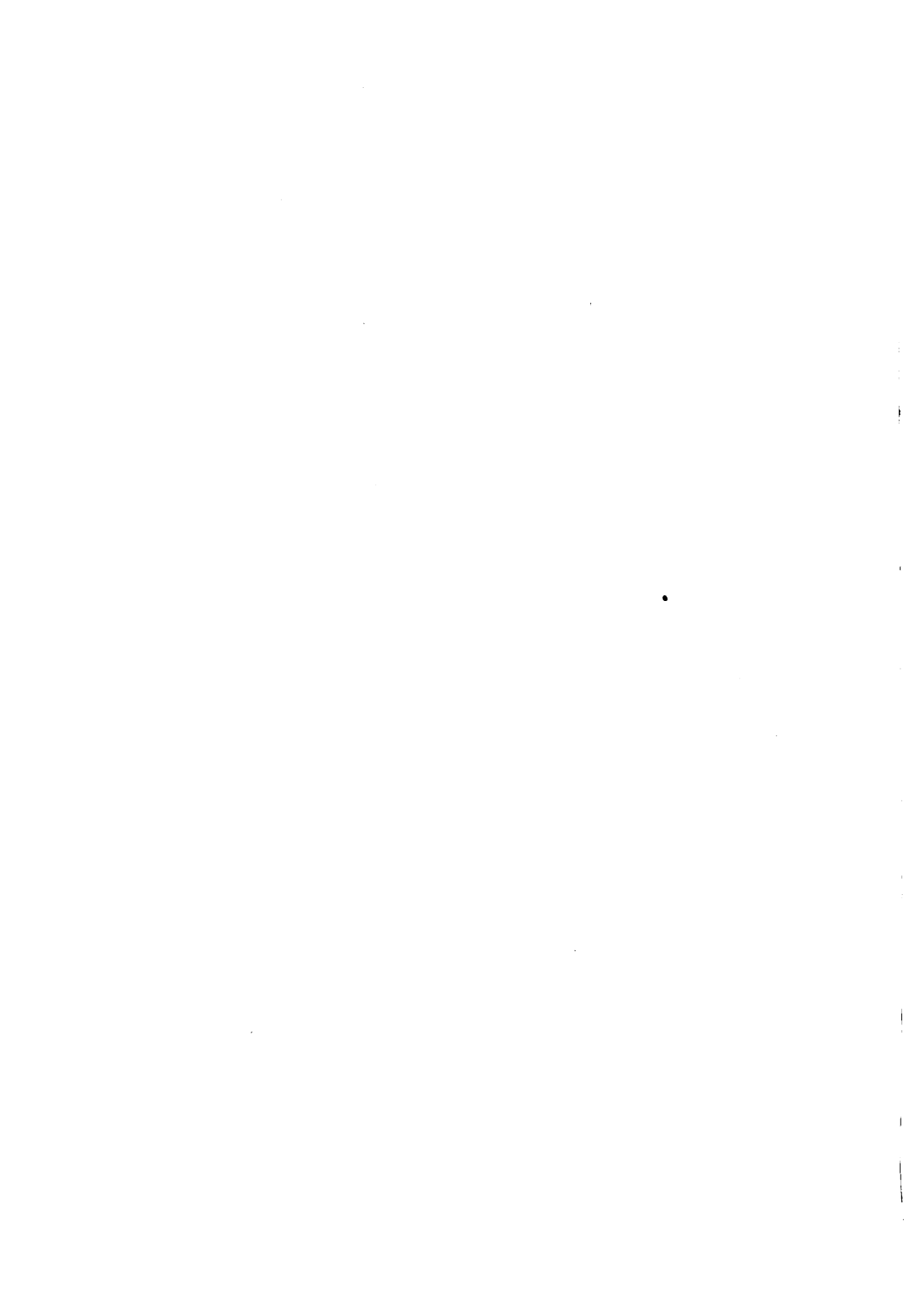
The question, however, was one that China has not dared to negotiate direct with Japan for the reason that if her contention that the Manchurian Treaty of 1915 was invalid is upheld by law, then Japan's rights in Manchuria would be defined by the terms of the Portsmouth Treaty, in which event, Japan would demand from China the indemnity she was defrauded of at Portsmouth by the suppression of the truth surrounding the existence of the secret treaty of alliance entered into between China and Russia in 1896 aimed at Japan, and which handed Manchuria over to Russia so that the armies of the latter could get into a favorable strategic position to crush Japan. China had staked everything on her contention that the Manchurian Treaty was invalid, even going so far as to request Japan to surrender the leased territory in 1923 and refusing later on to negotiate any new treaty of amity and commerce until Japan evacuated Liaotung, withdrew her troops from Manchuria and handed over her huge investments in that territory to Chinese jurisdiction. The issue was, therefore, clear-cut. China could not recede from this untenable position without confronting the still graver issue created by her confession at Washington of the existence of the secret alliance with Russia which made her in part responsible for the Russo-Japanese War and for any indemnity Japan might demand.

These facts were well-known to all the interested Powers, but owing to China's inflexible stand, they could do nothing to avert the crisis that any intelligent observer could see approaching. China's reservation at Washington definitely precluded any intervention of the interested

Powers in the settlement of the Manchurian dispute, confining it to direct negotiation between China and Japan, or to some international tribunal other than the Nine Power Group. Is not this the reason why China threw her case into the League? How can we reconcile these facts with the contention that Japan violated a treaty which China herself had made inapplicable to Manchuria?



**PART IV**  
**THE REAL ISSUE; JAPAN VERSUS COMMUNISM**



## CHAPTER XLI

### JAPAN'S EXISTENCE AT STAKE

**T**REATIES may or may not have been violated. As long as there exists a legitimate difference of opinion and both sides to the dispute adhere to their own interpretation and there is no hope of settling their quarrel by arbitration, will we resort to force to impose our viewpoint? The danger to peace does not arise from this difference of opinion over established international law but from a conflict of policies which have reached the stage where ordinary diplomatic negotiations can do nothing to break the deadlock. Especially is this true in the Far East where a determined program of conquest is being carried forward under cover of a propaganda for the dissemination of political ideals, just as efficient in results as though waged by fire and sword. The real issue in that part of the world is whether Communism is to triumph in China and bring this vast territory with its teeming millions under the domination of Moscow as the first step towards the overthrow of Japan, or, whether Japan is to be permitted to defend herself against the spread of doctrines which menace her institutions, her industrial system and the very life of a people whose existence depends upon the preservation of these agencies. Barred as she is from finding an overseas outlet for her mounting millions, Japan must keep her people at home and provide work and food for them. Otherwise they starve. The overthrow of her carefully built up industrial system and its displacement by communistic control, together with the closing of emi-

gration and trade outlets, would be equivalent to condemning the masses of Japan to death, which is a statement of fact and not a figure of speech. In opposing by every means within her power the further spread of Communism in Eastern Asia, Japan is, therefore, fighting for her very life.

It may be true that the Government of the U. S. S. R. is no longer directly responsible for the propagation of ideals which are gradually sapping the foundations of all established systems of government and that it does not control the activities of the *Comintern* which directs the movement for world revolution. It is fruitless to argue this point. It may also be a truism that frontiers are no barrier to the spread of thought or ideals and that as long as the Red Army is not employed in extending Communist influence, the Government of the U. S. S. R. is absolved of any charge of aggression. It may be equally exact that Russia has temporarily abandoned her program for world revolution and decided to make a success of "socialism in a single country," that is, at home, before attempting to change the governmental systems of other nations. This may be all water that has run under the mill, but the fact remains that, up to 1929, the program for world revolution was in full blast and represented the guiding policy of the Kremlin, unblushingly and aggressively pushed wherever conditions provided a toehold. If there has been any change, it is not because the Soviet has abandoned its primary aim.

In adopting a new doctrine that shifts the interests and activities of the Communist leaders from international to domestic problems, it is hoped that more solid progress will be made towards the main goal. It may require many years, filled with crises, wars, internal struggles and periods of relative peace, but however long the period, it will be characterized by a ruthless suppression of all

resistance. It is candidly admitted that the goal cannot be reached by peaceful means such as the winning of parliamentary majorities, and that force alone will bring lasting victory. This means the elimination of the property class, the intelligentsia, the upper middle class and all those who oppose the new order. The Red Terror will be reënacted in every country where the proletariat gains control. The U. S. S. R. remains the international driving force in this new orgy of revolution, and it is in China that it has concentrated its efforts to solidify a hold that will set the whole world ablaze. Here Stalin and the *Comintern* have spared neither effort nor money to create a Chinese Soviet Republic.

#### THE WILL OF PETER THE GREAT <sup>1</sup>

Before coming to any final decision on these matters, let us go back to 1725 and read the will of Peter the Great, that document of fourteen articles concluding with the words: "*in this way Europe can and shall be placed under the Russian Yoke.*" Whether this document was faked or not, it has been accepted by the rulers of Russia to serve the purpose of a ruthless imperialism. It became the guiding policy of his successors and set in motion forces against which Great Britain was compelled to be ever on the alert. It is superfluous to follow in detail all the ramifications of a counter-defense policy entered into by the British Government to guard its empire from dismemberment. To invite attention only to the closing of the Straits; the occupation of Cyprus, the maintenance of the integrity of the Ottoman Empire; the purchase of a controlling interest in the Suez Canal; the taking over of Egypt; the doctrine of the Persian Gulf; guarantees for the continued independence of the buffer states of Afghanistan,

<sup>1</sup> See Appendix II.

Nepaul, Bhutan, Sikkim and now Irak; the alliance with Japan and the formidable battle of concessions in 1898 to prevent China from falling under the domination of Russia; even then, the story is only half told.

Sixty years ago, world interest was concentrated on Central Asia, with the Russians hammering on the gates of Herat on their unchecked march towards India. Conquest by railway and pitiless extermination by the sword brought all of Central Asia under the rule of the Cossack. When the legions of the Czar failed to break through the thin red line holding the passes into India, the construction of the Trans-Siberian Railway was rushed through, and Russian diplomacy, supported by France and Belgium, was concentrated on opening a road through China that would enable their armies to reach India by way of its northeast frontier.

If we want a real picture of stark conquest and imperialism at its worst, of a religious fanaticism before which the blood-craze of the Mohammedan pales to a pastel pink, we have only to read again the story of the Russian advance in Central Asia, the most bloodthirsty record of the last century. Our modern, bemedalled, dilettante war correspondents with their by-lines and pictures at the head of their dispatches, will profit by reading the story of those who made their profession one to be proud of, whose exploits still stand as an example that few have equalled or dared to follow. McGahan's *Campaigning on the Oxus*,<sup>1</sup> O'Donovan's *The Merv Oasis*,<sup>2</sup> and Burnaby's *Ride to Khiva*,<sup>3</sup> and other books of the period tell the story of a campaign of frightfulness in a prohibited corner of the world where death was the reward of any correspondent

<sup>1</sup> J. A. MacGahan, *Campaigning on the Oxus* (New York, Harper & Brothers, 1874).

<sup>2</sup> Edmund O'Donovan, *The Merv Oasis* (London, Smith, Elder & Company, 1882).

<sup>3</sup> Fred Burnaby, *A Ride to Khiva* (New York, Harper & Brothers, 1877).

found within the forbidden territory. Nothing has changed since the days of those intrepid founders of a new profession and the few who have followed them into these regions can be counted on the fingers of one hand. Central Asia is still a land of mystery, closed to foreign travel and the prying eyes of press correspondents. To seek information about what is taking place is still a hazardous task, indulged in only by the officers of the Indian Intelligence Section or their native assistants. Soviet conquest and subjugation of the tribes still goes on in the same old traditional manner of the Slav, the only way he knows.

#### JAPAN'S FIGHT FOR INDEPENDENCE

It was this picture in its early stages that the Rip Van Winkle of Eastern Asia opened his eyes upon as he was prodded out of his sleep of centuries by an American war-fleet. Before he understood what it was all about, the menace was upon him. Russian cruisers patrolled the coasts of Japan and made Nagasaki their favorite harbor of supply and haunt of diversion. Frantically, feverishly, and in desperation, the little brown men of Nippon prepared to defend themselves. Had it not been that Russia was caught out on the end of a limb, that is, at the end of four thousand miles of single-track railway, the Islands of Japan would long since have passed under the rule of Russia, with swaggering Cossacks policing the streets of Tokyo.

Ever since her fight for existence—and that is exactly what the Russo-Japanese war meant to Japan—the Japanese have been constantly on the alert against the announced war of revenge, scheduled originally to take place in 1912.<sup>1</sup> Japan's annexation of Korea in 1910 is traceable directly to Russia's menacing moves in those days. Events in Europe,

<sup>1</sup> *The Memoirs of Count Witte* (New York, Doubleday, Page & Co., 1921), p. 177.

however, postponed the conflict and the World War, followed by the overthrow of the Czarist régime, brought a further respite to Japan. With her old enemy broken and helpless, Japan signed the peace and naval disarmament pacts, committed herself to respect the territorial and administrative independence of China, reduced her armies, cut down her military appropriations, turned her affairs over to a Liberal government, adopted a policy of conciliation and coöperation, and settled down to enjoy the blessings of peace.

#### NAKED IMPERIALISM OF MOSCOW

The Bolsheviks came into power in Russia and repudiated at the outset all the old Czarist policies, except that fundamental commandment laid down for all future generations of Slavs by the great father of modern Russia. Twist it, turn it inside out, stand it on its head, construe and interpret it as we will, but the Lenin program for World Revolution is the same old doctrine of aggression and conquest laid down by Peter the Great for world dominion expressed in other terms and disguised in other habiliments to meet the changed conditions and psychology of a pacifist world. Passages in this document are almost identical with the program announced by Lenin and his successors in their struggle for the Bolshevik domination of the world, while the points dealing with Russian conquests in Asia have been conscientiously carried out by all of Peter's successors. The difference between the policy of the Czars and that of the Commissars is merely that the latter is carried out under the dangerous disguise of democracy and the banner of self-determination and by posing as the savior of the oppressed races of Asia from their European exploiters. Both policies are alike, naked imperialism in its most obnoxious form. In the same manner as the statesmen of Imperial Russia toyed with the



diplomats of other States, their successors in the Kremlin are pulling the wool over the eyes of a war-saddened world, while steadily advancing their fixed program in Central Asia, in the Pacific, and in China, seeking the effacement of Japan and the downfall of Britain through revolt in India. The same forces that dominated and influenced world diplomacy fifty, thirty, twenty years ago are at work today. Russian policy never changes. It may meet with temporary setbacks, but it goes steadily, slowly onwards, like a steam roller crushing down and leveling all resistance.

#### FROM WHICH SIDE DOES THE MENACE COME?

For over a century, French armies overran the small German states, until after the Napoleonic wars it became necessary to guarantee Europe against a fresh outburst from France. Now, a century later, it is supposed to be necessary to guard Europe against a fresh outburst of German militarism. For over a decade the world stood in fear of the program of conquest proclaimed by Soviet Russia. Several new states were set up in Europe to serve as a "*cordon sanitaire*" against the spread of Bolshevism and a new set of sacred principles promulgated to justify political non-recognition of this enemy of society. Of a sudden, the whole picture changed. Soviet Russia is welcomed with open arms and the world stands together in a new compact to guard itself against an outburst of Japanese militarism! For centuries, the Japanese lived secluded from the rest of the world, happy and contented with their own civilization. Foreign whaling-ships poked their prows into her harbors; the war-vessels followed and the race was on to open her up to commerce and exploitation. An American squadron steamed one fine morning into Tokyo Bay, and at the muzzle of its guns forced the Japanese hermit

to come out into the world. Fix well the date, 1854, just eighty years ago.

During the last two centuries, Russia has fought thirty-three wars, twenty-two of which were purely aggressive, aimed at the conquest of new territories. Russia's wars of conquest in Central Asia were brutal in the extreme, no quarter, no pity, no cessation to the slaughter until the people groveled and begged for mercy. Since Japan emerged from her seclusion eighty years ago, she has fought just three wars, two waged for self-preservation against the imperialistic advance of Russia and one, a minor one for her, to carry out the obligation of her alliance with Great Britain. Yet Soviet Russia, outnumbering her three to one, with an army of a million men and reportedly the strongest air-fleet in the world, has made it appear that "militaristic Japan" is the menace to world peace and by sheer, brazen propaganda has convinced the League and the United States that her existence is imperiled since Japan checkmated her preparations to fasten her yoke on the peoples of the Far East.

## CHAPTER XLII

### THE "TANAKA MEMORIAL"

A FEW years ago, the world was startled by the publication of an alleged Memorial to the Emperor of Japan, purported to have been written by Baron General Tanaka, outlining a policy and program for the invasion and conquest of China as the first step towards Japanese domination of the whole world. Although the document was proven a pure fabrication, it was solemnly advanced by its Chinese sponsors at Geneva as evidence of the existence of a set plan to invade Manchuria and of Japan's general aggressive designs upon other states.

What would have been the reaction had the Japanese delegate stood up before the Assembly of the League and solemnly advanced as evidence "The Four Protocols of Zion" and the mass of literature showing how this alleged diabolical plot against society is being carried forward by the Jewish rulers of Soviet Russia under their program for world revolution and demanded that it be printed in the records of the League? The Japanese Delegate might have also presented in evidence the will of Cecil Rhodes and the endowments of Andrew Carnegie to prove that Great Britain has concealed up her sleeve a program of world dominion.

He might with profit have dug into the musty files of the *Congressional Record*, collected the utterances of American presidents and official exponents of our policies to support the allegation that "Manifest Destiny" has laid upon the people of this country the solemn and sacred

G. F. S. J.'s  
Will ?

duty to regenerate mankind by sending out missionaries and educators to preach and disseminate republican revolutionary dogma inciting other peoples to overthrow their monarchical systems of government.

The Japanese might with profit have elaborated on that theme. They could have compiled quotations from the bombastic utterances of imperialistic politicians in the United States and made extracts from the jingoistic editorials in our leading newspapers and then, as proof that we harbor secret designs on Latin America, they could cite every intervention, armed or otherwise, by the United States over a long period of years in the affairs of our weak southern neighbors. They could make out a case that would make an honest American blush and hang his head in shame. To humiliate us further they could then quote from the published works of eminent Latin American statesmen, jurists and political writers their candid and considered opinion of our actions. What an indictment of the United States they could have presented to a sympathetic court!

The American public is not permitted to hear much about the Protocols of Zion and the plan on which the Jews are allegedly working to obtain world dominion. It may be fantastic, but it is only necessary to read the inside history of the Russian revolution, the Communist program for world revolution and dovetail these events in with the objects of the Protocols to make out a circumstantial case against the international Jew. Yet no sensible editor or writer would openly discuss or invite attention as to how these protocols are working out in every detail. They have no scruples about damning Japan on faked evidence, but soft-pedal or ignore this alleged Jewish plot.

The next time an American writer invites attention to the Tanaka Memorial as proof of Japan's aggressive designs, let him print the Protocols of Zion and the Com-



謝外務大臣



沈宮內府大臣



丁交通大臣



熙財政大臣

#### FOUR HIGH OFFICIALS OF THE MANCHOUKUO GOVERNMENT

Above: left, H. E. Hsieh Chieh-shih, Minister of Foreign Affairs; right, Mr. Shen Jui-lin, Director General of the North Manchuria Railway. Below: left, H. E. Ting Chien-hsiu, Minister of Communications; right, H. E. Hsi Hsia, Minister of Finance.

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1100000000

munist Plan for World Revolution and then say which was conceived first and which is being carried out with mathematical precision and with the most hopeful chances of success. In view of the facts of history of the past fifteen years I defy any fair-minded person to condemn Japan for putting into operation a plan to defend herself against the rapid execution of another plan devised for her subjugation. I go further and challenge any impartial judge to read all these alleged documents and then say that the Tanaka Memorial is not almost a replica of the Muscovite-Jewish-Communist programs, circumstantial evidence, at least, that the hand which drafted the alleged Japanese document merely changed the principal character in a plot exclusively Russian in its conception and technique.

A lawsuit brought by the Union of Jewish Communities in Switzerland to establish the falsity and forgery of the documents known as the "Protocols of the Elders of Zion," is now being tried in the courts of Berne. In 1921, the *Times* discovered that the "Protocols" were an impudent forgery, the work of a former member of the Ochrana, or Russian Secret Police. The Jewish leaders in Switzerland charge that the "Protocols" are plagiarisms of the celebrated "Dialogue in Hades between Machiavelli and Montesquieu," written in 1864 by the French lawyer Maurice Joly against the dictatorship of Napoleon III, in which the Jewish Elders were substituted for Machiavelli who speaks in the name of Napoleon. The evidence is clear proof that the Will of Peter the Great, the Protocols of Zion, the Doctrine of Lenin for World Revolution and the Communist Plan for the Domination of Asia are exclusively Russian in thought and practice and there is sufficient evidence to support the statement that the "Tanaka Memorial" released in Peking by Sovietized Chinese officials was the product of the same mind processes. No Japanese or Chinese could have conceived such a plan.

## AN IRRESISTIBLE FORCE

But whether these Russian documents are apocryphal or not, they faithfully reveal the foreign policies and diplomacy of a people carried away by their conception of a manifest destiny which enjoins upon them the duty of implanting their faith and system of government in all the countries of the world. It is not necessary for the intelligent American to give credence to the will of Peter or the dogma of Lenin. He can turn for unbiassed testimony to the pages of a book written in 1904 by one of the keenest, clearest, and most brilliant minds our country has produced.<sup>1</sup> In *The Russian Advance*, Senator Albert J. Beveridge laid bare the very soul of the Slav and with a prescience that was almost prophetic, foretold what has happened in Russia since that date. A few lines from this book will be sufficient: "To the Russian mind, China is to be Russian, Persia is to be Russian, India is to be Russian . . . control of Asia may be said to be an ideal of the Russian people. . . . This is a fact that the British Foreign Office troubles over more than any other of its imperial world problems. . . ."

Russia's goal remains fixed. No matter how skillfully its ends are concealed behind words designed to mislead the world, the time-old immemorial struggle will go forward, the urge of a people seeking an ice-free port and the still more powerful impulse which drives an agricultural people forward into the wilderness in the quest for new lands. The Czars of Muscovy and the Commissars of the Commune can do nothing to check this movement. It dominates the policies of Moscow to the same, if not greater extent, than the Monroe Doctrine dictates the course of American diplomacy, the defense of India that of Great

<sup>1</sup> Albert J. Beveridge, *The Russian Advance* (New York, Harper & Brothers, 1904), p. 368.



Britain or the problem of what to do with her increasing population, that of Japan. Every move on the Asiatic chess-board is carefully calculated. Nothing is left to chance. China is the prize in the game, and it is and has been the basic policy of Russia to place every obstacle in the way of her making a move to defend herself and, as will be seen later on, Russia's basic policies were not uncovered until American capital threatened to change the picture by strengthening and helping China out of the trap. It is necessary to emphasize this as both statements of Russian policy are recorded in official documents on file in our own State Department.

#### THE WEIGHT OF NUMBERS

Nothing can check this movement. On one side we have 170,000,000 land-hungry Slavs increasing at the rate of 3,000,000 a year. On the other, 500,000,000 Chinese with a mania for procreation which, if unchecked by natural forces, would flood the world in a few decades. Add to this 90,000,000 Japanese cooped up on a chain of volcanic islands increasing at the rate of 1,300,000 a year and we find that, at the present rate of increase, within twenty years Asia must find room for 200,000,000 more people. These tremendous natural and human forces cannot be controlled. The Slav wave will continue to roll eastward until it meets the westward moving Mongolian flood seeking its natural outlet on the plains of Central Asia and there will be fought the battle that will determine the future of the two races. This clash cannot be averted by treaties, covenants, peace pacts or any other machinery to preserve the *status quo*. The surge of two great world tribes meeting here on the plains of Central Asia is on today, almost unobserved by the Western world, sitting beside its radio, and believing itself well-informed. Di-

plomacy may lessen the shock of isolated collisions and postpone a general conflict but the final issue seems inevitable. It is an irrepressible conflict between natural forces that we are witnessing today, intensified on one side by the driving power of policies intent upon bringing all Asia under its sway and on the other by a grim, silent determination to survive.

There is only one possible solution to this problem, one that would stave off the conflict for another fifty years or more, a proper division of China into workable units, but international law as laid down in the Nine Power Treaty, prohibits any interference with a *status quo* avowedly designed, set up and maintained to perpetuate a fallacious trade doctrine screened behind an impractical, immoral and perilous conception of statehood. If the principles of nationality as applied in every other part of the world be extended to the Mongolian race and the country we now call "China" be split into its natural divisions, it would erect a series of boundary dykes, breaking up and confining the most explosive pressure in Asia within definite watertight compartments.

One alternative is Soviet domination; the other a surge of Mongolian masses whose very numbers will overwhelm the world. It seems obvious that a pagan civilization based on ancestor worship with the necessity of having as many male children as possible to keep up the cult; where polygamy, concubinage and all the facilities for reproduction are ever present, must have within it a menace of numbers. If financed to arm itself with the most modern and powerful instruments of destruction and death, taught by the most expert killers from the outside how to handle these instruments, encouraged and prodded into using them, if industrialized and mechanized, this force must ultimately assert its superiority. Through textbooks, boy-

no more  
than  
five million

cotts and an intense nationalistic propaganda, the 500,000,000 mixed peoples of China are being taught to believe that Japan is their enemy, that they must prepare to fight her and wipe this nation of "dwarfs" off the map. Such a movement receiving the moral support of the great Christian Powers and impelled by the active intervention of Communism, must develop into something which will have the force of a religion, constituting a deadly peril to Japan and then to all those institutions which Western civilization holds sacred and essential to its welfare. The success of such a movement in a country ruled over by military despots may at any time bring to the fore a formidable Chinese Napoleonic figure who will never stop until all Asia is brought under his dominion. The pacifism of the Chinese will hold good until such time as their psychology is metamorphosed by winning a victory over the Japanese and then no power on earth can hold them in check.

Every ounce of available strength latent in Japan must be developed and thrown into the scales against this menace. So I am going to assume that Baron General Tanaka did write a Memorial to his Emperor outlining a plan of action that would safeguard the people of Japan and assure to them that they will not be engulfed by the irresistible Slav inundation breaking through the Mongolian or Manchurian levees or smothered by the overwhelming numbers of their highly prolific neighbors. Let me add right here that in this overwhelming weight of numbers, the Chinese look forward to absorbing their neighbors and imposing their civilization and rule over the rest of the world. The Chinese think in centuries. The picture is bad enough as it is, but if their own hoary traditions and customs are strengthened and their powers of reproduction intensified by the Communist creed of no

**Gods, no Religion, no Home, no Family, and they are permitted free rein to indulge in their natural procreative recklessness under a system where the state becomes responsible for the upkeep of their offspring, the rest of the world may well tremble for the future of its civilization.**

## CHAPTER XLIII

### TANAKA'S JUSTIFICATION

**S**HOULD Japan now place in evidence the will of Peter the Great; the Communist program for world revolution which superseded it; the openly declared intention to concentrate on the domination of Asia as the first step towards the attainment of this ideal and then turn to the record and invite attention to the series of events which over a long period of years prove conclusively how this program is working out in every detail, would it change the verdict against her? Observe how as long ago as 1896 China signed a secret treaty of alliance with old Russia aimed at Japan and forced Japan to fight for her life. Recall that in 1924 Sun Yat-sen entered into a similar secret alliance with the new Russia, but still imbued with the will of dominance, and imposed the rule of a Sovietized-Chinese political faction over the whole country. Note how this same Nationalist *cum* Red combination rejected every friendly overture on the part of Liberal Japan for an amicable compounding of their differences; how the leaders of the Chinese Communist movement are even now opposing every step towards conciliation and preaching a Holy War against Japan; how as late as August 1, 1934, the Red Army of China took a solemn oath to wage war on Japanese imperialism, and if the significance of all this is comprehended, we will begin to understand something of Japan's point of view.

No better proof of Russia's policies can be adduced than our own experience in these regions. American financiers

obtained from China in 1909 the Chinchow-Aigun Railway Concession to build a line traversing Manchuria north and south and in 1916 the Siems-Carey contract to build lines in inner Mongolia. The Russian protests which effectually nullified these agreements were based on many considerations but the most important objection was that the Chinchow-Aigun line terminating on the Amur River, constituted a direct menace to Russia's strategic position in these regions<sup>1</sup> and, in the case of the Inner Mongolian lines, that Russia could not consent to the construction of any railway which would open Mongolia to Chinese penetration and colonization and that this territory had to remain as a buffer state.<sup>2</sup> This was, in effect, a one-way doctrine proclaiming that Russia reserved to herself the right to encircle China with military and strategic railways and China was not to be permitted to construct lines within her own territory to defend herself.

? Japan might then place in evidence the fact that the first act of Soviet Russia was to carry forward the old Czarist program by creating Mongolia into an independent state incorporating it into the Soviet system of Socialist Republics and posting signboards at all entrances reading: "It is Positively Forbidden to Enter." It might set forth that the Turk-Sib Railway, paralleling western Mongolia was rushed to completion; that other railways were designed to terminate at points along the same border; that a million and a quarter ton steel mill was built in the Altai and that other secondary war-industry plants sprang up over night along the Trans-Siberian Railway; that this railway was feverishly being transformed into a double-track system; that other important trans-Siberian lines and military highways were surveyed and appropriations for their construction included in the second Five Year

<sup>1</sup> *Foreign Relations of the United States, 1910*, pp. 249-50.

<sup>2</sup> *Ibid.*, 1916, p. 199.

Plan; that the Far Eastern Red army was increased to over 250,000 men, reinforced with a mighty fleet of bombing planes and protected by a new system of fortifications along the Amur River; that air-bases were being established within striking distance of Japan; that submarines were being secretly constructed at Vladivostok; that this huge army was under command of the same general who led the Chinese Reds to victory in 1926; that Central China is a congeries of Soviet Republics boasting armies of nearly a million men; that the Chinese Communist leaders are preaching undying hatred and a Holy War against Japan; that Chinese Red generals are even now touring the United States collecting funds from their countrymen to wage a war to the death with Japan. Bring all these facts together (and even then we have only the high lights of the situation) and submit them as evidence before any impartial court and it will decide unanimously that Baron General Tanaka was fully justified in resorting to any and every means to defend his country, treaties to the contrary notwithstanding and, had he not done so, he would have been shown unfit to hold his high post or enjoy the confidence and trust of his emperor.

## CHAPTER XLIV

### JAPAN FOLLOWS LEAD OF BRITAIN AND AMERICA

**T**HE facts of history cannot be set aside. The subterranean work of Communist proselyting goes steadily forward in all countries of Asia, sapping the very foundations of society and government. In some places as in China the movement has gained gigantic proportions and is now in open armed revolt contending for supreme control of the government while the invasion of these subversive ideas boring into the very substructure of Japan threatens the collapse of the monarchy and the state itself. Under such conditions, continued adherence to Liberal ideas and policies and the cult of pacifism instead of being a virtue becomes a crime and a treason, not only to Japan but to all European and American states whose civilization would be jeopardized by the elimination of the only responsible government in the Far East capable of enforcing peace.

Confiding in the intelligence of their workers and farmers, highly advanced nations may view with a certain equanimity the activities of Communist agitators, but experience teaches that their initial soap-box exhortations are followed by strikes, mob disorders, labor wars and, as the party grows in strength, in political intrigue and plots culminating in Red Terror, the overthrow of the state and the surrender of its sovereignty to a group of crafty internationalists who have set out to rule the world from the old Kremlin of the Czars of Muscovy. To such an alarming extent has this boring from within already



honeycombed the Japanese conception of the state, that its army leaders are now advocating the adoption of a system of state socialism within the framework of the Empire in order to stop the further spread of a class rivalry that under the driving force of Communist teaching can have only one result. The publication recently of the Japanese army's viewpoint interpreted abroad as merely an attempt to recover full political control, in reality means that the enemy is already within the gates and rather than be called upon to shoot down and kill their own fathers and brothers and to forestall a debacle, the army has indicated a more humane solution through the implanting of economic reforms leading up to a system of state socialism. All that the outside world cares to see or understand in this move, is only another proof of the evils of militarism, a further evidence of the Japanese army's determination to impose its rule over the Empire. Yet it is only another application of the humane principle which forced Great Britain to the dole and the United States into the New Deal in order to stave off a Red Revolution. Instead of spending its forces in futilities while doing nothing to guard against the inevitable, the Japanese Army seems to have taken the initiative into its own hands as the one safeguard and insurance for its own preservation upon which rests the continued existence of the Empire itself.

#### BRITAIN'S DEFENSIVE POLICY

We cannot laugh these facts away. If it is absurd at this time to cite the will of Peter the Great, or refer to the Communist program for world revolution and the Red invasion of China as justification for Japan's moves to defend herself, we would suggest that this same argument was advanced for several decades by the British Govern-

ment in support of its defensive policies in the Mediterranean, the Near East, the Persian Gulf, and in the Far East. The only change in the picture is that for the moment Japan takes the place of Great Britain. Should Britain ever relax her vigilance, she will find herself once more confronting the same old Bear in the same old places all along the line from Stamboul to the Khyber Pass.

Every move of British policy in Asia and the Near East for the last seventy years or more has been made to counteract some overt or underhand act of Russia's; more than half the crises by which Britain has been confronted arose not from Western but Eastern Europe in defending India and its approaches from a Russian attempt to break through her strategic wall of protection from Suez to Bhamo. If Great Britain today is sponsoring Russia's entry into the League of Nations it is because stern necessity arising from the instinct of self-preservation demands guarantees from any and every source that will hem in Germany and preserve the *status quo* in Europe. It does not, it cannot mean, that Britain will support Russian imperialism in Asia. Whether she wants to or not Britain must stand by her old ally, for should Japan go down to defeat, not only China but India, Indo-China and Malaysia would automatically come under the domination of Moscow.

No power with interests in Asia dares forget that at any moment Russia may again become a great danger. Stalin may die tomorrow; Trotsky may return to power. No one can foresee how soon Russia's military aggression will be resumed and the neighboring state which should place confidence in her present solicitude for disarmament and peace, would deserve the fate that ultimately would befall it. No nation can afford to ignore the history of Russia. Experience warns Europe and lays upon Japan the obligation to be prepared for any emergency. If the

solemn promise of Germany is not good enough for France, how can we expect Japan to accept as sincere the sudden conversion of Soviet Russia? The applause which greeted her entrance into the League had hardly died down before there was a recrudescence of the movement to push forward the objects of the Communist International. And it goes without saying that every effort will be concentrated on aiding the Communist Party of China to consolidate its position. *The War in the Far East is just beginning.*

As the independence of Finland, the Baltic States and others on the western borders of Russia constitute the sole guarantee for the peace and security of Europe, so the independence of Manchoukuo, inadequate as it is, becomes imperative for the security of Japan against the further expansion of Russian imperialism in the Far East. From now on, more than ever in the past, the basic policy of Japan must follow the identic lines laid down over the centuries by Britain for her own preservation. Britain's security against invasion has always depended upon naval control of the surrounding seas and a fixed resolve that the opposite shores of the Channel and North Sea shall never be brought under the control of a single great military and naval power, which means, the perpetual independence of the Netherlands and Belgium under guarantees which make compulsory immediate armed intervention with her full military and naval strength, when this independence is threatened. Experience has taught Britain that if these steps are not taken in time to avert impending danger for just that reason she has been forced into war. She must either defend herself while she has time to do so, or pay the consequences for her lack of foresight. Yet, through the decades, English influence over these small nations across the Channel has never proven a matter about which other nations need worry.

As Britain can never tolerate the rise of a nation on the opposite shores of the Channel which by superiority of wealth and numbers could beat her at shipbuilding and command the coast, so Japan for her own national existence from now on can never permit the rise of a Naval Power in China or Asiatic Russia that could destroy her lines of communication with the mainland and isolate and starve her into submission. Neither can she permit the fortification of the Fukien Coast of China either by naval, submarine or air bases that can take from her the command of the Formosa Channel, her one point of vulnerability, as vital to her life as undisputed control of the Channel is to Britain or the Panama Canal to the United States. Any limitation of naval armament that would prevent her at any given moment from closing the gaps in the long stretch from the Kuril Strait to the Formosa Channel, would be equivalent to committing suicide on her part.

No matter how legitimate the aspirations of China or Soviet Russia to build up a naval force in these waters, Japan can never permit such a menace to assume proportions that will endanger her naval supremacy and security. Under the present world line-up with Russia now a respected member of international society and Japan ostracized as a wrong-doer, and the almost certainty of some day having to face a Soviet-Chinese coalition, Japan has no option as to her future policy. She must stand fully armed and prepared, ready to strike hard and swiftly in order to preserve her security and control over the seas that command her back door, or go down to defeat. There is a certain irreducible limit of naval disarmament beyond which Japan dares not go and as her hypothetical enemies are all enclosed within the chain of islands under her control, she can afford to reduce her battle fleet to a reasonable limit for defense against all other emergencies

while holding out for such unlimited submarine construction as will assure to her that security within her own sphere which she now enjoys and must maintain at all hazards.

#### DOES INTERNATIONAL LAW APPLY TO JAPAN?

An American aviation company is now operating various air services in China in partnership with the Chinese Government. It is reported to be conducting test flights to open up other commercial services through Alaska, the Aleutian Islands to Kamchatka, Okhotsh, Nicolievsk, and Habarovsk, there hooking up with its lines in China. The realization of this plan must necessarily depend upon some arrangement with the Soviet Government for the use of landing fields, hangars and supply stations at various points in Soviet territory. Any such arrangement with the Soviet would bring these landing fields in close proximity to and neutralize Japan's strategic command of the passages from the Pacific into the Okhotsk Sea and the Sea of Japan. One of the Chinese-American operated lines from Hangchow to Canton, calls for landing fields at several points along the Fukien coast, commanding the Formosa Channel, the key to Japan's security. Another great air base has been built at the port of Haichow situated about half way between Shanghai and Tsingtau, strategically located to command the Yellow Sea and the sea communications between Japan and Manchoukuo.

All this is perfectly legitimate, but nevertheless it flanks Japan with a ring of Soviet-American and Chinese-American air fields which, in the event of hostilities, would automatically develop into a three-power air pact and make extremely difficult Japan's defense of her key sea positions. In the event of a war in the Pacific, American planes released from carriers a few hundred miles off the

Japanese or Formosan coasts could drop their bombs, continue their flights and find safe landing fields and refueling stations in Soviet or Chinese territory and start immediately on a return bombing flight to be picked up at sea by the carriers. All strictly within the treaties.

When a Japanese corporation sought a commercial concession from Mexico for Magdalena Bay in Lower California, Senator Lodge offered the following resolution which by a vote of 51 to 4 was passed by the Senate after a three-hour discussion:

*Resolved*, that when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communications or the safety of the United States, the Government of the United States could not see, without grave concern, the possession of such harbor or other place by any corporation or association which has such a relation to another Government, not American, as to give that Government practical power of control for national purposes.

This resolution, as explained by its proposer, "*rests on a generally accepted principle of the law of nations, older than the Monroe Doctrine. It rests on the principle that every nation has a right to protect its own safety, and that if it feels that the possession by a foreign power, for military or naval purposes, of any given harbor or place is prejudicial to its safety, it is its duty as well as its right to interfere.*"

Since the above resolution was passed in 1912, airplanes have come to be included as essential to both naval and military operations. In fact, they are now the superior arm of the fighting services. Landing fields in territory adjacent to the United States controlled by foreign companies closely allied with their governments would threaten our communications and security to the same extent as naval

or military establishments. Should a private Japanese company enter into partnership with the Mexican Government to operate commercial air lines throughout the Republic and include one from Tia Juana to Matamoras; should this same company enter into a similar contract with the Canadian Government to operate a line from the Yukon to Vancouver and thence eastward to a terminal at Halifax; should this same company obtain rights and concessions to operate air services around the Caribbean, or enter into an operating contract with any Central American government, the situation would be exactly the same as the one now developing in the Far East, where an American aviation company is cooperating with the Chinese Government and seeking an arrangement with Moscow.

Would the Monroe Doctrine be invoked to deny to Canada and the states of Latin America their sovereign rights to enter into such a contract with a Japanese company? Or, if the Monroe Doctrine is now obsolete, would we fall back on that principle of the law of nations, older than the Monroe Doctrine, and from which that Doctrine derives its force, and protect our safety by demanding a cancellation of those contracts? Senator Lodge, supported by the Senate of the United States, appealed to the law of nations as justification for his resolution to prevent a Japanese company from acquiring a commercial concession to Magdalena Bay. If that is law for the United States, it must also be the law for Japan.

Should Japan now invoke this law of nations which overrides all treaties and protest against the activities of an American company joining with the Chinese and Soviet Governments for the construction of landing fields, hangars, supply stations and repair shops for aviation lines that can be employed for military purposes and threaten its security, would the United States insist that the Nine

Power Treaty is superior to the basic law of self-defense invoked by the Senate of the United States to safeguard its own security?

The United States is well within its treaty rights in upholding the right of an American company to enter into partnership with the Chinese Government for the establishment of these air lines, but it is well to remember that the slogan of that government is, "National Salvation through Aviation." The radical leaders of China have openly declared their intention to wage war to the death against Japan. The Canton Government, intensely anti-Japanese, is building up its own air force. Soviet Russia has been loudly telling the world how it will bomb the cities of Japan from the air. No government dares ignore this picture.

The United States has laid down the law for the American continents. Will we permit Japan to invoke the same law when her life is endangered? Minister Hirota very clearly stated Japan's stand in his recent pronouncement of policy. It was not understood in this country. Did we want to understand? Should Japan now invoke the same law as the United States laid down for its own protection and deny to an American company the right to enter into agreements with the Soviet or Chinese governments for the operation of air lines that might threaten her security, or should some sovereign Latin American state conclude a contract with Japanese capitalists to operate air routes in close proximity to the Panama Canal or the proposed canal through Nicaragua, in the present temper of the American people, would it not precipitate a show down in the Pacific? The success of any commercial scheme for a through air service between the United States and China by way of Alaska and Siberia hinges on the permission of the Manchoukuo Government to fly over its territory. As the United States has placed on record its refusal to



recognize the new state and insists that it is still part of China, what would be the attitude of our Government in such a situation? After throwing away every legitimate opportunity for developing the communications of China by means of railways, would we now make an issue of the Open Door and the sovereignty of China to do in the air what Harriman and Knox failed to do twenty years ago?

It has been reported in the press that the much advertised plans for linking up the American and Chinese government air services by way of Alaska and Kamchatka have been abandoned in favor of the all sea route between Honolulu, Midway, Guam, Manila and Canton. Does not this seem to indicate that a realization of the political difficulties involved in the northern route is responsible for the change? The law that applies to Magdalena Bay works both ways and we must now hop from isle to isle across the Pacific to get to China, along an airway paralleling the chain of islands under the Mandate of Japan. Within two weeks after the announcement of this change in plans, comes the report that Japan will extend her air-services by way of the Bonins and other islands to the Mandated Group. One move forces the other.

## CHAPTER XLV

### THE "HIROTA DOCTRINE"

**J**APAN'S recent declaration of policy must be interpreted to mean that the day is past when China or even Russia will be permitted to build up a fleet based on any port in the Yellow Sea or the Primorsk littoral that may endanger her security, and the nation which stands on its rights under the Nine Power Treaty to assist the Chinese Government by indirect loans or credits to embark on such a program should consider very carefully what lies behind Japan's enunciation of policy. We must look the facts squarely in the face. Japan's feeling of insecurity does not arise from any fear of American or British aggression, but from the mechanization of China's huge armies and the certainty that, under given conditions, these armies will combine with those of the Soviet for her destruction. Should Japan's naval predominance in those narrow seas be once lost, she could never have security against invasion. The invention of the airplane has gone far to undermine the guarantee provided by her naval superiority and any financing of China or Russia to build up a large air fleet must of a necessity be viewed by Japan with deep concern.

Japan is bound by treaties to which Russia is not a signatory and whose observance irresponsible China is incapable of living up to, so she has had to go behind the treaties and place on record her determination to defend herself by a unilateral declaration similar to that which stands as the fundamental doctrine of the United States.

Like the Monroe Doctrine, Japan's declaration is not a rule of law nor can its manifestation of policy be set forth in any single formula; it is merely the statement of a principle which the United States has adopted as the basis of its security and proposes to maintain. As the United States has never been called upon to uphold its doctrine by force, so Japan may never have to go further than the mere declaration of a purpose to protect herself according to circumstances as they arise. The clear and open declaration of the Monroe Doctrine has been a great factor in the avoidance of war, and if Japan's similar doctrine is supported by the same will and force to uphold it, it may also work out as the one great stabilizing factor in the Far East.

To this, the signatories to the Nine Power Treaty may object, but they must, in all fairness, ask themselves what is to be the result of a system by which the treaty is enforced with great strictness against Japan while China is allowed the widest latitude in carrying out and even encouraged to flout her obligations and Russia, a non-signatory and until recently a non-member state of the League, is conceded the equivalent of a charter of license to push forward her traditional imperialistic program in Asia. Under these conditions, the treaty becomes an instrument designed to hamstring Japan, and she is justified in serving notice of her intention to defend herself.

Americans should give careful heed to these facts for the reason that we now find ourselves committed to the same policy applied for several decades by Great Britain in the Near East in support of Turkey against Russia's designs upon Constantinople. America's traditional policy based upon trade and its corollary, the territorial and administrative independence of what is known as "China," is working out as a set determination to support China and Russia against Japan; in the case of Russia, without

any plausible reason and in flagrant disregard of the facts of history. Such a policy must inevitably produce situations where, unless we are prepared to support our point of view, we must recede from our position with as much grace and dignity as possible. Sir John Simon's categorical statement on Britain's interpretation of the Nine Power Treaty puts it squarely up to the United States as to whether or not the treaty is to be upheld by force, and the answer in the American press leaves no room for doubt as to what this country will do. It will not go to war to enforce the treaty. The cost of upholding the great principles supposed to be involved so far exceeds our stake in China as to make any recourse to force an absurdity.

#### THE BREAK-UP OF CHINA

Has any one attempted to realize what will happen in the event the stabilizing influence of Japan is withdrawn from the Far East? With her power broken, it would then become a race between the great Powers for the dismemberment of China in order to save her from being absorbed into the Soviet Union, a catastrophic situation, in which the United States would be driven to intervene. If the interested Powers decline to take steps in time to avert this danger, then it is squarely up to Japan to take such measures as she deems fit to defend herself. The ultimate success of the Communist movement in China depends largely on its ability to seize and hold a seaport on the Fukien coast. Two unsuccessful attempts have been made and further efforts are bound to follow. Should Japan apply the basic British doctrine of maintaining independent states on the other side of the Channel, encourage a separatist movement in Fukien, recognize the new state and guarantee its independence, how far would

she be within her right of self-preservation? Britain created the precedent. The United States applied the principle in Panama. Both great Anglo-Saxon Powers got away with it. Would they now permit Japan the same right in her own sphere or would we go to war to uphold the administrative integrity of China and the open door to sell war materials in order that in the end Japan's security may be permanently undermined?

#### JAPAN DISILLUSIONED

The Nine Power Treaty was designed to protect the "weaker state" from any impairment of its undefined territorial integrity. It made no provision for a possible change in conditions. Like the peace pacts it became the permanent law, to run "forever and forever," or until some Chinese war-lord consolidates his power over the whole country and is ready to try conclusions with Japan. Other than a pledge that the contracting parties will communicate fully and frankly with each other under certain conditions, the treaty makes no provision to protect the "powerful" neighbor against the unjustified acts of a weak and irresponsible government. It was not foreseen when the treaty was signed that the government of the Republic of China would permit a political faction under its rule to ally itself with another equally powerful but non-signatory neighbor for the purpose of imposing its rule over the country. Yet this is exactly what happened. The Government of the "Republic of China" with its capital at Peking was overthrown by the hybrid Moscow-Canton coalition which set up its capital at Hankow only to be overthrown in turn by a so-called Nationalist Group operating from Nanking. Since its recognition by the Powers as the Central Government, this faction has been com-

pelled to fight war after war for its existence. These wars have now simmered down to a desperate life and death struggle between Nanking and Communism.

What good would it do Japan at this time to invoke Article VII of the Nine Power Treaty? She used her best judgment as to time and place in resorting to self-defense against a nation whose avowed program was world domination through internal revolution, and the Powers turned against her. Japan had every reason to believe that the other "capitalist states" would stand by her in any effort to check the Communist movement in Eastern Asia. She has been disillusioned. The United States cast overboard its high moral principles against recognizing Moscow, ostensibly for economic reasons and did what she said she would never do! As part of their plan to hem in Hitler, the great Powers have inducted Russia into the League and given her a permanent seat on its Council. Every move has been open and aboveboard. For the protection of their own interests, the "capitalist powers" have embraced Moscow rather than support Japan. They have forgotten the Far East.

## CHAPTER XLVI

### THE GOAL OF SOVIET DIPLOMACY

**I**T may be true that Moscow's old program for world revolution has been discarded, but it would be interesting and reassuring to have the proof and to learn just when the decision was reached. It certainly was not true three or four years ago. What, then, decided that body of world conspirators known as the *Comintern* that it was time to forget early hatreds for the so-called capitalist states and bring their puppet into the comity of nations? Was it not Japan's actions in the Far East which started Litvinoff frantically to negotiate non-aggression pacts in Europe, sent him post-haste to London to dangle before the World Economic Conference huge trade bribes in return for recognition, and offer to discard his government's old foreign policies in return for membership in the League and assurance of its support? If the establishment of specific acts as laid down by Litvinoff to define the aggressor is now accepted by the League, is it not plain what Moscow is after?

Granted that Soviet Russia is the most peaceful, non-aggressive nation in the world today. That is only one side of the medal. She is still Communist. Her program in Asia is rapidly being advanced by the Chinese Reds. If they win, Communism triumphs; another Soviet republic is brought under the ægis of Moscow. Soviet Russia and Soviet China will then dominate Eastern Asia and from a headquarters on the shores of the Pacific, a new drive will be launched to overthrow other capitalist states. Should

Japan and Manchoukuo defend themselves against this menace while they yet have time to do so, by dispatching their armies south of the Great Wall, they automatically, under the Litvinoff definition, become the "aggressor" and the League will be compelled to act. Supported by the law, the Red armies of Moscow can then march into Manchoukuo with the full moral and legal approval of the world.

Conditions in China today are comparable to those in Europe in the fourteenth century, when the Black Death killed off half the population and left most of those who survived to be slaves of a feudal system exacting every farthing in tribute and service, exposing the peasantry to a persecution beyond endurance while the robber-barons feasted and dallied in their impregnable strongholds. Against these abuses, the peasants of Europe revolted exactly as today in China the masses have been driven through sheer hunger to seek rice with guns in their hands in order that they may exist at all. As the poor peasant of the Middle Ages could not compete with the steel clad knight at arms, so the poorly-armed workers of China can make little progress against the armored tanks and bombing planes of their sleek, well-fed, well-clothed masters. The Chinese masses may or may not be put in their places and properly chastened. They are flocking to the standard of a new philosophy and the outcome of the struggle is in the laps of the gods. If the peasant and workers win, the Red Terror that will follow will take a horrible vengeance on the governing and property class that has maintained them so long in slavery. The nemesis of mis-government will exact the same toll in China as it did in Russia.

Fantastic? Not a bit more than the nightmares which have forced the new line-up in Europe. The Washington Treaties assured peace in the Pacific but neglected to pro-



vide guarantees for Asia. It bound Japan hand and foot while Soviet Russia was conceded all the time and liberty required to do as she willed in Asia and when Japan broke out of the trap, the Powers who urged her to sign the self-denying pact, excommunicated her and extended the glad hand of welcome and good-fellowship to the outlaw whose activities drove Japan to defend herself. The American Government may have recognized Russia for purely economic reasons; Britain, France and Italy may have inducted her into the League to close the ring around Germany, but Russia has been animated by the single purpose of gaining the support of these Powers against Japan. No horsetrader like Litvinoff has committed Russia in Europe without receiving something in return. The League was thinking of Europe—Litvinoff of Asia. The world is now allied with Russia against Japan. That is the interpretation Moscow gives to the new line-up and the only construction Japan dares put upon it.

#### NEARING THE SHOW DOWN

The future of our civilization is now in the hands of a government that up to three years ago was busily engaged in destroying it, a government controlled by an impious group that has foresworn its God, prescribed religion, abolished the home and proclaimed its intention to force its doctrines upon every nation of the world. Japan stands alone, facing the struggle for existence without a friend. The West has betrayed her, and the great naval Powers expect her once more to play their game by affixing her signature to a new disarmament treaty that will cripple her in the fight that looms ahead and which these same Powers have forced upon her.

That struggle may be postponed from time to time but the day will arrive, when it can no longer be put off.

The immediate issue hinges on the ability of the Nanking Government to survive. Should it fall and the power pass into the hands of the Chinese Reds, the world knows what to expect. Whether Japan is to survive as the stabilizing force for world peace in Eastern Asia or be relegated to a little third-rate state overshadowed by a Sovietized-Asia depends on how far the Powers have committed themselves to support Moscow.

#### THE OUTLAW BECOMES SHERIFF

For over a decade the world has listened to the mocking voices of the Bolshevist war chiefs; it has remained unmoved before a challenge to its civilization by an openly declared program to overthrow it; it has seen the Red Army grow to nearly a million men, its air force superior to all others and served by war-munition plants erected on a scale never before projected. It has watched the Red Armies spread over Asia, occupy independent countries and forcibly incorporate them into the Soviet system of Socialist Republics and terrorize the people into submission; it has seen these conquered territories, Azerbaijan, Northern Caucasus, Georgia, Turkestan, the Ukraine and Mongolia closed to foreign trade, travel and residence. It is no secret that thousands of young Chinese and other Oriental youths of both sexes have been turned out of Communist universities in Moscow and sent back home to conspire against their governments. The open campaign to bring all China under the rule of Moscow had been waged under the spotlight of publicity; subversive and disruptive forces have overturned established governments in many lands; yet with the evidence before its eyes, the world has condemned Japan for defending her institutions and existence against this menace.

One year of Hitler, whose wildest and most explosive

utterances have been tame and temperate compared with the violent outbursts and bellicose challenges that have come out of the Kremlin, has been sufficient to drive the nations together in a common alliance against this threat to their peace. They anathematized and drove out Japan from their society because she dared defend herself, but the rumblings of Hitler sent them scurrying to Moscow for help. Switzerland alone has had the high moral courage to express forcibly before the League Assembly its denunciation of the unholy compact which gives Soviet Russia a voice in its deliberations and a permanent seat on its Council. "If Soviet Russia suddenly ceases to insult the League, which Lenin defined as an institution of brigandage, we read the explanation of this novel attitude in fiery letters in the Far Eastern Sky." Giuseppe Motta, candid Swiss, was right.

The outlaw of yesterday, becomes the respected member of society today, the guardian of its peace, the defender of its integrity. The plucky little fellow who so successfully and in such good time defended himself is now the outlaw, with the old desperado reformed, pardoned and absolved of his sins, heading the posse out to get him dead or alive.

#### JAPAN VERSUS COMMUNISM

As in the Nine Power Pact, the great Powers have made their own interests the supreme law. The welfare of the peoples of Asia has been sacrificed to assure peace in Europe. In order to save civilization from disaster in one quarter of the globe we have paved the way for the catastrophe in another part. There is no use of crying over spilt milk. The world faces the accomplished fact, with Litvinoff strutting the stage as a central figure in the drama upon which the curtain is now rising. The close of the next act will see the great Powers maneuvered into a cul-

de-sac from which the only escape is through war with Japan. Triumphant Communism will brook no interference with its campaign in China. The sanguinary struggle for the control of that country will go on.

The hope for world peace is now centered in Generalissimo Chiang Kai-shek, commanding the armies of Nanking, a none too strong reed on which to lean. The issue between Communism and Capitalism will be determined along the banks of the Yangtze River. The League, in cooperation with the United States and Japan, must act quickly to settle this problem by using common sense and extending the same principles of sovereignty that pertain in Europe to the component parts of what is known as "China," or get behind Chiang Kai-shek and give reality to the make-believe that functions as the Nationalist Government of the "Republic of China." This is the real test of sincerity for the League, the United States and Soviet Russia.

The Communist Party of China, backed by the *Comintern*, will never surrender its present gains even though methods other than rifle fire are employed to ameliorate the condition of the starving and despairing masses. Whether the urge for self-preservation takes the form of Communism, democracy, self-determination or plain rebellion, the fight will go on until responsible, humane government brings relief to a prostrated people. Communism may bring this boon, but if it does, sooner or later Manchoukuo and Japan will have to move to defend themselves. The diplomacy of Moscow is preparing against just this contingency and unless something is done in time to ward it off, the crisis that has been averted in Europe will be precipitated in the Far East with the whole world aligned against a nation whose only fault is that it has learned too well the lessons taught her by applying

to its own problems the same laws and doctrines other powerful nations have proclaimed for their own security.

#### WHAT DOES THE UNITED STATES WANT IN SIBERIA?

Into the very middle of this fight for existence, the people of the United States have been projected as the result of a doctrine laid down long before these forces were perceived or felt. We could not look ahead and foresee the expansion of Russia, the phenomenal growth of Japan or the awakening of China. We are now in the mess up to our necks, committed to stand by our trade policies and the shaky doctrine of nationality upon which they are erected. Every turn of the political wheel in Asia has found us lined up against Japan favoring China and Russia until today we stand out in the forefront as the White Hope of the Red Menace, the financial backer that will enable Moscow to carry forward the traditional policy of the Czars camouflaged behind the commissars plans of world revolution. The long-term credits insisted upon by Moscow in settlement of the Russian debt to the United States is merely another vast war-loan the American people will ultimately be called upon to pay, if permitted to go through. If we are drawn into such an adventure on the side of Russia, we will become the grave-diggers of our own civilization. Allied with or financed by the United States, Communism will triumph and the doctrines and policies which we went to war to uphold will have disappeared forever in the new order of things that such a victory will usher in.



**PART V**  
**AMERICA MUST CHOOSE**





## CHAPTER XLVII

### AMERICA SAVES SIBERIA FOR COMMUNISM

**I**T is of vital importance to the American people to know exactly how far the United States has been committed directly or indirectly to support Soviet Russia through policies which can only result in the complete Communization of Eastern Asia. To an ever increasing extent we are being pitted against Japan that Russia may have a clear field in Asia and although we may delude ourselves into the belief that we have acted upon the highest motives, we can never convince the Japanese of our disinterestedness. If they remember at all, the American people look back on the Siberian Expedition of 1918 as one of the unimportant little side-shows of the World War, but the Japanese will never forget that an American army crossed the Pacific for the sole purpose of blocking their acquisition of a slice of Siberian territory that would have solved their main food problem, consolidated their security and made impossible much that has since happened to disturb their peace of mind.

Unlike the United States and other favored countries, little Japan has no vast grazing lands for raising cattle and sheep. The Japanese cannot afford to eat meat. They subsist mainly on fish and marine products and the surrounding seas become the source of their main food supply. Any concession that would have opened the Okhotsh Sea to their fishermen would have far outweighed in value some of the more spectacular territorial gains of their Allies in other parts. From all ports of Japan fishing

boats set forth daily to bring home to the people the food that keeps them alive and, as the nearby waters are fished out, these steam trawlers are forced farther and farther away following the fish in their migrations, until the search for food carries them into far-distant waters.

Loss of a part or even the whole Okhotsh littoral would have worked no great injury to the Russian people but would have constituted a gain to Japan more important than the British acquisition of one of Germany's African colonies, yet all the single-track mind of an American president could see or understand was that any territorial gains at the expense of the Russian people while they were struggling to find themselves, could in no sense be justified or tolerated and, that it was the duty of the United States to defend the integrity of Siberia against any plan of the Allies to impair it in favor of Japan. So Wilson ordered an American army to Siberia and "saved it from being annexed by Japan." Of course, the United States could not place this on record, but in the talks preliminary to the recognition of Soviet Russia the truth was disclosed by submitting to Litvinoff the secret documents in the case. He then gracefully acknowledged the debt by wiping off to that extent Soviet Russia's counter claims against the United States for participating in this armed invasion of Russian territory.

Argue as we will, we cannot erase this fact from the record. The Russian people are now fully convinced that the Americans are their natural allies and with considerable reason expect our help and sympathy in any future conflict with Japan. It is difficult to understand the reasons which impelled President Wilson to amputate huge slices from the western fringes of European Russia in order to give effect to his ideas of nationality and self-determination and to provide guarantees for the peace of

Europe against the spread of Bolshevism, while at the same moment, he was violently opposing the plan of the Allied Supreme War Council to concede to Japan a slice of Siberian territory as compensation for occupying Vladivostok and keeping open the Trans-Siberian Railway. He insisted that this task could be entrusted only to an Inter-Allied Force, holding stubbornly to his point until the others gave in. Without authority of Congress and with no appropriation to cover the expense, he ordered an American Expeditionary Force to Siberia under sealed and secret orders and kept it there for over two years paying its upkeep out of the \$100,000,000 fund voted by Congress and for whose expenditure he did not have to render an account.

We were wise enough to sidestep the trap laid for us in the Near East, where we had been invited to take over the Mandate for Armenia extended to us in the hope that an American army stationed permanently in that region, would withstand the first shock of any attempt on the part of Russia to resume her forward march on India. The two highest military advisers of the President, Generals Bliss and March, advised him against the Siberian expedition, but he brushed their counsel aside, the first and only time during the war that he refused to be guided by his highest military advisers. What we would not do in the Near East we did in the Far East to facilitate the advance of Russia and to thwart Japan.

Had Japan been permitted to act alone in Siberia, the Communist program for the domination of Asia would never have passed the paper stage. The commissars would not have dared to carry their campaign beyond the Urals and invite the immediate operation of the Anglo-Japanese Alliance, the one and only effective check ever devised to keep Russia within bounds. But President Wilson, surrounded by his group of pro-Chinese advisers, had his

way. The dispatch of an American army to Siberia made Asia safe for Communism and when, two years later at the Washington Conference, the Anglo-Japanese Alliance was cancelled, the last remaining check on Russia's advance was removed. The Nine Power Pact conceded to her a charter of license, and as a consequence Japan is now with her back to the wall and Britain at her wits' end to hold India.

#### TURNING BACK THE PAGES OF HISTORY

The pages of history have been turned back three or more decades to the days preceding the Anglo-Japanese Alliance. If Russia is to be again checked, a revival of this alliance as a regional pact is the only effective way to do it. Russia's moves to open a road through China to the northeast frontiers of India during the two decades 1895-1915, were pushed steadily forward with the aid of her French ally or under cover of Belgian financing. These maneuvers were the direct cause of every crisis in the Far East for a period of twenty years, compelling Britain to be ever on the alert to defend the approaches to India against a combination working in secret alliance or collusion with corrupt Chinese mandarins willing to sell their country to the highest bidder.

The erection of the Yangtze Valley into a so-called sphere of commercial interest, which seemed to the United States as an attempt to close the door to trade in that region, was merely the outward manifestation of a strategic program to maintain this central valley of China as a barrier against the moves of Russia and her partners to accomplish in the northeast what Russia had been balked in doing in the northwest.

Russia once on the Upper Yangtze would involve a second, an eastern, Indian frontier problem for Britain of an infinitely



MANCHOUKUO IMPERIAL GUARDSMEN, TYPICAL OF THE  
MANCHU FIGHTING MAN



more serious character than the western, for the utilization of the greater part of the resources of China would mean Russia hanging over India on the northeast, by sheer weight able to shake to its foundations the British rule in India.

. . . On the northeastern frontier Britain can only defend India by introducing a counterbalance in China itself, by developing the Yangtze basin, which contains the greater part of the resources of the empire, and half its population, and by controlling Southwest China, where lies the access to Burma, and through Burma, to India. This would afford Britain a proper base and line of defence on the Upper Yangtze, which combined with her sea-power and the control of the great Chinese waterway, will enable her to hold her own.<sup>1</sup>

So wrote Archibald R. Colquhoun in 1900. Every move made by Great Britain in China during this period, interpreted by historians and commentators as proof of her imperialism and desire to carve up China, in reality was only another phase of a defensive policy forced upon Britain in the Near East and transferred to the Far East, a sullen, bull-dog determination not to yield one inch in defense of her empire against a foe as stubbornly resolved to break through into India by the back door of China and Tibet. The end of the long drawn out fight found China crisscrossed north and south and east and west with these Russo-Franco-Belgo railway concessions, with the Russian Bear sitting on the banks of the Yangtze opposite Shanghai nosing his paw at the discomfited British Lion on the other bank. Had not the Great War intervened, a clash in the Far East was inevitable.

There are few experts competent to write the story of these railway intrigues or who will admit the existence of facts which compel a revision of recent Far Eastern history along lines revealing how the American Govern-

<sup>1</sup> Archibald R. Colquhoun, *Overland to Asia* (New York, Harper & Brothers, 1900).

ment was led to adopt policies, pronounce principles and promulgate doctrines that persist today as reasons why the nation must go to extremes to uphold them. History, as Henry Ford says, "is all bunk." But when the bunk becomes the bed-rock of a national policy and the reputations of great men are at stake, it can never be debunked as long as those in power can compel the nation to fight in order to cover up their mistakes.

If the American people and their government are simple enough to believe that Britain will sacrifice India to our ideas of what is best for our own national security and trade expansion, they are doomed to a disappointment for, when the time arrives that the issue can no longer be shirked or patched up by diplomacy, we will find Britain and Japan once more in full alliance against the common menace to their existence. Britain never goes to sleep in Central Asia or along the borders of Tibet and if the fiction of a sovereign China cannot and will not discharge its international obligations on the "Roof of the World," Britain in self-defense, will act as she has always done, taking such measures as she deems appropriate, and rejecting the meddling of the League or the Signatories to the Nine Power and Peace Pacts in her private affairs.

Not much information is available from this isolated part of the world. Soviet reports are not always reliable but this paragraph from the introduction to Agnes Smedley's book *China's Red Army Marches*, lifts the curtain on what is transpiring in these far-western border lands of China.

. . . The Fourth Red Army Corps [she writes] retreated to Szechuan Province to the far west, where the masses of peasants and workers arose by the millions and joined it and formed the first Szechuan Provincial Soviet Government. The formation of this new Soviet region terrorized the foreigners to such



an extent that the British Minister to China rushed to Szechuan Province and handed a loan of twenty million pounds to General Liu Hsiang, the local militarist, to enable him to extinguish the Red menace. The loan also induced Liu Hsiang to view with happy pleasure the occupation of western Szechuan and bordering Chinese provinces by British puppet troops who had marched in from Tibet.

This may or may not be Communist propaganda. It bears the marks of credibility. If British policy in the past is any criterion of what it is today, it is certain that Downing Street or Delhi will gladly disburse ten times twenty million pounds rather than permit Soviet Russia to dominate China's far western provinces and control the northeast passes into India.

Let us stop right here and bring the situation in China up to date, December 31, 1934. According to the official *communiqués* issued by the Nanking Government, Chiang Kai-shek has driven the Communists from their stronghold in Kiangsi and Fukien Provinces. The Red armies are now in full flight westward with the province of Szechuan as their goal. Let us accept this news as authentic. One of the most recent books on China, *Riding the Tiger*,<sup>1</sup> from the pen of Harry Carr of the *Los Angeles Times* reports an interview Mr. Carr had with Eugene Chen, former Minister of Foreign Affairs in the first Red Nationalist Government of China. Chen is a radical, a Red, in close touch with Moscow. He knows what he is talking about.

There is no prospect that Japan will fight Russia. Russia is too busy with her troubles in Europe. If, however, Japan tries to take the maritime provinces of Siberia, Russia will fight. Russia is turning her face toward the east; but by a better way

<sup>1</sup> Harry Carr, *Riding the Tiger* (Boston, Houghton Mifflin Co., 1934).

than fighting the Japanese, in Siberia. The Slav is forcing a way down to Szechuan, the Texas of China. A direct route will be opened between that point and Moscow.

There is no need to stress the point. Events are working out exactly as Chen disclosed. The Reds are now concentrating on making Szechuan their new stronghold and center of power in China. There they are safe from the armies of Chiang Kai-shek. There Moscow will establish a direct air service with the Red armies of China along routes free from interference and observation.

So we come back to Mr. Archibald Colquhoun's explanation of the real reason for Britain's converting the Yangtze Valley into a British sphere and Agnes Smedley's revelation concerning a British loan to the war-lord of Szechuan. If the Chinese Red armies driven back from the coast and central provinces, concentrate in Szechuan, Kweichow and the far-western districts of China, the present world line-up on Chinese questions will sooner or later have to be modified or abandoned. Great Britain can afford to go along with the United States in its China policy up to a certain point. Then the United States must either cooperate with her for the defense of India or withdraw from the association.

There is nothing new in the recital of these facts. They stand in the open record for Japan to read and form her own conclusions. When on top of all this, she recalls her experience at the Washington Conference where she was invited under pretense of limiting naval armaments only to be indicted and to stand trial for her acts, compelled to listen at the final session to the harsh, judicial arraignment of Mr. Hughes, and then after it was all over to read in *The American Black Chamber*<sup>1</sup> of how she had been

<sup>1</sup> Herbert Osborn Yardley, *The American Black Chamber* (Indianapolis, Bobbs-Merrill Company, 1931).

made ridiculous by the decoding of her secret cabled instructions, she had considerable justification for feeling aggrieved and suspicious.

#### SECRET DIPLOMACY BROUGHT HOME

When we stop soberly to consider that the American people are as much in the dark as to the motives which guided President Wilson to reject the advice of the best military minds of the nation and to assume personal responsibility for an overseas adventure that neither he or any member of his cabinet has had the courage to explain to Congress or to the people of the United States, how can we fairly censure Japan for feeling somewhat uneasy about a system of government under which such things are possible. The only explanation vouchsafed the nation is the one given by Mr. Newton D. Baker, Wilson's secretary of war, in his foreword to General Graves' book on *America's Siberian Adventure*,<sup>1</sup> in which he says: "Even the soldiers of a Democracy cannot always understand the reasons back of strategic situations. Political and military reasons are worked out in cabinets and general staffs and soldiers obey orders."

There is only one meaning to this. It tells us that even in a democracy with all its safeguards, a civilian president can override the advice of those charged with the conduct of national defense, ignore Congress, set aside the Constitution and commit the nation on his own responsibility to an adventure that might have led to war without any explanation whatever to the people to whom he is answerable for his actions. The common people are not supposed to understand the reasons which send them out to the slaughter. Even the General Staffs of our army and navy are not to be consulted in such emergencies.

<sup>1</sup> William Sidney Graves, *America's Siberian Adventure* (New York, Jonathan Cape & Harrison Smith, 1931).

These words were written by the war secretary of a president who sent the young manhood of the nation overseas in order "to make the world safe for Democracy" and to put an end forever to the power of any one man or group of men to plunge the world into war. When sober-minded, loyal and patriotic Americans, willing to make any excuse for their president, or any sacrifice for their country, stand amazed at such inconsistencies, how can we expect other nations to understand us? If there be policies so secret, so momentous, so difficult for the average mind to grasp that they cannot even be communicated to Congress, or the General Staffs of the army and navy, there is something wrong with our system of government. If these policies still persist, the nation may be called upon at any moment to mobilize for war. We came perilously near it in 1932 when Secretary Stimson was writing notes arraigning Japan, joining up with the League and massing the fleet in the Pacific while his friends were urging boycotts, and marshalling world opinion behind him. Only Admiral Pratt's straightforward talk to President Hoover called a halt to further incitements to a war our navy was unprepared to engage in.<sup>1</sup>

It is in no spirit of carping criticism that these questions are propounded. If there was one vital interest of the nation at stake, if our security was even remotely imperilled, if there was anything we wanted, if the maintenance of the territorial and administrative independence of a supposititious state in Asia was essential to the peace, happiness and welfare of the people of the United States, if even Manifest Destiny still beckoned us across the Pacific to consolidate our hegemony over the lands of Eastern Asia, there are still plenty of militant spirits in the country to flock to the colors and plant them wherever ordered to do so. But to one who has lived a lifetime on the firing

<sup>1</sup> *More Merry-Go-Round* (New York, Liveright, Inc., 1932), p. 264.

line of trade expansion and economic penetration and has done perhaps more than any other single man to advance the interests of the United States in China and has seen every effort thwarted by the utter lack of any definite policy on the part of his government, it is difficult to understand what it is all about. If the nation is not going to war over these matters, what then are these policies which cannot be explained and remain a secret even to this day? Practically every Japanese statesman who explains his government's position to our press, asks the question: "what does the United States want in Asia?" If we do not know ourselves, and assuredly we do not, if it is some closely guarded state secret which the man in the street is not capable of understanding, how can we hope to make ourselves understood by Japan?

## CHAPTER XLVIII

### JAPAN DECLARES HER STAND

**T**HERE may and probably does exist some vital strategic situation in the Pacific justifying our government in pursuing a policy which, in addition to guaranteeing the existence of the fictitious "Republic of China," lays upon us the obligation of protecting the territorial and administrative integrity of Soviet Russia. If such a situation does exist it must be based on whether we prefer Communist Russia or Japan as the dominant nation facing us across the Pacific and around the Great Circle. Our interests may seem to be best served and defended by supporting a non-naval power in those regions with whom we can enter into commercial air navigation agreements for the use of landing fields in Soviet territory, linking us up with China and so enabling us to encircle Japan from the air. On the other hand, should Japan be crushed and Russia once more become dominant, it is well to remember that the American Monroe Doctrine was promulgated not so much for the protection of the infant Latin American republics against European aggression, as it was to serve notice upon Russia that her further southward penetration and annexation of the Pacific littoral must stop. It is sometimes lost sight of that Russian war-vessels once cruised as far south as San Francisco Bay planting the flag of their country along the coast preliminary to proclaiming ownership.

As long as Japan's sea power is supreme in the Western Pacific, Russia will never again be permitted to become

a naval factor in that part of the world. But let the Japanese Navy be defeated by a stronger Power or combination of Powers, and we will once more confront a Russian naval force in the Pacific based on Soviet China and Soviet Russian ports, with the countless hordes of the East back of it, whose Communist admirals will lose no time in pushing forward towards the goal of world dominion. The arms and munitions necessary for equipping the proletariat in the Pacific area would then flow in a steady stream to these supporters of the super-Soviet state. A strong Japan is the only guarantee to the other nations of the Pacific that Communism will be confined to Asia.

Asked by his Bolshevik associates exactly why President Roosevelt recognized the Soviet Union, Ambassador Troyanovsky is reported to have said, "Well for one thing he was afraid of Japan and wanted an ally in the East." Queried as to whether the United States can be counted on to fight with Russia in a Soviet-Japanese war, he replied, "the future will show." The question that concerns the American people is how far their Government is committed to be an ally of Moscow in the event of a Soviet-Japanese conflict. Our policies have already seemingly lined us up with Russia, while China, the League and the Powers of Europe are capitalizing our blunders. By inviting the foe of Japan to join the League and become the successor therein to Japan, the League, confident that the United States is also committed to support Russia, is almost openly instigating a war in the Far East. Although there is nothing in our economic, social or political relations to justify war between the United States and Japan, no clash of interests such as exist between France and Germany or Japan and Russia, every move we make only seems to bring us closer and closer to a showdown. Are the people of the United States once more to be made the dupes of others, pouring out their blood and treasure to

advance the interests of Europe, of China or Moscow? Will our young manhood once more march gaily to the slaughter to the slogan of "Sanctity of Treaties" or some other soul-inspiring but equally meaningless mouthing of words devised to cover up the mistakes of bungling statesmen and diplomats?

How many wars must Japan be forced to fight before the rest of the world acknowledges her right, not to hold what she fairly won in her first war with China, not to claim as the fruits of victory in a second war and out of which she was defrauded by secret diplomacy, not to secure what was again conceded to her by legal treaty immediately repudiated and denounced as invalid, but to erect out of her lawful gains an independent buffer state that will help toward guaranteeing her against having to fight another war for her existence? How far is Japan to be pin-pricked, pushed and prodded, her honor bismirched, her integrity impugned and her solemn pledges questioned by critics who place their own interests above her right to self-preservation? Is it any wonder that after three previous experiences, still foolishly confiding that justice would be meted out to her, she permitted her case to go before another international tribunal only to find herself again accused, arraigned, indicted, tried, convicted and sentenced as a wrong-doer, the Japanese threw down the challenge to the League and stalked out of a courtroom which permitted such a travesty on justice?

Matsuoka's ringing words at Geneva, "Japan Stands Ready to be Crucified" proclaims to the world that a desperate people is prepared to go down fighting for its right to exist rather than submit to a verdict which condemns it to commit suicide.



## CHAPTER XLIX

### LET US LOOK AT THE RECORD

**T**HE American people should give all their attention to this declaration of Japan. The League, the seven European signatories to the Nine Power Treaty, the Chinese, and now Communist Russia, seem to have united in one grand general campaign of propaganda to force upon the United States the job of nailing Japan to the cross. Make no mistake about it. The same influences that eased us into the World War can expedite our progress toward a danger that is no less in the Pacific. We have been asking for it. Nay, we have begged for it. Another single-track, legalistic, notewriting Secretary of State, whose mental horizon is limited by treaties, protocols, precedents, departmental traditions and prejudices can easily lead the nation into a position from which it cannot recede without a fight. Under the form of dictatorial government slowly emerging from our old-line Democracy, a rubber-stamp Congress would plunge us into war without hesitation or discussion. Newton D. Baker tells us in plain words how it was done during the Wilson Administration. Had Admiral Pratt not intervened in 1932, Stimson would have placed us so squarely on the spot that Congress would have had to back him up. It necessitated the calling of the Washington Conference by a Republican administration to undo the mistakes of Wilson and his group of pro-Chinese advisers and avert a war in the Pacific. The mistakes of that Conference, our refusal to admit them and insistence upon enforcing them

to the letter, becomes an open invitation to others to renew their propaganda.

The American people know almost nothing of how world news is poisoned at its source or how it is manipulated to form public opinion in this country on all great international questions. They would be shocked if they knew the inside story of how, over a long period of years, they have been carefully educated to look upon Japan as their enemy. It is wrong and unjust to lay all the blame for our misunderstanding on Japan. If Japan is unable to understand the United States and is feverishly preparing to hold her own in Eastern Asia, who is to blame? Americans have been led to believe that Japanese imperialism lies at the root of all the trouble, but they might be surprised to learn that Japan's "imperialism" is merely the answer to the challenge of American "imperialism." Can this statement be true?

Facts are sacred things. We can comment and make deductions, but the facts remain. Let us go back to 1905 at the end of the Russo-Japanese War and recall that E. H. Harriman wanted the South Manchuria Railway as a link in his ambitious round-the-world transportation scheme, that he reached an understanding with Marquis Ito of Japan to take over the line and was deeply mortified when the agreement was rejected by Count Komura. Right here began the estrangement between Japan and the United States. Harriman, the czar of American transportation, and one of the most powerful influences in Washington, wanted that railway. What Harriman wanted he generally got. If he could not acquire the South Manchuria Railway by open purchase from the Japanese there were other ways to achieve his ends. His agent was instructed to obtain a railway concession from the Chinese paralleling the South Manchuria line which could be em-

ployed as a lever to compel the Japanese to sell out.<sup>1</sup> The Chinese jumped at the chance to use the United States to fight their battles and gladly conceded to Harriman's agent, Mr. Willard Straight, the American Consul General at Mukden, the Chinchow Aigun Railway Concession and the right to found a bank and furnish the capital for the development of Manchuria. Not satisfied with this and to still further bring pressure to bear upon Japan, Secretary Knox, prime exponent of "dollar diplomacy," without consulting Japan or Russia proposed to the Powers the internationalization of all Manchurian railways. We need go no further than these two facts. To the Japanese they seemed to indicate a determination on the part of the United States not only to force them to again relinquish the picayune fruits of their victory over Russia but to install itself in the territory as the dominant financial power. It is only necessary to add that the State Department invited the formation of an American banking group to carry out these contracts brought home by a consular official, and extended to it a monopoly of official support, thus making it an instrument of national policy.

Japan had fought China and had been compelled by superior force to restore the territory China had ceded to her in full sovereignty and perpetuity, only to see the territory handed over to Russia who crossed it with strategic railways, built forts, constructed naval bases and in other ways prepared to get into a strong position to crush Japan. Again, Japan fought for her life and in lieu of a cash indemnity was awarded at the Peace Conference a broken down, unserviceable railway that had to be rebuilt from the ground up before it could be operated as a commercial enterprise.

<sup>1</sup> Herbert Croly, *Willard Straight* (New York, The Macmillan Company, 1925), p. 297.

Into this picture steps the American Government to accomplish by dollar diplomacy what Russia and her Allies had put over by the threat of force. Once again, the Japanese were to be deprived of the fruits of their victory by a nation which, up to that moment, had evinced no interest in Manchuria. It was perfectly proper for the American Government to take its stand firmly on international law, the Portsmouth Treaty, the Open Door doctrine, the sovereignty of China and appeal to other lofty principles to justify its intervention. Legally, its position was unassailable, but the fact remains that it was merely the window-dressing, concealing a resort to dollar diplomacy of the most aggressive type, another attempt to deprive Japan of her paltry gains in a war which almost bankrupted her. The United States was well within its legal and treaty rights, but the Japanese would be other than human if they did not interpret our intervention as a carefully conceived plot to exclude them from Manchuria.

We can pass over the American notes to China and Japan on the treaties arising out of the Twenty-One Demands refusing to recognize any agreement that would impair the treaty rights of American citizens in Manchuria and then ask ourselves why President Wilson, against the advice of his generals, sent an American army to Siberia? When, in addition to all this we recall the pronounced critical, if not hostile, attitude of our State Department to Japan's actions in Manchuria since September 1931, the notes of protest, coöperation with the League, marshalling of world opinion and promulgation of the Stimson Non-Recognition Doctrine, does it not all seem to indicate that our Government has some fixed policy towards this part of Asia? In view of all these facts which stand in the record and cannot be sidestepped or argued away,

how can we now honestly state that Japan has no reason to be suspicious of the United States? Put ourselves in Japan's place and we would not only firmly believe that we were singled out for discrimination but would do exactly what Japan is now doing. We would arm and prepare, for we would never know what the next move in enforcing this policy would be.

What then do we want in the Far East? If we do not know ourselves, why commit ourselves to policies which hold Japan in a trap, while erecting a wall around her so she will not be able to defend herself against her natural foes? Is it not time for every news service and newspaper in the United States to unite in an effort to end these misunderstandings before the nation is irretrievably committed to take over the job the others are wishing on us? Naturally, we have our differences with Japan, but that does not make Japan "our most dangerous enemy." Our most dangerous enemy is ourselves, arising out of our propensity for meddling with matters which do not concern us, playing the rôle of Don Quixote or assuming that in some way the Almighty has charged us with a mission to regenerate the world along lines which seem most convenient, most desirable and most profitable for ourselves.

Japan is not the enemy of the United States. The menace to her existence comes from the other direction. Japan would make almost any sacrifice compatible with honor, dignity and national security to be assured of our sympathy, understanding and good-will. Japan does not want to fight the United States. Her army and navy have been built up to meet the needs for defense against other hypothetical enemies. At no time have the war plans of the Japanese general staffs envisaged offensive war with the United States. If they have drafted defensive plans, are they not justified? Better than any one else, the

Japanese understand that war with the United States is almost a physical impossibility, but they also know that the United States is the wealthiest nation in the world and that in a few years, we could change what is now an impossibility into a certainty. The Japanese may be everything their detractors and critics claim, but there is one thing most positively they are not. They are not crazy. Even if war with the United States should be precipitated, they would probably concentrate their naval strength behind their impregnable barriers and leave it to us to assume the offensive. They might even permit our fleet to enter into the Yellow Sea without opposition, that is, if any American admiral would take such a responsibility on his shoulders, but once in, our ships would probably find it very difficult to get out again. The battle that would ensue, would decide the fate of the Pacific. If we win, Eastern Asia is ours. If we lose, we get out and stay out.

If those who determine in the secrecy of cabinet meetings the strategic plans that the manhood of the nation are called upon to defend, would disclose some plausible reason other than the Nine Power Treaty, that is, the Open Door doctrine, for the continuation of policies that are driving us forward towards a show down, a way might be found to adjust our difficulties with Japan, disabuse her of any ulterior motives in our part and tie her to us with bonds of everlasting friendship and good-will. "Jittery Japan!" screams the editorial headlines in the American press. Why shouldn't Japan be jittery? The United States Government and the press of the country talk peace but our every act is interpreted by Japan as provocative of war. The Russian ambassador at Washington reports to his comrades in Moscow that the United States is afraid of Japan and wants an ally in the East. Recognition based on such a need, obviously implies corresponding obliga-

tions. Some months ago, Sir John Simon, Britain's Foreign Minister, announced that the British Government will not uphold the Nine Power Treaty without the assurance of full American coöperation. Now comes Stanley Baldwin, the Vice Premier of Great Britain and publicly declares before a cheering audience in Glasgow that "as long as I am responsible for the government, never will I sanction the British navy being used in armed conflict with any country until I know what the United States is going to do."

#### IS AMERICA "ON THE SPOT"?

Our chickens are coming home to roost. The show down over the Open Door Doctrine which John Hay carried back to Washington from the Court of St. James to enunciate as the cardinal feature of American diplomacy in the Orient, comes to this. Great Britain with her stake of \$1,750,000,000 in China will make no move to uphold the Open Door, unless assured of the full coöperation of the nation whose commercial investments total exactly \$130,000,000, whose charities exceed its profits from those investments and who annually is out of pocket fifty to seventy million dollars on its trade with that country.

Great Britain expects full coöperation from the United States which has permitted its fleet to fall below its quota level and can make no move to uphold the diplomacy of its government until it has caught up. Stanley Baldwin puts it squarely up to us. The British Government will never sanction the use of its navy in armed conflict with any country unless it knows exactly what the United States is prepared to do. This statement cannot pertain to Europe. There, Great Britain must act alone. It must have exclusive reference to the Far East. To assume her full coöperation, the United States must build up to her quota and then continue to build until she has a navy twice as

large as Japan's to take the offensive and carry the war into the Western Pacific. Britain cannot, dares not, commit herself to coöperate with the United States while this country lags behind in its ratio. The United States can give no formal guarantee that it will join with Great Britain without breaking away from its traditions. Any understanding, however arrived at, must work both ways. Should war in Europe be precipitated, requiring the presence of the main British battle-fleet in home waters, the American navy will be called upon to guard British interests and possessions in other parts of the globe.

A few months ago, ex-secretary of state Henry L. Stimson was telling the people of Europe that the United States was now ready to join the League of Nations. The Earl of Lytton, who coöperated with Mr. Stimson in giving effect to his non-recognition doctrine, is to visit the United States during the winter of 1934-35 and will deliver addresses on Manchoukuo. A campaign has been launched to bring about an Anglo-American *entente* based, not on treaties or formal understandings, but in accordance with "the instinctive feelings and convictions of the peoples of the United States on the one hand and the British Commonwealth of Nations on the other." The alliance will "not be written into formal protocols but will be based on the deeper strata of our common moral outlook on the world, on the love of justice and our hatred of war, on our passion for freedom and our abhorrence of oppression."

All this sounds fine, but who is the alliance to be directed against? Does it mean that we are to unite against Japan? An Anglo-American alliance or *entente* to hold Japan in check no matter how arrived at, calls for its *quid pro quo* in Europe or elsewhere. Our policies in Asia will result in the breakdown of all safeguards erected to keep us free from entangling alliances and we will be-



come part of the European system, committed to uphold and perpetuate by force many of the world's greatest injustices.

Instead of being prepared at all times to defend ourselves by our own might, this great and powerful nation through the instrumentality of its pacifists and internationalists is being slowly driven into the League of Nations and into entangling alliances to uphold policies originating in Europe and shoved over on us to promulgate. These policies must sooner or later plunge us into another world war, a war between the East and West, with the United States, the British Empire and the Soviet Union lined up against Japan.

#### A FOOLISH WAR

The outcome of such a war is highly problematical. Should Japan and Germany reach an understanding, it is difficult to see how Great Britain or Russia can come to the assistance of the United States. (In an address delivered before the Academy of World Economics in the Chamber of Commerce Auditorium in Washington on December 12, 1934, Professor Charles Hodges of New York University, recently returned from a visit to Germany and Japan, made the categorical statement that an alliance between Japan and Germany actually exists.) Britain's battle-fleet would be required in Europe, and the main strength of the Russian army would be concentrated along her western frontiers. American help to Russia would be confined largely to war loans and such supplies as could be landed in her Baltic or Black Sea ports. No American ship could break through the Japanese blockade and reach Vladivostok. China would automatically be drawn into such a war, but as in the World War, she would have to be carried by her Allies. All sea communication with the outside

world would stop. Some ships might slip through the Japanese blockade into Hongkong, but from Swatow north, China would be isolated, compelled to look to Japan for her supplies. It would take two or more years to build the American Navy up to a strength that would enable it with any chance of success to carry the war into Japan's waters. In the meantime, hostilities would be limited to futile air raids and bombings of defenseless cities. With China and Vladivostok bottled up, and the American navy incapacitated from assuming the offensive until it had built up to sufficient strength, the war, in the initial stages, would center in the operations of the Japanese and Russian armies in the territory east of Baikal. Long before the American Navy could take any effective part in the conflict, the main issue would be settled by the Japanese and Russian armies. Russia would have to fight under the same conditions that she fought Japan in 1904, at the end of four thousand miles of railway. Although the Trans-Siberian line is reported to be double-tracked as far as Irkutsk, the lack of rolling-stock and the inefficiency in its operation, leaves it for military and strategic purposes, as bad, if not worse, than it was thirty years ago. There is no other line of communication. The Russian armies cannot pass to the north of Lake Baikal or to the south. They must follow the railway around the lake. A Japanese bombing raid would destroy these communications and Vladivostok and the Amur regions would be isolated with no communication except by air. Any attempt to increase the traffic on the Trans-Siberian railway by rushing reinforcements to Eastern Siberia would result in complete disorganization and a breakdown. There may be reserves of strength in Russia that the rest of the world is not aware of, but as matters stand today, the chances are all in favor of Japan winning the war in a few months.

On the other hand, let us assume that Japan will be

smashed. In that case, when the war is over, America will be mistress of the Pacific and Russia will dominate Asia. It is difficult to see what benefit Great Britain will derive from such a victory. With the restraining influence of Japan removed in Eastern Asia, Soviet Russia will build a fleet that in due course will challenge American supremacy in the Pacific. China will become an economic colony of Russia. The peoples of Asia will continue to procreate and multiply and contend with us for their right to emigrate and exist. Japan may feel humiliated by our exclusion laws, but her humiliation is nothing to the insult the Chinese see in the same discrimination. A strong China will demand the equality of the races as one of its first steps to gratify its innate sense of racial superiority.

Japan may be smashed. The peace terms may impose disarmament upon her the same as with defeated Germany, but the enforcement of these terms will automatically fall upon the United States, requiring the presence of a fleet at all times in the Far East at least twice or three times larger than the one we now possess. The blunders and tragedies of Versailles will be repeated.

We may hold that our own peace and safety can now be assured only by eliminating "the menace of Japan" from the Pacific. We may honestly delude ourselves into the belief that Japan is determined to conquer China and challenge our position in the Pacific and that we are justified in taking any steps to encompass her downfall. Is it strange, therefore, that Japan is apprehensive and is preparing to defend herself? The Japanese are no fools. They can read and make their own deductions from the campaign that is now in full swing to encircle them. American newspaper editorials and Soviet boasts tell them in no uncertain language the inside story of American recognition of Moscow. The story may not be true, but it has not been officially denied. The verdict of the League of Nations

concluded in by the United States stands. There is no court of appeal, no way to reopen the case, even if Japan was so minded. Is it any wonder then that Japan although willing to reduce her fleet to a mere police unit, insists on full naval equality? Does not the refusal to concede that equality imply that the war of the future will be waged in the Western Pacific in her own home waters? "Japan throws down the gauntlet," cry our jingo editors. But does the challenge really come from Japan?

## CHAPTER L

### LEST WE FORGET

**B**EFORE we commit ourselves irrevocably over treaties, doctrines and policies that are slowly but surely driving us towards a showdown in the Pacific, let us keep always in mind the fundamentals of the Asiatic problem and the reasons which impel Japan to be everlastingly on her guard, lest she go under in the struggle for existence. Let us never lose sight of the fact that Russia's policy never changes and, that while we are being beguiled by her protestations of peaceful intentions, pleas for disarmament, and concern for humanity, her program in Asia goes steadily onwards towards its goal. At the risk of repetition, I quote from the opening chapter of Archibald Colquhoun's book entitled *Overland to Asia*, published in 1900.

It is curious how invariably these Slavonic achievements have come as a surprise to the world. For years, even for centuries, Russia pursues her way by parallel routes to many goals, unheard and out of sight. The world, unsuspecting and indifferent, at most vaguely supposes that "Russia is busy at something in Asia," or "intriguing again" towards the East; until the day, when, after the accomplished fact, she emerges, smiling benevolently at the world's simplicity, on the frontiers of Afghanistan and the shores of the Pacific, with Herat and Teheran, Port Arthur and Peking alike in the hollow of her hand. In the very year, for instance, that the world's attention was focussed on Sevastopol, and the British people were fondly imagining that Russian power lay stunned at their feet, two

of the most pregnant achievements in Asian history were consummated—the defiant seizure by Russia of the Amur River, and the occupation of the Zailusk Altai slopes—giving, on one hand, access to the open sea, and, on the other, complete command of Central Asia. Bloodless and unapplauded victories these, but further reaching in their probable influence on the world's history than ten campaigns of Inkermans and Almas. This faculty of ours for chronic surprise is in itself astonishing, for Russian aims and methods are neither new, disguised, difficult of comprehension, nor liable to change. They follow in infallible sequence.

Even now, while the average man in the States and in Europe, in his efforts to be “up to date,” is bit by bit digesting the situation—Russia on the Pacific; Russia practically mistress of Constantinople, Teheran and Peking; Russia overhanging Afghanistan, and with Kashgaria at her mercy—that situation is changing as he muses. Siberia, to take one instance—and Russians make no secret of it—has already fulfilled her *raison d'etre*, in opening the way to the ocean; and from the rich valleys of Manchuria it is no longer to the Amur that Russians now look, but towards the British sphere, the Yangtze. The Siberian stage lasted three hundred years and terminated at Port Arthur; the stage now commencing will last how long? will end where?

Colquhoun was one of the foremost British authorities on these Asiatic problems, yet while he was writing the above lines, Russia was hoodwinking the world through the secret treaty of alliance with China signed in 1896, enabling her to flood Manchuria with troops, build what was then considered as an impregnable naval base at Port Arthur and, through her French ally and Belgian financial agent, press forward towards her goal in India. British diplomats at Peking, St. Petersburg, Brussels and Paris, intuitively sensed that Peking was linked with Russia in close understanding but there was no proof, no direct evidence that an actual alliance existed. They saw Russia

stretch forth her railway tentacles from Manchuria southwards, feeling for Peking. They saw a Russian army occupy the Kaiping mines and take over the harbor of Chinwangtao. They watched with concern while Russia grabbed the best concession in Tientsin and handed another choice piece of land to Belgium, both slices cutting off the British concession from access to the railway in case of trouble. Even the Chinese realized too late their mistake and made a desperate eleventh-hour effort to save the Kaiping properties from being seized by Russia as spoils of war, by deeding them over to a British concern for which Herbert Hoover acted as agent. Hoover's firm succeeded in organizing a British company to acquire the properties, but when the time arrived to take over control and operate the mines, it was disclosed that Belgian capital had made the deal possible. The Slav was still there. Had the Chinese not slipped in designating the Russo-Chinese Bank as the fiscal agent for the Peking-Hankow Railway loan agreement signed with the Belgians, thereby committing a gross breach-of-faith with Great Britain, Russia would have been entrenched in the heart of the Yangtze Valley with her Belgian partner in control of the Hanyang Iron & Steel Works and with the American Canton-Hankow railway concession in their pockets as part of the scheme to connect with the French lines in Indo-China. Britain's ultimatum to China by which she extracted compensating railway rights designed to delimit and hold the Yangtze Valley as a buffer against Russian penetration towards India, saved the situation at the time, but even with this setback, Russia's program went steadily forward.

I desire to emphasize at this point, that it was due entirely to American ignorance of this play of imperialistic forces in Asia and failure to protect our concession for the railway linking Canton with Hankow, that the Belgians were able to purchase on the open market the majority of

the shares in the American-China Development Company. The utter lack of any understanding on our part of the sinister character of these intrigues which permitted Russia to control a north and south trunk line through the heart of China connecting with the lines of her French partner in Kwangsi, and our rejection of the British offer to pool our railway interests with theirs, precipitated a crisis in which the British were forced to break faith with the Germans and resort to questionable methods to defend their menaced interests. Yet at no time during this diplomatic battle on the part of Britain to protect her sphere of influence, did the Americans perceive or even suspect what it was all about. We opened the door to the Yangtze region for the Russian Bear to enter and made him a present of Canton, only ninety miles from Hongkong. And then, because we would not understand, we criticized, censored and condemned Great Britain for harboring designs upon China's territorial integrity. Never once did we suspect our Slavonic friend of ulterior motives. Somehow or other at every stage of the game for the control of China, the United States stands revealed as the silent ally or the dupe of Russia. This is a categorical statement fully substantiated by the facts.

It has been generally accepted by American writers that there existed on the part of the European Powers a well-defined plan to partition China in 1898. This was true only insofar as it applied to Russia and France. My studies and investigations into the railway intrigues of that period gave me a deeper insight into these matters than many other writers and experts, but I always sensed that there was something hidden, something lacking to complete the picture. The key to the puzzle was the secret Sino-Russian treaty of alliance of 1896 which opened the door for Russia to acquire a warm-water port on the Pacific, to overrun and seize Manchuria and through her French ally and



Belgian agent to press forward towards her main objective.

There was no question of trade monopolies or of closing the door to other nations in the British move to create a sphere of influence in the Yangtze or to extract from China the lease to Weihaiwei and Kowloon. The "Battle of Concessions" so-called, and its aftermath, was merely the Russian offensive against India transferred to the Far East concealed behind these Chinese railway intrigues, a fight for empire into which the United States projected itself as the champion of the Open Door. That the door was maintained open was due, not to any effort on the part of the United States or respect on the part of the Powers for the Hay Doctrine, but to the Anglo-Japanese alliance and the war fought by Japan which drove the Russians back from the sea and restored Manchuria to China. America promulgated the doctrine that Japan staked her existence to defend.

The story of these railway intrigues is too long to relate in these pages. Sufficient to state that up to the outbreak of the World War, and even during its progress, the European Powers fought to preserve and extend their rights in China with Britain revealed at all times contending against heavy odds to hold the Yangtze region as a buffer against the southward drive of Slav imperialism concealed behind the moves of France and Belgium. Once again, as in 1898, the Americans, who knew nothing and cared less about this fierce play of forces in Asia, intruded themselves into the very middle of the fight, demanding their right to do business under the doctrine of the Open Door. That was the real meaning of the Siems-Carey railway contracts and explains why, at every turn, the door was closed to us. We insisted on jumping claims staked out by others, not for building up a trade monopoly or for commercial exploitation, but for vitally essential strategic reasons, upon which hinged the fate of empires.

## THE FIGHT FOR EMPIRE GOES ON

The world is once more facing a situation almost identical with that described by Archibald Colquhoun in 1900. American intervention in Siberia in 1918, the cancellation of the Anglo-Japanese Alliance in 1921 to appease the United States and the failure to bind Russia to the terms of the Nine Power Treaty, made Asia safe for Communism, handed over Mongolia to Moscow and openly invited her to do as she pleased in China. Thwarted by Japan in converting Manchuria into another Soviet Republic and witnessing the gradual retreat of the Chinese Red armies from the southeastern coastal provinces, Moscow will now concentrate her diplomacy and intrigue on holding Szechuan and the far-western districts of China.

Betrayed by Chiang Kai-shek at the very moment when Communism had set up its capital at Hankow, Moscow bided her time. When the full truth concerning the establishment of the Nationalist Government at Nanking is revealed, it will be found that British money provided Chiang with the sinews of war that set him up in business.

So we come to 1935. The same centuries-old drama is being enacted on the stage of Asia, far removed from the eyes of the world. The dismemberment of China goes steadily on. In Outer Tibet, in Sinkiang, in Mongolia, in Chahar, and all along the fringes of the former dependencies of the Manchu Empire, forces are lining up for battle; the British in Tibet and Kashgaria interposing every impediment to the slow, steady communization of these regions and the Japanese silently, sullenly determined to go down fighting rather than consent to any program that will again enable Russia to menace their existence. If the Japanese are penetrating into Charhar, it can be explained only by the sheer military necessity of being ready to defend

their exposed flank in Manchuria from a Red army operating through Outer Mongolia. The world forgets that Mongolia is a Soviet Republic, with its own Red army and, that the territory is closed to foreign travel and residence. Behind this impenetrable wall of secrecy, feverish preparations are going forward to strike at Japan. Whatever Japan does to protect herself in these regions is no concern of other nations. It is her life that is at stake. The Chinese Red armies on which Moscow depended for the conquest of the Yangtze region are falling back on Szechuan. They are there now. They are also in Kweichow, in Yunnan. They will take Chinghai and Kansu. There are no railways into these regions. They are safe from attack except from the air. But the rule works both ways. Moscow can furnish these forces with airplanes and bombers without the rest of the world ever knowing they are there or how they arrived there.

#### BRITAIN WILL SUPPORT JAPAN

Treaties, conventions, peace pacts or understandings arrived at between the nations cannot change this situation. An American navy ten times larger than we now possess can have no effect upon forces operating thousands of miles inland, deep in the heart of Asia. The struggle for empire, for existence, will continue.

All that Americans understand is that Japan has broken a treaty, a treaty to which Russia is not a signatory, a treaty which conceded to Russia a charter of license to prosecute her plans for Asiatic domination without hindrance from the outside, a treaty that has permitted Russia to amputate Mongolia from the main body of China and entrench herself in the Yangtze Valley. Americans continue to harp on the Open Door and to demand a navy large enough to enforce respect for this doctrine, while Japan informs us

she is willing to reduce her fleet to any size compatible with defense, if conceded equality. If any proof was needed of Japan's friendly attitude towards the United States, it is disclosed in her proposals for naval reduction.

Japan does not intend to fight the United States unless the war is forced on her. Japan is concerned exclusively with what is transpiring in Asia. Great Britain seems to be the only nation that understands and sympathizes with Japan. If the real issue is ever planted, Great Britain will be found lined up on the side of Japan, the League Covenant, Peace Pacts, Nine Power Treaty and any understanding with the United States, to the contrary, notwithstanding. Great Britain dares take no chances. Anglo-American love of justice, of peace, of all those ideals and principles upon which our common civilization is based and which draw the two peoples close together in any large issue, will never stand the strain of material interest. The downfall of Japan spells the end of British rule in India, the dissolution of the greatest empire the world has ever seen. I do not believe that Britain will sacrifice the one guarantee that keeps Russia in check to any understanding that may be arrived at with the United States over the Open Door in China, even if our Government was in a position to extend this guarantee, which it is not.

Whether we wish to admit it or not, the United States again stands revealed as the silent partner of Russia, blind to every move she makes in Asia while denouncing Japan as an enemy to world peace for defending herself against the Communist menace. Our pacifists and internationalists insist that Japan can no longer defend herself by armed force, that she cannot take refuge behind the precedents created by other Powers. Whatever crimes Great Britain and France may have committed during their imperialistic careers, whatever the United States may have done in con-

nection with the Panama Canal Zone, with the Dominican Republic, with Haiti, with Cuba, with Mexico, with Nicaragua, with Hawaii and with the Philippine Islands, were blunders; whatever Russia does in Asia is fully justified, but the day is past when the so-called civilized world will consent to Japan imitating their example. If this means anything at all, it is that the *status quo* must be preserved at all hazards, that the imperialistic Powers, gorged with conquest, have repented and made another new law of nations which guarantees to them the enjoyment of their spoils. There is no talk of restitution or of atonement for their sins. What they have, they hold. They stand arrayed solidly against Japan while the new Red member of the League of free peoples is coddled, permitted and encouraged to proceed with its program of conquest.

It cannot work. Japan has announced in no uncertain words that she will fight for her right to exist. She will again stake her existence and go down to oblivion, if needs be, carrying civilization with her, rather than submit to such injustice. The American people must ask themselves how far they are prepared to go in supporting Russia and her dreams of Asiatic dominion. Consciously or unconsciously, nearly every move and mistake made by their government since 1905 has found them aligned with Russia as against Japan, obstructing the right of the latter to defend herself.

Japan has patiently endeavored to explain her case to the American people but it has been rejected. She now stands disillusioned, with her back to the wall confronted in Asia with armies that outnumber her twenty to one. Should she follow the advice, so freely given, of the group which seemingly dominates public opinion in the United States, and disarm, it is only a question of time when she will become another Asiatic satrapy ruled from Moscow

or an emasculated international personality permitted to exist as an independent state to preserve the fiction laid down in the Covenant of the League. That is the crux of the Asiatic problem as it stands today.

## CHAPTER LI

### AMERICA MUST CHOOSE

**I**F the United States wants something in Asia that is so vital to our existence that we must have 35,000-ton battleships and battle cruisers to obtain it, let us stop talking about ratios, quotas, types and all the other technical phraseology designed to conceal our aims, scrap the naval pact and get ready to take what we want.

If we do not want anything and we are satisfied that Japan wants nothing on our side of the ocean, and we really desire peace, why not convert our desires into realities and make impossible any further talk. Why not take the following practical and sensible steps:

1. Declare the Four Power Financial Consortium officially dissolved and announce to the world that the door to equal opportunity swings both ways.

2. In combination with the other great Powers present an ultimatum to the Chinese war-lords giving them six months in which to adjust their differences and combine in some form of centralized government representative of and responsible for the whole.

3. If they fail to accomplish this within the time limit, apply to them the principle of nationality that rules in all other parts of the world. Split the warring Chinese tribes into their natural divisions, compel them to assume their proportionate share of China's foreign debt, recognize their independence as sovereign states, admit them into the League of Nations and require them to subscribe to and sign the peace pacts. This accomplished,

the Powers will be justified in intervening in their further wars and bringing pressure to bear on the aggressor who invades the territory of another state. Otherwise, the slaughter will go on.

4. Recognize Manchoukuo as one of these sovereign entities and as such is and of right ought to be free and independent. With the recognition of Manchoukuo and the breakup of what is known as "China" into its component parts, and all fear of American intervention to hold these states together into a compact whole removed, there will be no need for enlarged American or Japanese navies.

5. Assert the obvious fact that Japan does not require a mighty navy, that with two hundred submarines she could close the seas of the Far East as far south as Singapore to the combined navies of the world and would be adequately provided for defense but not for offense. Nations like the United States without adequate bases in the Far East with the threat of Japanese aggression removed, would never be able to arouse their people to appropriate sufficient funds to build a navy large enough to take the offensive in the Far East. Competition in navy building would, in consequence, then cease.

6. Recognize the geographical fact that the natural path of American commerce to the ports of the Asiatic mainland passes through the heart of Japan. If this path be closed by boycott or war, our commerce, to reach the Asiatic mainland, must pass through the gaps in the Loochoo Islands or the Formosa Channel, easily closed by mine fields and submarines. Japan is the natural keeper of the gaps in the Japanese chain of outlying islands. Our possession of a Navy two or even three times larger than Japan's cannot change this physical and strategical advantage in her favor. For every new 35,000-ton battleship the United States builds, Japan will build ten submarines.



As long as Japan keeps her main battle-fleet behind this natural barrier, a naval war would be a stalemate.

7. Only by a perpetual treaty between the Powers guaranteeing that Japan will never be attacked from the Sea in exchange for a similar guarantee for the freedom of world commerce through these passages in the Japanese chain of islands, can a lasting peace be established in the Pacific.

If we were consistent, we could go even further and recognize that a state of affairs exists in "China" where hundreds of millions of human beings, men, women and children, old men, mothers and infants are being tortured, enslaved, massacred, starved and in other ways done to death, and if we are unwilling to follow up this declaration by active intervention as we did in Cuba, because these conditions existed within ninety miles of our shores, we can at least recognize Japan's right to follow the precedent we laid down to justify our war with Spain. Otherwise, we must confess that our interest in humanity was merely the pretext behind which we concealed our imperialistic designs.

Suppose that Japan should now assume the rôle of the great peacemaker and humanitarian and proclaim to the world that she cannot look idly on while millions of innocent human beings of her own race are condemned to die by starvation, by floods or by the sword to uphold a Western conception of nationality that long ago was discarded in Europe and America, would we go to war with her over a principle that only three decades ago we appealed to, when humanity called to us from the charnel house of Cuba?

Should the Japanese Diet pass a resolution word for word like the one that passed the Senate and House of Representatives in 1898, would we fall back on our treaties to prevent any interference with the ceaseless massacre

of poor, inoffensive Chinese? Let me quote that Resolution:

WHEREAS, the Government of Spain for three years past has been waging war in the Island of Cuba against a revolution of the inhabitants thereof, without making any substantial progress toward the suppression of said revolution, and has conducted the warfare in a manner contrary to the law of nations by methods inhuman and uncivilized, causing the death by starvation of more than two hundred thousand non-combatants, the victims being for the most part helpless women and children, inflicting intolerable injury to the commercial interests of the United States, involving the destruction of the lives and property of many of our citizens, entailing the expenditure of millions of money in patrolling our coasts and policing the high seas in order to maintain our neutrality, and

WHEREAS this long series of losses, injuries and burdens for which Spain is responsible has culminated in the destruction of the United States battleship *Maine* in the harbor of Havana, and in the death of two hundred and sixty of our seamen,

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end, and with the purpose of securing permanent peace and order there, and establishing by the free action of the people thereof a stable and independent Government of their own in the Island of Cuba. And, the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this Resolution.

There is nothing to stop the Diet of Japan from passing such a Resolution, changing merely the Government of Spain for the Government of Nanking, and the Island of Cuba for the "Republic of China." Such a resolution would force the issue, and determine once for all whether the fundamental laws of humanity or the terms of a political treaty are to rule in the Far East. If the treaty

is the supreme law, if nothing can be done from the outside to put a stop to the misery in China and these people are left to their fate; if the world turns on Japan for her interest in her fellow men in China, would it not be providing her with a propaganda argument that would align all Asia on her side? If Japan should resort to such methods and support it by adroit publicity, she could easily place the Western signatories to the Nine Power Treaty in a very unenviable light not only in Asia, but throughout the world.

The day is passed when any one Power or combination of Powers can intimidate or coerce Japan. Acting alone, the United States can no more stop or impede the growth of Japan than Europe could stop the United States from becoming great and powerful. For over a century, Europe bluffed, shouted, hammered on the table, shook its fist, called us names and threatened to combine against us, but the United States went steadily forward on its path to supremacy in the American continents and to its position as a great world power. History is merely repeating itself in Asia. Japan will not stand still or go backward. She will go forward. Impregnable from the sea, she does not intend to remain quiescent while her neighbors in Asia prepare for her undoing.

Japan moved to protect herself against this menace to her existence while she yet had time to do so. Soviet Russia may be the stronger nation in a military sense. She may have vaster resources and greater reserves of man power but she remains at a strategic disadvantage. Russia cannot fight a successful war at the end of four thousand miles of single or double-track railway. With Manchoukuo as the ally of Japan, Russia is vulnerable east of Baikal. Her power for further aggression is indefinitely postponed.

The menace to the peace of the Far East is, as it always has been, a chaotic China, with its five million armed men

living off the country. No nation however strong, united and prosperous can stand this drain on its wealth. China lies impoverished, exhausted, ruined. No plans for rehabilitation, no return to normalcy, no revival of trade, no real industrial or agricultural development or progress is possible when every cent that can be gouged from starving, despairing people goes to maintain the armies which keep them in subjection. The man with the gun reigns supreme. It is a vicious circle.

Trade profits from such conditions and to uphold which the country is converted into a charnel house, can bring no satisfaction or lasting benefits. It is blood money derived from mechanized murder on a vast scale. Our hopes of future trade expansion in what is known as "China" can be realized only when its 500,000,000 inhabitants are encouraged to stand on their own feet as free men under some form of government which recognizes their rights as human beings and which protects them in these elementary rights.

Manchoukuo has blazed the way toward a solution of those problems of the Far East that so long have remained a menace to the peace of the world and a tragic curse to the hundreds of millions of unfortunate people who live beneath their blight. Already the chaotic hordes that have lived miserably within her borders and without even the knowledge of the blessings that come through stable government, are learning to appreciate the good fortune that has fallen to their lot. Neighboring kinsmen are hearing of the advent of this strange blessing and are pouring over her borders in such large numbers as to constitute an ever increasing problem. The light of Manchoukuo is beginning to shine brightly here in the land of vast and constant tragedy. Her example offers hope of a chance at happiness for a mass of human beings that outnumber all those who reside in the western hemisphere and of the

fate of whom, numerous as they are, the western world has remained strangely callous and indifferent. In addition to which, there is presented the possibility of removing the most obvious constant threat of war that faces the United States and leads her to vast expenditures against its possible appearance. And America, upon whom because of her strength and young vitality is thrust a natural world leadership, must accept or reject this groping, blundering effort of a benighted people to escape from its age-old and unbelievable burden of misfortune and to become the bell-wether of all the tragic flock at her back. It falls to the lot of America to choose, to point the way, for as she goes the rest of the world will follow.

## CHAPTER LII

### BUILD UP!

**I** HOLD no illusions about the trade and development of China. No matter what happens, we will receive our legitimate share of the business in competition with other nations. We will not have to fight for it, especially with our best customer, Japan. The more she sells to China, the more she will buy from us. We do not need a big navy to defend the Open Door principle.

The people of the United States must, however, give heed to the rapid increase of population in the Far East. The "Yellow Peril" of the Kaiser is a myth. The population figures are a reality that cannot be argued away. Within the next twenty years, Eastern Asia and Siberia must find room for 200,000,000 more people. Should the League of Nations and other plans for the rehabilitation of China be realized, should peace and prosperity be brought to these people, the estimate of their increase must be revised upward. Within this period, the population of Japan will increase to 120,000,000.

If the United States persists in its policy to hem these people in, if other nations raise their tariff walls and discriminate against their goods, the world will condemn the people of Japan to slow starvation and death. All of Japan's statesmanship, her diplomacy, her domestic politics, her army and navy programs, are directed towards finding a peaceful solution to this problem. As the pressure mounts higher and higher, it will compel the government in power to act. No cabinet in Japan could exist a

day against this thunderous demand of a people for its right to exist.

The fixed policy of the United States is to keep intervening in this problem. We seem determined to force the issue of the races out into the Pacific instead of using every effort to confine it to Asia, where it belongs. This inexplicable and senseless diplomacy can result only in the rising generation being forced to take on its shoulder the solution of a racial problem that does not concern it.

We cannot control or regulate the tremendous human forces at work in Asia. Covenants, treaties, alliances, big war fleets and naval bases, exclusion acts, League condemnation, economic sanctions, blockades, or birth control cannot prevent the peoples of Asia from procreating and multiplying. It is too late for remedial legislation. In the next two decades Japan must find room and subsistence for 30,000,000 more people. She has fought three major wars to provide an outlet for her mounting millions. By all recognized laws of warfare, by every rule of right upon which the law of nations is founded, Japan is entitled to enjoy the fruits of her victories.

That she has elected to recognize the right of the 30,000,000 people of Manchoukuo to independence and to assist them in establishing a strong, self-sufficient state which guarantees and protects her own security, that she has restored to power the legitimate ruler of these people and entered into an alliance with his government for mutual defense against internal or external foes, is no more an aggression, invasion or conquest than other set-ups recognized as legal by the Society of Nations.

*Japan has found an outlet.* For the moment, Manchoukuo is a free, independent and sovereign state, proud of its past and its traditions. Like the succession states of Europe, allied with and dependent upon France for their continued existence as sovereign entities, Manchoukuo, equally sov-

foreign, equally independent, must rely upon Japan to defend its right to exist until such time as it can stand alone. Manchoukuo may be a protected state, but it is not a part of the Japanese Empire.

The United States, Canada, New Zealand, Australia, South Africa, and other white countries have closed their doors to the entrance of the Japanese. A few thousands may find homes in South America, but the day is not far distant when our southern neighbors will follow our lead and shut them out. They cannot go into the Philippines in large numbers. They cannot own or lease land in China. Where, then, are they to go? With the whole world barred against their entrance, the Japanese have turned to their one remaining and natural outlet, to Manchuria and, as part payment for recognition of the new state, have exacted the right of free entrance, the right to own and lease land and engage in business, industry and commerce on a plane of full equality with the people of Manchoukuo.

If it is to be the policy of the United States to close this door and condemn the Japanese to commit race suicide, it is time the American people awoke to the consequences of a diplomacy which is slowly but surely convincing a friendly people that we are their implacable enemies. Our statesmen have planted squarely the issue. We are facing a show-down. We must prepare either to support our viewpoint or find some way to recede from it without loss of dignity, self-respect or national honor.

We cannot solve the Pacific problem through membership in the League of Nations. We have joined the International Labor Bureau and were scheduled to enter the World Court in January, 1935. The State Department had drawn up the resolutions essential for our entrance into the League. When the time comes for Japan to walk out in March, it was hoped that the United States would walk in. With an American on the Council and on the World Court, Japan would have confronted a packed tribunal. Japan's



case would then go to The Hague, which would deliver a political decision sustaining the verdict of the League Assembly. With the United States and Soviet Russia in the League, the whole world, with the exception of Germany, would be aligned against Japan. The Japanese are right; 1935 is the crucial year.

The interest of the United States in the Pacific would manifest itself when the question of Japan's mandate over the Pacific isles comes up for final adjustment. The present complacent attitude of the League towards this issue would have stiffened immediately the United States was represented on the Council and World Court. The recent naval conversations in London tell us that the United States will not budge from its stand on the 5-5-3 ratio, which involves the question of adequate naval bases and the ultimate ownership of the mandated islands. It is not difficult to forecast what would have happened. Japan's mandate would have been revoked and the islands allocated to the United States. The League affirms that it has the legal power to rescind Japan's mandate, while Japan insists that the islands were awarded to her by the Allied Powers as compensation for her participation in the war. America's entrance into the World Court and the League would have been followed by the application of sanctions against Japan. Had the Senate voted for the World Court, we would have been caught fast in the trap. We were headed for trouble.

Canning gave us the Monroe Doctrine. John Hay returned from his tour of duty as Ambassador to the Court of St. James's with the Open Door Doctrine in his pocket. Smuts and Lord Phillimore prepared the plan for the League of Nations. "*Wilson swallowed it whole and the League as propounded was really a British production although fathered by President Wilson.*"<sup>1</sup> Lloyd George conceived the idea of the Washington Conference and passed

<sup>1</sup> Lord Riddell, *Intimate Diary of the Peace Conference and After* (New York, Reynal & Hitchcock, Inc., 1934).

it on to Harding and Hughes, who took the credit. James T. Shotwell, trustee for the Carnegie Endowment for International Peace, put into Briand's ear the bug of the Peace Pacts which was slipped over on Secretary Kellogg to sponsor as an American contribution to peace. It is now known as the Kellogg Pact.

These achievements stand in the record as great and glorious American diplomatic victories until we have deluded ourselves into the belief that our influence is leading the world and remaking civilization. We were on the way to enter the League of Nations by one of its side or back doors and take our proper place in world affairs as a dependency of the mother state who has dictated our major policies for over a century. The Carnegie Endowment and the millions of Cecil Rhodes would have accomplished their purpose. An American would sit on the bench of the World Court, another American would be elevated to the Presidency of the League Council, and the nation would then take its orders in international affairs from a group that outnumbers and outvotes it nine to one. With its allies and friends, combined with our natural enemies in the American continent, this group would have decided openly the foreign policies of the United States in the same manner that for over a century it has dictated our course of action by underhand and devious methods.

All that would have remained to bring us back to our old allegiance would have been for King George to follow the suggestion of Sir Auckland Geddes and send the Prince of Wales to Canada as Governor General. *"It would create a splendid impression in the United States. Canada would become the social center of the continent, and, by making a few visits to the States, the P. of W. would do more to alter American public opinion in favor of Great Britain than could be achieved by any other means."*<sup>2</sup> How well the

<sup>2</sup> Lord Riddell, *Intimate Diary of the Peace Conference and After* (New York, Reynal & Hitchcock, Inc., 1934).

British understand us. Perhaps the P. of W. balked at being the social lion for aspiring American millionaire hostesses. Who knows? The same result would be obtained by having us join the League.

It is a great game. Millions have been spent for the conquest of American public opinion. Millions more are being appropriated to talk us into the League and the cancellation of the debts. The stakes are high and the rewards great. Successful European publicists and propagandists are knighted, elevated to the peerage and showered with honors. Their American dupes welcome them with open arms, throng to the forums to hear them talk, and our newspapers spread their propaganda to every hamlet in the country.

It is time for the United States to wake up, to walk warily, speak softly and stand on its own bottom. Remember that a war in the Pacific will automatically close the door to our trade with China. American commerce in the Pacific would be eliminated. Japan would be bankrupted. The trade and development of China would go to Europe. The war-debt problem would automatically solve itself and we would pay out further billions for the benefit of others. Unless the United States frees itself, and quickly, from all entanglements and evolves and promulgates a policy designed for the defense of its own security and special interests in the Pacific, it cannot escape being made the catspaw in another war.

I again assert that American defense of the Open Door Doctrine and its corollary, the maintenance of the territorial and administrative independence of what is known as "China," in its last analysis, means the defense of a cardinal British policy, not only as to trade but as to its larger, more important and more vital strategic aspects. It means the protection of investments which outweigh the American stake in China thirteen to one. It means the protection of an export trade twice the size in value of our

own. And more, when our exports to China are analyzed, it will be seen that the Japanese sell more American goods in China than we sell through our own firms. It will be noted that the bulk of Japanese exports to China consist of textiles, of which 50 to 60 per cent represents raw cotton purchased in the United States. We have been backing the wrong horse. We have missed the bus.

Japan is the friend of the United States. No matter how loud the jingoes may roar, the real leaders of Japan, the sane, conservative businessmen and bankers, the Liberals and, to a large extent, the very masses still look to America for understanding and sympathy, confident that the day will arrive when a balanced trade and mutual interests will link the two nations together in bonds as unbreakable as those which unite in a common understanding the peoples of the United States and the British Commonwealth of Nations.

I have supreme confidence in the leaders of present-day Japan. I know them all. I know what they want. I understand their problems. But conditions change. Governments and cabinets are swept out of power. New men come into office. Japan is in a state of flux. She is wrapped in dynamite. No one can say who will be in power this time next year. But this much is certain. Whether he be liberal, militarist, labor, fascist or communist, the political leader who comes to the front will have only one program. The irresistible pressure from within will shape and mould his policies. The Japan of ten years hence will be as different as the Japan of today is from that of ten years back. Japan is marching on.

Japan asks for our sympathy, our good-will and our friendship. Her hand is extended in good-fellowship. Will we grasp it or continue to snub her and marshal the world opinion against her? If we adhere to our present course and decline to shake hands with her, if we persist in inter-

fering with her right to exist in her own sphere, we must consider seriously where our diplomacy will lead us. The basic issue of the Pacific will remain unchanged. Before we know it, before we can prepare to face it, it may be upon us. If the people of the United States are possessed of even common intelligence, they will demand an immediate revision of the Far Eastern policy of their government, or, if those who direct our destinies cannot or will not be convinced that they are wrong, then the nation has no time to lose. It must begin, today, to strengthen its defenses.

We dare take no chances. We may be precipitated into a state of war without warning. We must have a navy strong enough to guard our Pacific and Alaska coasts against attack. Invasion is out of the question. We should refortify the Panama Canal, dig the ditch across Nicaragua, make Pearl Harbor impregnable, strengthen the anti-aircraft defenses of our Pacific Coast ports, build up a mighty air fleet and sit tight, prepared at all times to defend our own shores. If the issue is ever planted, Britain cannot permit Japan to go down to defeat and see the control of Asia handed over to Soviet Russia. We cannot be sure of Great Britain. Her interests and ours do not harmonize. The United States must face this issue alone. It is up to us. Peace or war in the Pacific, the very future of our civilization hangs in the balance. We can do the sensible thing and compound amicably our differences with Japan, grasp the hand she holds outstretched in friendship, cooperate with her and tie her to us in bonds of commerce and a common purpose in the Orient; or we can adhere to our present doctrines shoved over on us by Europe and prepare to face the consequences of our sentimental, unrealistic diplomacy. If that is to be our policy, there is only one security for the nation.

**BUILD UP AND STOP TALKING ABOUT IT!**



## APPENDIX I

### THE KEY TO THE CHINESE PUZZLE

*The Secret Treaty of Alliance between China and Russia,  
May 22, 1896*

His Majesty the Emperor of Russia, and his Majesty the Emperor of China, desiring to consolidate the peace happily reëstablished in the Far East, and to preserve the Asiatic Continent from a new foreign invasion, have decided to conclude between them a defensive alliance, and have named for that purpose as their Plenipotentiaries:

His Majesty the Emperor of Russia; Prince Alexis Lobanov-Rostovsky, his Minister for Foreign Affairs, Secretary of State, Senator and Actual Privy Counselor, and Mr. Serge de Witte, his Minister of Finance, Secretary of State and Privy Counselor; and

His Majesty the Emperor of China; Count Li Hung-chang, his Grand Secretary of State, Ambassador Extraordinary and Plenipotentiary near His Majesty the Emperor of Russia;

Who, after having exchanged their full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I

Every aggression directed by Japan, whether against Russian territory in Eastern Asia, or against the territory of China or that of Korea, shall be regarded as necessarily bringing about the immediate application of the present treaty.

In this case the two High Contracting Parties engage to support each other reciprocally by all the land and sea forces of which they can dispose at that moment, and to assist each other as much as possible for the victualling of their respective forces.

## ARTICLE II

As soon as the two High Contracting Parties shall be engaged in common action no treaty of peace with the adverse party can be concluded by one of them without the assent of the other.

## ARTICLE III

During the military operations all the ports of China shall, in case of necessity, be open to Russian warships, which shall find there on the part of the Chinese authorities all the assistance of which they may stand in need.

## ARTICLE IV

In order to facilitate the access of the Russian land troops to the menaced points, and to ensure their means of subsistence, the Chinese Government consents to the construction of a railway line across the Chinese provinces of the Amour (i. e., Heilungkiang) and of Kirin in the direction of Valdivostok. The junction of this railway with the Russian railway shall not serve as a pretext for any encroachment on Chinese territory nor for any infringement of the rights of sovereignty of his Majesty the Emperor of China. The construction and exploitation of this railway shall be accorded to the Russo-Chinese Bank, and the clauses of the Contract which shall be concluded for this purpose shall be duly discussed between the Chinese Minister in St. Petersburg and the Russo-Chinese Bank.

## ARTICLE V

It is understood that in time of war, as indicated in Article I, Russia shall have the free use of the railway mentioned in Article IV, for the transport and provisioning of her troops. In time of peace Russia shall have the same right for the transit of her troops and stores, with stoppages, which shall not be justified by any other motive than the needs of the transport service.



## ARTICLE VI

The present treaty shall come into force on the day when the contract stipulated in Article IV shall have been confirmed by his Majesty the Emperor of China. It shall have from then force and value for a period of fifteen years. Six months before the expiration of this term, the two High Contracting Parties shall deliberate concerning the prolongation of this treaty.

Done at Moscow, May 22 (June 3), 1896.

(Signed) LOBANOW (Seal) (Signed) WITTE (Seal) (Chinese signature and seal)

It will be noted that in order to preserve complete secrecy concerning its existence, no formal ratification of the treaty by either Government was necessary. It came into operation on the signing of the commercial convention for the construction of the Chinese Eastern Railway which took place in September of the same year. Although outwardly a purely commercial undertaking, it was in reality, a strategic line devised to carry out the object of the alliance, proof of aggression and hostility against Japan. The secret or master treaty defines the exact legal status of the railway; the Commercial Convention the screen to conceal it.

Under the terms of the secret treaty, the Chinese Eastern Railway was built. The subsequent concession for a branch line known as the South Manchuria Railway and the lease to Liaotung Peninsula were merely extensions of the secret treaty in order to further facilitate the transport of the Russian armies to menaced points on the Korean frontier and, to provide the Russian fleet with a warm-water base at Port Arthur. No matter what Russia subsequently did in seeming violation of the treaty, the fact remains that it was never denounced and that only under its terms could the Russian army and navy have occupied Manchuria and its ports in preparation for the real object of the alliance, war with Japan.

Although maintained a profound secret, the visible manifestations of some secret understanding between China and Russia were apparent to everybody, especially to Great Britain

who, after successfully checking Russia's moves in the West saw her break through in the East to a warm-water port on the Pacific in Chinese territory. Britain also watched with concern the scramble for railway concessions in China by the Russo-Franco-Belgo combine that would have linked the Russian lines in the north with the French lines penetrating China from the south. To save India, Britain forced through the non-alienation of the Yangtze Valley, creating it into a British sphere of influence, made China sign a lease to Weihaiwei commanding the Chihli Gulf, hand in an ultimatum to Peking over its breach-of-faith in the Peking-Hankow Railway concession and then in sheer desperation entered into an alliance with Japan as the only way to check Russia's designs upon India through the territory of China. The story is a long one, one of the most interesting pages of modern history. The secret alliance between Russia and China although aimed directly at Japan was indirectly a greater menace to Great Britain.

The Russo-Japanese War was fought and peace was signed without any outside knowledge of the existence of the secret treaty of alliance which provoked and made it possible. China emerged from the conflict as the innocent and injured victim with the sympathy of the whole world on her side. Her full sovereignty over Manchuria was restored and recognized, while had the truth concerning the existence of the secret treaty been known at Portsmouth, Japan would have been entitled to a huge cash indemnity, or in lieu of it, compensation in territory.

Although several unofficial references to the existence of the treaty appeared at various times from 1911 to 1920, it was not until 1921, at the Washington Conference that its text was officially revealed by one of its signatories. There are no time limitations in international law to claims arising out of evidence of this nature. When China confessed to the existence of this secret treaty, she became liable for any damages that Japan might claim. The treaty may have expired in 1911, but it had done its work. It had caused a war which has cost Japan to date over four billion gold dollars.

## APPENDIX II

### THE WILL OF PETER THE GREAT

*Article 1.* To keep the Russian people in a permanent state of war so that the soldiers are always fit and trained for service. To let them rest only when it is necessary in order to improve the financial position of the State. To reform the armies and always choose the most favourable opportunities for attack. Thus let the peace serve the war and the war serve the peace, both serving the greatness and welfare of Russia.

*Article 2.* To invite generals experienced in war and peace service from the highly cultivated peoples of Europe, in order that the Russian nation may take advantage of others' superiority without losing their own.

*Article 3.* Always to take part in European disputes and negotiations whatever their nature, and especially in those within Germany, which country, as our nearest neighbor, is of the greatest interest.

*Article 4.* To spread unrest and dissension in Poland, win over the great with money, bribe the parliaments in order to influence the election of Kings, thereby pushing our own candidate, let Russian troops march into the country and remain till there is an opportunity for stationing them there permanently. If the neighbours make difficulties, to satisfy them temporarily through partition of the country till we are in a position to reconquer what we have ceded.

*Article 5.* To wrest from Sweden as much territory as possible, letting ourselves be attacked in order to have an excuse for placing her under the yoke. Moreover, to isolate her from Denmark, and Denmark from Sweden, and to carefully maintain rivalry between them.

*Article 6.* To select the consorts of Russian princes from among German princesses in order to multiply the family alliances and interweave our interests; thus to chain Germany to our cause through increasing our influence there.

*Article 7.* By means of preference to seek commercial coöperation with England, since she is the power which is most useful because of her navy and for the development of our own. To exchange our wood and other products for her gold, and promote frequent alliances regarding commerce and shipping between the merchants and sailors of the two nations.

*Article 8.* Without hesitation to extend our power in the North along the Baltic, in the South along the Black Sea.

*Article 9.* To concentrate our efforts on approaching Constantinople and India, because he who is master there will be the real master of the world. For this purpose to provoke frequent wars with Turkey and Persia. To construct dockyards in the Black Sea and take possession thereof as well as of the Baltic, the realization of these objects being essential for the fulfilment of our plans. To accelerate the decline of Persia and penetrate to the Persian Gulf. If possible to restore the old Levantine trade and penetrate to India, which is the emporium of the world. Once there we shall not need the gold of England.

*Article 10.* To seek carefully to maintain alliance with Austria, pretending that we support her designs upon the throne of Germany, but by and by egg on the princes against her. To see that either one or the other asks for the support of Russia, thus sustaining a sort of protectorate preparing the country for real domination.

*Article 11.* To interest the ruling house of Austria in the expulsion of Turkey from Europe, but before the conquest of Constantinople to neutralize her rivalry, either through provoking a war between her and the old States of Europe, or by letting her retain parts of the conquered territory which could be taken from her later on.

*Article 12.* To enter into alliances with and combine all Orthodox Christians who are now spread over Turkey, Hungary and the South of Poland. To make Russia their centre and support, and beforehand establish a supreme authority, either royal or clerical. All these will be the friends among our enemies.

*Article 13.* Sweden cut up, Persia vanquished, Poland subdued, Turkey conquered, our armies united, the Black Sea

and the Baltic guarded by our ships, then the time will have come to suggest secretly and separately to the courts, first in Versailles and then in Vienna, that the domination of the world shall be divided between us. If one of them accept, which it can hardly fail to do when we flatter its ambition and vanity, it will be employed to destroy the other. Thereupon we shall have to engage in a fight with the remaining State, the result of which cannot be doubtful, since Russia already owns the whole of the Orient and a large portion of Europe.

*Article 14.* In case both States decline the offer, which is hardly probable, we must try to provoke disputes between them, thus making them exhaust their strength in the struggle. Then at the decisive moment, Russia must spread her united armies over Germany while simultaneously two gigantic transport fleets set out, one from the Sea of Azof and the other from the port of Archangel, both manned with Asiatic hordes and protected by the imperial navy in the Black Sea and the Baltic. Crossing the Mediterranean and the Atlantic, these troops must overthrow France from one side while Germany is flooded from the other. When these two nations have been defeated the rest of Europe will easily and without striking a blow be placed under our yoke. In this way Europe can and shall be placed under the Russian yoke.

## APPENDIX III

### ABDICATION TREATIES

(Signed February 11, 1912)

The Terms of Abdication generally referred to as "The Articles of Favourable Treatment," in which special provision is made to the rights of Manchus, Mongols, Mohammedans and Tibetans, who are considered as being outside the Chinese Nation.

#### A. CONCERNING THE EMPEROR

The Ta Ching Emperor having proclaimed a republican form of government, the Republic of China will accord the following treatment to the Emperor after his resignation and retirement.

*Article 1.* After abdication the Emperor may retain his title and shall receive from the Republic of China the respect due to a foreign sovereign.

*Article 2.* After abdication the Throne shall receive from the Republic of China an annuity of Tael 4,000,000, until the establishment of a new currency, when the sum shall be \$4,000,000.

*Article 3.* After abdication the Emperor shall for the present be allowed to reside in the Imperial Palace, but shall later move to the Eho Park, retaining his bodyguards at the same strength as hitherto.

*Article 4.* After abdication the Emperor shall continue to perform the religious ritual at the Imperial Ancestral Temples and Mausolea, which shall be protected by guards provided by the Republic of China.

*Article 5.* The Mausoleum of the late Emperor not being completed, the work shall be carried on according to the origi-

nal plans, and the services in connection with the removal of the remains of the late Emperor to the new Mausoleum, shall be carried out as originally arranged, the expense to be borne by the Republic of China.

*Article 6.* All the retinue of the Imperial Household shall be employed as hitherto, but no more eunuchs shall be appointed.

*Article 7.* After abdication all the private property of the Emperor shall be respected and protected by the Republic of China.

#### B. CONCERNING THE IMPERIAL CLANSMEN

*Article 1.* Princes, Dukes and other hereditary nobility shall retain their title as hitherto.

*Article 2.* Imperial Clansmen shall enjoy public and private rights in the Republic of China on an equality with all other citizens.

*Article 3.* The private property of the Imperial Clansmen shall be duly protected.

*Article 4.* The Imperial Clansmen shall be exempt from military service.

#### C. CONCERNING MANCHUS, MONGOLS, MOHAMMEDANS AND TIBETANS

The Manchus, Mongols, Mohammedans and Tibetans, having accepted the Republic, the following terms are accorded to them:

*Article 1.* They shall enjoy full equality with Chinese.

*Article 2.* They shall enjoy the full protection of their private property.

*Article 3.* Princes, Dukes and other hereditary nobility shall retain their titles as hitherto.

*Article 4.* Impoverished Princes and Dukes shall be provided with means of livelihood.

*Article 5.* Provision for the livelihood of the Eight Banners, shall with all dispatch be made, but until such provision has been made, the pay of the Eight Banners shall be continued as hitherto.

*Article 6.* Restrictions regarding trade and residence that have hitherto been binding on them, are abolished and they shall now be allowed to settle in any department or district.

*Article 7.* Manchus, Mongols, Mohammedans and Tibetans shall enjoy complete religious freedom.



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