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THE UNITED STATES
AND THE
SITUATION IN THE FAR EAST

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The United States and the Situation in the Far East

There is nothing more transient than the authority of a traveler in the Far East as a reporter of recent events. So much has happened since early December when I left Manchuria at the Siberian border after a sojourn of a little less than three months in China and Japan that a considerable part of the information upon which I should have to rely in giving a picture of the situation as I see it today is information already at your disposal. It will therefore be more profitable if I devote the greater part of what I have to say to a description and analysis of the background of the drama which is now being enacted. Moreover, observation of different phases of public opinion here since my return has led me to believe that a knowledge of the background is no less important than accurate knowledge of current happenings, if the significance of the latter is to be understood.

I shall therefore try to sketch first some important features of the background, proceeding from that to a recapitulation of what has happened in Manchuria and the vicinity of Shanghai, and finally to a consideration of American policy as regards the existing situation.

The Question of Sovereignty.

Let us first consider the question of sovereignty in China and also in Japan, with special refer-

ence to its exercise in intercourse with other nations and with each other. For it so happens that this very question of the exercise and expression of sovereignty, while raised in different ways in the two countries, is very near to being, if it is not actually, the most vital factor in the whole situation, with respect to each.

It would be beyond my competence to discuss the subject of sovereignty as a technical legal question. But the phases of that subject to which I shall refer appear susceptible of statement in simple terms which I trust will not be open to technical objection.

China's lack of complete sovereignty in the sense that its nominal Government, whether theoretically acknowledged by all the people or not, is not actually effective within its borders, and in the sense that includes the capacity to maintain a reasonable degree of order and to observe international obligations, is not only the cause of the grievances alleged to have been suffered by the Japanese, but is also the ground on which rests the Japanese claim that direct action to enforce their rights on Chinese soil is a matter of necessary self-defense and not a violation of sovereignty. You cannot, they say, violate something which has only a fictitious existence. How far can these claims be justified?

The Concept of Nationality.

First of all it must be admitted that China has never had the concept of nationality in the sense that these words convey to us. This is not to be taken as a disparagement of Chinese political traditions. The concept of nationality as we understand it has to a large extent been created by the

exigencies of intercourse between nations. Ancient China got along quite happily, from her point of view, without such intercourse, although of course the country was far from impervious to infiltrations of foreign cultures, notably that of India. An important element in our concept of nationality is a well-organized government, whether autocratic or democratic, which exercises authority over a whole people, with codes or other systems of law prescribing the rights and duties of subjects or citizens. Ancient China was not wholly without government, but the authority descending from the Throne, through ministers, viceroys, governors, and district magistrates, existed chiefly for purposes of tribute and taxation, and was not relied upon as the means of regulating the conduct of individuals. This does not mean that their conduct was not regulated; with due allowance for differences in the conception of individual and social interest, it was very admirably regulated by precept and tradition enforced by patriarchal and other social control, notably that of the trade guilds. It is contact with the outer world, with her neighbors and with other countries with whom modern China has been more or less forced into commercial relations, that has exposed the inadequacy of Chinese political concepts and traditions to cope satisfactorily with the obligations resting upon members of the family of nations.

It is this aspect of what I have roughly called Chinese sovereignty which is chiefly accountable for the whole tragic history of China's relations with other countries during the last hundred years, and this to her disadvantage rather than to her discredit; and it is the largest causative factor

in her recent troubles with Japan, whether these be regarded as a pretext for Japanese aggression, or as a complete justification for Japanese measures of self-defense.

Chinese Sovereignty in Manchuria.

To apply what I have said a little more concretely to Manchuria, it should be added that, although Manchuria has been admittedly a part of China and has been repeatedly acknowledged to be such by Japan, as well as by other countries, no government existing in China since the fall of the Manchu Dynasty has functioned as the government of Manchuria or of any of its provinces. When the Young Marshal, Chang Hsiao Liang, hoisted the Nationalist flag in Mukden in 1928, that was regarded as a significant gesture of adherence to the Central Government; but neither before nor after that event did the writ of Nanking run in the Three Eastern Provinces, nor was the behavior of their inhabitants under the slightest control from the Central Government. If troubles arose, as they frequently did, between the Japanese and the Chinese in Manchuria, *pro forma* representations and protests might be addressed through orthodox channels by Tokyo to Nanking; and nominal assurances of attention might be given—or not, as the case might be; but if anything required to be done on the Chinese side to protect Japanese rights or to remedy abuses, it had to be done by the local authority. The scene was admirably set for evasion and procrastination, if these were desired, as of course they were; for Nanking disputed the very validity of the treaties and agreements under which Japan was carrying on her railroads and her commercial and

industrial operations in Manchuria. Nanking "passed the buck" to Mukden, and Mukden passed it back to Nanking. Meanwhile a multitude of grievances accumulated, any of which, with a reasonably accommodating spirit on both sides, could have been settled in favor of one side or the other. An explosion of some kind was inevitable.

Lack of Competent Authority Thwarts Amicable Adjustments.

As we review the whole story of events beginning with the outbreak on September 18, 1931, we see how constantly the lack of competent Chinese authority rises to thwart all efforts toward peaceable adjustment. The situation has been aggravated ever since then at periods in which even the shadow of authority observable at Nanking has at times disappeared, and those most anxious to press measures of conciliation have been unable to locate the responsible authority. The nearest approach to such authority might be found at one moment in the Mayor of Greater Shanghai, at another in the general commanding the 19th Route Army, at another in the titular Minister of Foreign Affairs at Nanking, and at another in the person of General Chiang Kai-shek at Loyang or Nanking. Woe to the unlucky official or general who in the exercise of his apparent authority might sign a truce or other agreement involving concessions hurtful to Chinese pride, for he would be a marked man thereafter. This lack of authority or timidity in exercising it has had much to do with the recent delays in bringing about a cessation of hostilities at Shanghai.

Who can blame the eloquent, persuasive, and doubtless sincere Chinese spokesmen in Geneva

and in the principal foreign capitals who have protested on behalf of their country against undisputed invasions of her territory in terms expressing readiness on China's part to take every measure and fulfil every obligation which a responsible Government could agree to—undertakings in Manchuria to maintain order and enter into direct negotiations, if only the Japanese would withdraw; undertakings at Shanghai to withdraw her own soldiers from the surrounding territory, if the Japanese would first completely evacuate? And yet, neither in Manchuria nor in Shanghai were there any indications that the performance could match the promise. The obvious fact was that performance was impossible to guarantee, even with the utmost sincerity and goodwill at Nanking.

The process by which serious friction or war between responsible and well ordered governments is avoided does not depend upon the absence of irritations and grievances. It is made possible partly by a conciliatory disposition on both sides, but chiefly by the fact that rational discussion and negotiation are possible at the initial stages of friction, with confidence on both sides that, if honest and apparently irreconcilable differences persist, resort to impartial methods of settlement will be possible and its terms accepted. It is easy to see, however, that the possibility of establishing contact between the parties at the initial stages of trouble is of vital importance if peaceful relations are to be maintained. Without such contact small grievances grow into large ones and accumulate to a formidable bulk with the passage of time. Every encouragement is thus given to irresponsible parties to retaliate against intolerable

abuses. This has been Japan's experience with China for many years and especially during the past two years. To say this is not to imply that the grievances are all on one side. As breeders of international strife unsatisfied complaints are mischievous, not because either side is all right or all wrong, but because there is no means of handling and disposing of them.

Expression of Sovereign Power in Japan.

The definition and the location of the sovereign power in Japan has been a hardly less disturbing factor in the situation, although it has come into prominence rather in the precipitation of the conflict last September and in the subsequent handling of it by Japan up to the present time than in connection with the fundamental merits of Japan's case. This factor may be described as a division or ambiguity of responsibility as between the parliamentary Government represented by the Cabinet, and the military and naval authority who regard their responsibility as being directly to the Throne, though dependent upon parliamentary grants of money. Apart, however, from the real if not nominal independence of the army and navy and their consequent ability to commit the Government through a *fait accompli*, there is also the factor of discretionary power vested in a military commander in the field to act in an emergency to protect his forces and the nationals for whose safety he is responsible from an immediate attack, or danger of attack, from opposing forces. It is my opinion that the military action taken by the Japanese on September 18 was actually the use, or abuse, of the discretionary power to which I have just referred. The action once taken, how-

ever, was backed up by the highest military authorities, while the civil authorities, taken unawares by the whole proceeding, were forced to make the best of it. They did so by minimizing the scope and importance of the outbreak and by giving to the other Powers assurances of Japanese self-restraint which they were subsequently unable to make good, owing to the emergence of the military part of the Government as sole masters of the situation. There is no reason to doubt the good faith in which these assurances were given by the civil government; and it is easy to imagine the embarrassment and chagrin which it suffered when they were belied by events. Inasmuch, however, as the Foreign Office remained as the channel of communication with the outside world, an attempt had to be made to rationalize the whole procedure after the event—a process which was facilitated by the normal growth of the war spirit to the point where national unanimity was virtually attained, at least so far as the feeling of the people was articulate. We are all too familiar with the development of nationalistic spirit and war fever in the Great War to require any explanation of the steps by which the Japanese people have come to the point of presenting a practically united front not only against China but also against criticism from abroad. The conflict or ambiguity of authority in Japan has also been masked to some extent by the retirement of the Minseito party in December, its replacement by the Seiyukai party, and the Cabinet changes which have taken place recently, all of which reflect a greater harmony, if not a real unity, of authority; but the latent disunity remains as a grave constitutional defect which I believe the Japanese peo-

ple would like to see changed by the same process as that which established the Constitution, namely, by the free and complete delegation by the Throne of the responsibilities of national defence to a government wholly and unequivocally responsible to Parliament, even if this change should reflect for the time being a less liberal and a more aggressive policy.

Incomplete Sovereignty in China—Equivocal Authority in Japan.

It is evident, however, that the foregoing observations affecting the definition of Japanese sovereignty refer to something quite different from those referring to a lack of complete sovereignty in China. The equivocal location of authority in Japan does not imply the lack of real authority; it merely explains in large measure certain inconsistencies between official pronouncements and events that have transpired, especially during the earlier part of the past six months. If there have at times been similar inconsistencies in connection with the development of the fighting at Shanghai from a small scale to a large one, it is to be accounted for rather by the local military control, and the exigencies of the situation in the field than by a conflict of authority in Tokyo.

Japan's Vital Interests.

The next feature of the background to which I should like to call your attention is that of Japan's so-called vital interests in Manchuria. By these I refer not so much to the specific provisions of treaties and agreements on which Japan's rights in Manchuria are based; I refer rather to the un-

derlying interests of food, trade and industrial development which from the Japanese point of view are vital to the welfare, if not to the very existence, of Japan as an independent nation. These underlying interests explain why it is that Japan insists on the validity of her treaties and agreements with China. Japan's population has been increasing at the rate of nearly a million a year, and unless something happens to retard this rate of growth, relief must come either by emigration or by much more extensive industrial development as the basis of a foreign trade enabling her to import the necessities of life. Both Japanese and foreign economists agree that even if unrestricted opportunities for emigration were open, they would hardly take care of more than ten per cent of the annual increment of population. This percentage would undoubtedly be much larger if Korea and Manchuria were available as fields of extensive colonization; but as a matter of fact, the Japanese will not go in significant numbers to the mainland, partly because of the rigor of the climate, and partly because the much lower standard of living of the Koreans and Chinese makes it practically impossible for Japanese farmers and petty tradesmen to compete with the native population. A dependable source of agricultural and mineral products and expanding trade therefore offer the only way of providing a living for a rapidly growing population. It is possible, indeed not unlikely, that owing to the rise in the standard of living Japan will before long experience a tendency toward a greatly reduced rate of increase in population, if not indeed a stationary position in this regard. But this is more a matter of prophecy than of reality, and it does not modify the univer-

sal belief of the Japanese people that Manchuria as a source of food and raw materials and as a field for industrial and commercial development is an absolute necessity to the country. They urge this, however, not as an excuse for conquest, which they consistently disavow as a motive, but as a reasonable ground for demanding from those who actually govern Manchuria cooperation in these reasonable objectives of national policy, rather than constant obstruction and frustration of that policy.

The Strategic Factor.

Closely identified with Japan's economic interest in Manchuria is her strategic interest in that area as a possible base of military operations hostile to the independence and survival of Japan. The Japanese people will never forget what it cost them in blood and treasure to resist the Russian menace of 1904-05. To them that menace is not an academic theory such as General Staffs and War Colleges like to play with as an intellectual discipline for military experts. It is a living terror made only more real after the Russo-Japanese War by the discovery that their country was then so nearly at the end of its resources. Manchuria cannot be allowed either to harbor a hostile Power or to be in a state of anarchy such as to invite infringement of its territory by such a Power. This is perhaps the most striking example in the world today of a realistic factor which the formal mechanisms for the preservation of peace have got to take into account. The subordination of law to public opinion and feeling, of which examples are not wanting in other fields of legislation, is never more clear or imperative than where the literal

application of international law and treaties is thought, whether rightly or wrongly, to be incompatible with the natural law of self-preservation. Whether this is a justifiable attitude or not, it is a real one and has to be taken into account as part of the objective background of Sino-Japanese relations.

Manchuria in September, 1931.

With these facts and considerations before us, let us turn to the situation in Manchuria in September, 1931. Japan was in possession of the leased territory of Kwantung at the lower end of the Liaotung Peninsula, where the South Manchurian Railway had its terminus at the Port of Dairen. It was also in possession of the railway zone comprising a narrow strip of land on either side of the roadbed extending north through Mukden to Changchung and southeast from Mukden to Antung at the Korean border. At the main railway centers the zone was expanded to include a larger area to accommodate terminals, warehouses and various facilities incidental to the operation of the railway. Within the leased territory and the zone Japan exercised complete jurisdiction except in regard to maritime customs and the salt revenue which remained within Chinese control; outside the zone Japanese and other foreigners enjoyed the rights of extraterritoriality as in other parts of China. In all other respects the vast territory of Manchuria was under Chinese control with a provincial governor in each of the Three Eastern Provinces, but with Chang Hsiao Liang, the Young Marshal, as acknowledged overlord of the whole territory. His title of Vice-Commander-in-Chief of the National Army was the sym-

bol of his allegiance to the Government in Nanking. While Manchuria had enjoyed under the Young Marshal and his father, Chang Tso Lin, a greater degree of security and order than any other part of China, banditry was rife, and what was perhaps even worse, an army of 300,000 soldiers constituted a heavy and needless burden on the resources of the country—a force probably twenty times as large as a well disciplined constabulary competent to preserve order would have to be. The exactions from the people to maintain an army of 300,000 men and the expenses of the Young Marshal's court constituted an intolerable burden on the people. These exactions took the forms not only of oppressive taxation, but also of successive debasements of the currency, a method of confiscation as cruel as it was effective.

Japan's Failure to Consult Other Powers.

This state of affairs was of concern to Japan, as it would be to any foreign Power, only to the extent that it infringed or endangered its rights and interests. That it did so, and that every possibility of relief through direct negotiation or by an amelioration of conditions had been exhausted, is the basis for Japan's claim that her actions throughout the campaign have been purely defensive. Particular incidents precipitating the conflict are of little importance as compared with the fundamental conditions I have described. From the point of view of the rest of the world, however, and especially from that of Japan's friends, it was unfortunate that defensive measures so clearly taking the form of an aggressive infringement of Chinese territory should not have been preceded by consultation with the League of Nations and

with the leading Powers parties to the Pact of Paris and the Nine-Power Treaty, so that Japan would not have acted as the sole judge of a procedure which, at least *prima facie*, was incompatible with treaties the sanctity of which was a common interest of all the Powers. There is not a particle of doubt in my opinion that such consultation would have preceded military measures, had the action of the Government not been forestalled by the steps taken by the army in Manchuria—steps rather unconvincingly justified by the plea of emergency.

Annexation Not Desired by Japan.

There is no reason, in my opinion, for refusing to accept at its face value the repeated declaration of the Japanese that they never have aimed and do not now aim at the political annexation of Manchuria. Japan has no desire to assume the responsibilities involved in the government of a country consisting of nearly 30,000,000 Chinese. What she wants is a government of and by Chinese with whom she can cooperate on the basis of the treaties in the future economic development of the country. The first step in this direction was the improvization of local governing committees of Chinese, employing police of their own nationality; the second step was the organization of a central government of the territory under a Manchurian chief. There is no denying that both local and territorial governments were set up by Japanese and are still largely under Japanese control. In this sense they are puppet governments. But if Japanese hopes are realized of their actually developing peace and security to a degree not hitherto experienced, and if this position can be

safeguarded by an eventual relationship not unlike that between the United States and Cuba, the puppet government may be expected to become a real one under which the interests of both Japanese and Chinese will be secure.

The Boycott in China.

Something approaching an acquiescence on the part of foreign opinion in such a process was becoming more and more evident when the crisis in Shanghai was created by the Japanese naval demonstration backing a demand upon the local Chinese authorities that the organization responsible for the anti-Japanese agitation and boycott should be dissolved. A good deal of humor has been displayed over the alleged naiveté of the Japanese in supposing that they could win Chinese customers at the point of a bayonet. But this is not quite an adequate description of what they were trying to do. The anti-Japanese boycott had been going on a long time when the Japanese occupation of Manchuria brought it to a pitch of intensity and severity never before witnessed in that land of boycotts. It went much further than mere abstention from buying Japanese goods. All intercourse with Japanese was forbidden by the so-called National Salvation and Anti-Japanese Association. Chinese employees were withdrawn from Japanese banks, firms and individuals. Chinese merchants in possession of Japanese goods were intimidated, squeezed, and imprisoned, and goods were confiscated, all by utterly lawless organizations. A "racket" of no small proportions developed through the sale of confiscated goods. It is true that the Chinese people were swept by a wave of anti-Japanese feeling that made the boy-

cott at first almost wholly spontaneous; but its effectiveness and duration were largely due to the lawless activities of the organization. Foreign merchants in Shanghai last October stated that nothing approaching the intensity or effectiveness of this boycott had ever been seen before; and the Japanese merchants of Shanghai, usually to be found in opposition to any avoidable disturbance of international relations likely to hamper trade, asserted that so far as their business was concerned, war could be no worse and they were therefore for the first time in favor of the most drastic action necessary to bring China to terms.

What Happened in Shanghai.

When the first demonstration of force was made at Shanghai, but before the fighting began, it was undoubtedly the belief of the Japanese that a show of force would be sufficient to bring compliance with their demands for the suppression of the disorder and violence to which many of the 26,000 Japanese residents were exposed, and for the dissolution of the boycott organization. These were reasonable demands if one could dissociate the situation in Shanghai from the continued violation of Chinese territory in Manchuria, but it was too much to expect that dissociation in the minds of the Chinese. When the Chinese mayor made a verbal compliance with the Japanese demands, he doubtless thought it wise to do so and meant what he said. He reckoned, however, without his inflamed fellow-citizens and the large number of Chinese troops in and about the city. The evidence that trouble was brewing was so plain that the Municipal Council of the International Settlement declared a state of emergency to exist, and that

declaration automatically placed the defensive forces of the Settlement—British soldiers, American and Japanese marines, and the Volunteer Corps—at their stations along the borders of the Settlement. It is important to note that whatever may have been the blame attaching to the Japanese by reason of their first demonstration of force, their marines up to this point acted not as members of an invading force, but in cooperation with the other defenders of the Settlement. The Japanese sector was on the borders of Chapei, where 6,000 Japanese men, women, and children were living outside the Settlement. What happened next is not quite clear, but apparently the appearance of the Japanese marines was the signal for a fusillade from Chinese soldiers and snipers, later reinforced by artillery fire from armored trains in the North Station. Whether the Japanese marines were fired upon before or after they crossed the boundary line, it would be ridiculous to suppose that their action was anything but defensive. They had their own 6,000 civilians to protect and their action, whether wise or not, requires no other explanation; for the force of bluejackets was far too small to have attempted a seizure of the city. As subsequent events proved, a force ten times as large would hardly have sufficed for such a purpose.

Before condemning the Japanese for the ruthlessness of their action in Shanghai, it is well to understand what happened at the outset. What happened subsequently was that the small defensive force and the civilians under their protection were in imminent danger of massacre by overwhelming numbers. This explains the initial

bombing by airplanes in the vicinity of the North Station, a terrible procedure which however did not exceed in terror the situation it was intended to relieve. From that time on, nothing that happened can be ascribed to any prearranged plan. Hell had broken loose with both sides fighting desperately to hold their ground, and the tinder which had been lit by a few rifle shots grew into a conflagration which, through the weeks that ensued, became a major military operation demanding constant reinforcements on both sides, until finally a force of nearly 50,000 Japanese succeeded in driving the larger Chinese army back a dozen miles away from the city.

A Tragic Blunder.

The Japanese failure to anticipate the consequences of their first demonstration of force was of course from every point of view a tragic blunder causing the loss of thousands of Japanese and Chinese lives, the dispossession of hundreds of thousands of civilians, and the destruction of their homes and places of business. The safety of the International Settlement was also gravely compromised. The Chinese were certainly no more disposed toward friendship with the Japanese, and the expenses involved on the Japanese side were a terrible burden on an already crippled budget. All this was surely a ghastly demonstration of the futility of war. Yet when one considers the steps leading insidiously to the ultimate result, one sees that the fault lay in the rash appeal to force, rather than in any design on the part of the Japanese to bring about what actually occurred. But that again is the normal outcome of war.

The International Settlement.

The whole episode at Shanghai has greatly increased the difficulties growing out of the abnormal status of the International Settlement which is actually something very much like a little international republic on Chinese soil with a constitution consisting of treaties and Land Regulations going back beyond the middle of the last century. It has a Municipal Assembly elected by foreign and Chinese ratepayers in which the British and the Chinese each have five representatives, the Americans two, and the Japanese two. It performs all the functions of a municipal government, performs them well, and provides in the Settlement an island of comparative security for about 65,000 foreigners and 900,000 Chinese. The relative stability of this island of security has made it possible for Shanghai to become one of the greatest ports and markets in the world and an entrepôt for all the trade of the Yangtse valley. While the armed defence of the Settlement has been proved on several occasions to be a necessity, it has never before been used as a base for anything but defensive measures. When, in 1927, at the time of the anti-British boycott, there was a gathering of Chinese forces in the neighborhood, an emergency was declared to exist, and the defence forces were stationed at the boundaries, just as they were stationed at the end of last January. The British also brought 15,000 troops to Shanghai for purposes of reinforcement, but while doing so Sir Austen Chamberlain notified the League of Nations of what was being done and explained that the object was purely the defence of British nationals. That explanation was apparently ac-

ceptable. The Japanese have endeavored to base their recent action on the same ground of necessary defence for their nationals, who vastly outnumber the British and were undoubtedly in greater peril, owing to the exposed position of 6,000 civilians in Chapei outside the Settlement. The action of the Japanese, however, was more open to the suspicion and fear of the Chinese that an extensive invasion was premeditated, although the relatively small number of bluejackets at first employed makes it reasonable to suppose that the Japanese had thought a mere demonstration of force would be adequate. Here was the fundamental error of judgment which the past experience of the Settlement and a better appraisal of the moral and military resources of the Chinese should probably have enabled them to avoid.

The Official American Attitude: Protection of American Interests.

The official American attitude toward the whole Sino-Chinese episode of 1931-32 has been governed by two considerations: the protection of American nationals and American interests; and secondly, as part of the latter, the fulfilment of international obligations to which the United States is a party. The United States Government has not conceived it to be its duty to pass judgment on the underlying rights and wrongs of the situation, or to do anything that could be interpreted as taking sides or intervening in the conflict. That the suspension of diplomatic relations with Japan, an embargo on trade, or the prohibition of all intercourse on the part of its nationals would be taking sides, there can be no doubt; and nothing that has emanated from Washington

would justify the inference that any of these measures are contemplated. The overwhelming weight of public opinion as expressed by the press and the business community also seems to be opposed to them.

Economic Measures Equivalent to War.

On the other hand, a considerable section of American opinion, led by men of the highest character and influence, has evidently regarded it as the duty of the American Government to be prepared for joint action with the League in applying against Japan the coercive measures of Article XVI of the Covenant. Another section of American opinion is conducting an agitation in favor of individual abstention from the purchase of Japanese commodities. Both movements are alike in regarding the use of economic sanctions as something less than an appeal to force, as distinguished from pacific measures such as would be consistent with the letter, if not the spirit, of the Pact of Paris. It is a curious phenomenon that the most vehement supporters of economic pressure are to be found in the ranks of the pacifists and of those who in general have been the strongest advocates of the substitution of reason and conciliation for the resort to force. In this respect they have shown themselves far less conservative and conciliatory than those who doubt whether armed force can yet be eliminated as an instrument of national policy. I believe them to be guilty of a deplorable inconsistency, and the inconsistency becomes the more glaring if one considers two grave implications of the kind of intervention they so casually and lightly propose. The first is that the suspension of trade, in the

volume that now goes on between the United States and Japan, would have many of the consequences of war—consequences which all of us regard as the most terrible—namely, the suffering of millions of non-combatants who have had no part in the fighting and no part in determining the policies leading to war. It is ridiculous to suppose that such suffering is limited to the pocket-books of a few capitalists: it means incalculable hardship and widespread starvation among the masses, whose economic reserves are already at a low point. The second implication of economic sanctions is that they would inevitably be taken, and quite naturally taken, as hostile acts justifying resistance. If this be true, economic sanctions, however sanctified by inclusion in Article XVI of the Covenant, would be very hard to reconcile with the pacific measures dictated by the Pact of Paris as the exclusive instruments of national policy. The very agitation in favor of embargoes and boycotts has made the identical impression in Japan that would be made by the advocacy of war, and it is rapidly filling a reservoir of national antipathies which are the worst fruits of war. If American interests or the sanctity of peace treaties require protection by war, then let us have economic sanctions by all means, and let war come, but let us avoid the hypocrisy of pretending that we are employing the harmless instrumentalities of peace.

A Premature American Commitment.

In only two points do I find fault with the attitude of our Secretary of State, who it seems to me has otherwise admirably and courageously defined the limits of American concern with the Sino-

Japanese situation. The first is his statement that the United States will not recognize any arrangements arrived at as a consequence of a breach of the Pact. A complete *reservation* of the American right to recognize or not to recognize such arrangements should have been the limit of that declaration. The United States should always remain free to determine its attitude toward a *de facto* situation in accordance with all the circumstances and interests involved at any given time, present or future. The second fault which I have to find with the Secretary of State is the implication of his letter to Senator Borah that just because the Nine-Power Treaty was entered into in plain view of China's chaotic condition and in order to protect her integrity by abstaining from any interference with it during her efforts toward internal order, there could be no limit to the patience and self-restraint imposed upon an aggrieved neighbor, and no limit to the amount of injury to be suffered by that neighbor without retaliation. Mr. Stimson's doctrine of indefinite patience is indefensible in principle, however open to examination may be Japan's own construction of the amount and duration of her grievances.

Adequacy of Peace Machinery.

A final word as to the adequacy of the machinery of peace. I am a firm believer in the Covenant of the League of Nations and the Pact of Paris as important steps toward the abolition of war. It would be fatuous to maintain or to expect that they would be adequate to meet every strain that could be put upon them. Experience has shown that the heaviest strain is produced by a conflict in which one party is conscious of intol-

erable wrongs and injuries, while the other party is in such a continuing state of disorder that no authority competent or willing to discuss grievances or to enter into responsible undertakings can be found. The machinery of peace does not necessarily contemplate two equal parties; on the contrary, the defence of the weak against the strong is one of its main objects. On the other hand, it does contemplate two parties who can talk to each other and to other parties disposed to offer mediation, and who can say authoritatively what they will and what they will not do. It is not enough that spokesmen should be found to give verbal assurances of what China, in the present instance, will do, or that she will be amenable to all the obligations imposed by treaties and the law of nations. There must be reliable evidence that they speak with full competence and authority. This evidence as I have before indicated has been conspicuously wanting.

Alternative Measures.

If the existing machinery of peace is inadequate, I do not see the slightest excuse for abandoning faith in it, but rather the strongest reasons for using it to the extent of its competence and for studying its defects with a view to remedying them. At the moment, I see only two alternatives: the first is cooperative intervention by foreign Powers, preferably through the League. But this would involve the use of an international force in place of a resort to force by the aggrieved party. World opinion has obviously not arrived at the point where it is ready to organize or use an international force. The second alternative would seem to be direct action by the

aggrieved state, such action to be taken, not in complete disregard of the League or the treaties, but under the sponsorship of the League and with accountability to it: in other words, a sort of mandate of the League, but a mandate sanctioning self-defense and the restoration of order in the region affected, with explicit disavowal of the intention to use the mandate as a pretext for territorial expansion or permanent violation of sovereignty. The League itself should remain the judge as to the limits of such action and be a party to any permanent adjustment.

Conclusion.

To sum up, the imperfections of China's sovereignty are the fundamental cause of her difficulties with Japan, as with other countries. Japan's handling of her grievances against China has been seriously compromised by the emergence of the military authority and by its rather typical disregard of the civil government and of international obligations when in conflict with its own view of military necessity. The attitude of the United States in limiting its concern to the protection of American nationals and interests has been wise, but the Department of State has gone too far in saying it would not recognize any arrangement arrived at through a breach of the Pact of Paris. A *reservation* of the American position in this regard would have been sufficient. The Department also erred in implying that the Nine-Power Treaty engaged its signatories to an *indefinite* tolerance of the duration or amount of grievances occasioned by China's lack of effective sovereignty. The existing machinery of peace seems inadequate to deal with a dispute between two Powers one of

which is lacking in effective authority and responsibility. The alternatives must be either international intervention through the League or direct action by the aggrieved State but under the sponsorship of the League and with accountability to it.

