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THE JAPANESE PEACE CONFERENCE

An address by the Minister of Fisheries, Mr. R.W. Mayhew made to the United Nations Association, at Toronto, on October 2, 1951.

The San Francisco Conference which concluded on September 8 was the culmination of a year of intensive negotiations with respect to the Japanese Peace Treaty. It was, as one delegate at the Conference said, an unusual conference indeed, and it was an unusual treaty which this unusual conference met to sign. Efforts to reach agreement on the terms of the Japanese Peace Treaty among the war-time allies extended over four of the six years since the acceptance by Japan of the terms of surrender in 1945. A new drive and determination in the conduct of negotiations became evident last autumn. On September 14, 1950, President Truman revealed in a press conference in Washington, that he had authorized the Department of State to initiate informal discussions with governments represented on the Far Eastern Commission on a procedure which might succeed where past efforts had failed, in reaching agreement on the terms of the Japanese Peace Treaty.

As early as July 1947, the United States had proposed the convening of a conference of the eleven member-states of the Far Eastern Commission to draft the peace treaty for Japan. In September of the same year, Commonwealth representatives met at Canberra to exchange views on the subject. These attempts to get on with a Japanese treaty were frustrated by the insistence of the U.S.S.R. that the peace treaty must be drafted by the Council of Foreign Ministers. This procedure would have provided the U.S.S.R. with the veto power. It would, in addition, have denied to many nations with undeniable interests in the peace settlement the opportunity to influence the final terms of the treaty. In January of 1950, the treaty was discussed at the Colombo Meeting of Commonwealth Foreign Ministers. As a result of agreement reached at Colombo, a Working Party of Commonwealth officials met under the direction of Commonwealth High Commissioners in London from May 1 to May 17. An opportunity was provided at the meeting for a free exchange of view at the official level. The subject was discussed again at the Conference of Commonwealth Prime Ministers in January of 1951.

On January 11, 1951, Mr. Truman announced that Mr. John Foster Dulles would head a presidential mission to Japan, and to other interested countries, to discuss "the means of making further progress towards a peace settlement". Mr. Dulles had been actively engaged in presenting the views of the United States Government to other interested governments since Mr. Truman's authorization was given in September of 1950.

Mr. Dulles embarked on a six-week trip to Japan, Australia, New Zealand and the Philippines, in the course of which an opportunity was provided for a useful exchange of views with allied and Japanese leaders alike, on the terms of a treaty which would have some hope of acceptance. Canadian officials were in constant touch with the Department of State during this period and were kept fully informed of the progress being made in the negotiations.

In March of this year a tentative United States draft of a peace treaty for Japan was given to the Canadian Government. It was the first of a series of drafts upon which the views of interested governments were exchanged. It is important to note that succeeding drafts were given to the Soviet Union and that on a number of occasions Mr. Dulles met Mr. Malik to discuss these drafts. Although spokesmen for the U.S.S.R. have denied that any exchange of views took place, Mr. Dulles countered this denial at San Francisco, pointing out that the two Governments had exchanged ten memoranda and drafts. A near final draft, sponsored jointly by the United States and United Kingdom Governments, was given on July 3 to the group of governments, including Canada, which were considered to have a special concern in the treaty. Further revisions were made in the draft text as a result of the comments of interested governments and the final text was circulated on August 13. The United States Government, on July 21, issued a formal invitation to all Governments which were at war with Japan to participate in "a conference for conclusion and signature of a treaty of peace with Japan". In the invitation the text to be circulated on August 13 was described as a "final text".

The treaty therefore was negotiated by diplomatic rather than conference methods. It was to be signed at San Francisco, not renegotiated as the Communist Delegations attempted to do. They failed to muster any support in their attempts because non-Communist Delegations were well aware that it was the obstructive, delaying tactics of Communist Governments which had made necessary the negotiation of the treaty through diplomatic channels.

The unusual nature of the Conference, therefore, is evident but what is so unusual about the treaty? Examination of the terms of the treaty will convince any reasonable person that reconciliation and not revenge is its main goal. It is a generous treaty restoring Japan's sovereignty and placing no restrictions on her economy or on her ability to defend herself. The Allied Powers recognize in the treaty that Japan should in principle pay reparations for the devastation and suffering she caused during the war. However, they recognize in addition that Japan lacks the physical capacity to recompense her war-time victims if at the same time she is to achieve a viable economy and contribute to the economic health of the Pacific area. No one can guarantee that the "peace of reconciliation" will succeed. However, experience has shown that harsh and restrictive treaties have within them the seeds of their own destruction.

The Canadian Government's preference for the type of treaty that was signed this month is not a recent preference. In an address to the House of Commons on February 22, 1950, the Secretary of State for External Affairs expressed the hope that "at least one major problem may soon be erased from our slate of problems in the Pacific". He went on:

"I am now more impressed than ever with the need for seizing every opportunity that might lead to a satisfactory early settlement with Japan... it is clear that the Japanese have fulfilled pretty well the requirements that have been imposed upon them by the occupation and it seems to me that from here on we must give them some incentive to maintain and strengthen the democratic way of life and to wish to maintain close and friendly relations with the Western world. I suggest our security lies in this as much as in keeping them disarmed... Perhaps this prolonged occupation period will have served a purpose in enabling us to acquire a better perspective on the type of peace treaty we should make with Japan, which will, we hope, be a lasting one; one that should be realistic but not one that would be bitterly opposed as unjust by the Japanese people. We know the damage to peace and security that such a punitive peace treaty can cause."

I have devoted considerable time to filling in the background to the San Francisco meeting because that background is important. I think it is important that you realize that the meeting was the last act of a long series of acts which had gradually brought agreement on the terms of the Japanese Treaty. Months of discussion at San Francisco would not have made the treaty a better one. There comes a time in negotiations between sovereign states when a maximum agreement is reached. It may not be, in fact it is not likely to be, one hundred percent agreement but it is the best which can be achieved. It is then that action must be taken on the subject under consideration if action is ever to be taken. As I listened to each of the delegates at San Francisco I was impressed with the desire of all (but those representing Communist regimes) to get on with action for peace. The time for talking of peace had passed. Adequate opportunities for discussion of the terms of the treaty had been given over the period of a year to the countries represented. It was heartening to be at the meeting and to see an overwhelming number of nations of the free world support that action for peace and ignore the threats of the Soviet delegate.

The Conference met in the San Francisco Opera House where six years before, in the flush of victory, the war-time Allies brought the United Nations into being. It played to a full house, and yet the delegates were aware of regrettable absences. Neither India nor Burma had accepted the invitation to the Conference. Each had exercised its sovereign right to disagree, an action which in itself gave the lie to Communist charges that this was a rigged conference of the type they are such experts in arranging. It is interesting to note however, as one delegate did, that these two countries, India and Burma, gave opposite reasons for their non-attendance. In the one case it was based on the belief that the treaty was too restrictive and in the other on the belief that the treaty was too liberal in its terms. The sponsors of the treaty claimed only that much for the treaty -- that it followed the middle way.

One other regrettable absence was that of China. On this point all delegates were agreed. The part played by the Chinese people in resisting Japanese aggression as early as 1937 was publicly recognized in the statements of the majority of the delegates. However, the governments at war with Japan had not been able to agree among themselves as

to which Government of China possessed the lawful and practical authority to commit the whole Chinese nation to permanent engagement. It seemed unfair therefore to penalize Japan with continued occupation because of the lack of agreement among the Allies on the credentials of one or other of the two Chinese Governments. It seemed reasonable that Japan should be allowed to determine its own future relations with China and the treaty was framed so as not to prejudice the exercise of that sovereignty which the treaty restores to Japan. In framing the treaty, every effort was made to safeguard the interests of the Chinese people, even though no government signed it on their behalf. The Secretary of State for External Affairs in his statement to the Conference expressed sincere regret at the absence from the Conference of any delegation from China. He continued:

"The Peking Government, however, must bear the blame for this absence. Had that regime not participated in the aggression already committed by the Communist forces of North Korea; had it lent its efforts to discouraging rather than extending that aggression, it might have spoken for China at this conference. But the Peking Government must realize that just as it cannot shoot its way into the United Nations, neither can it force its way either by violent acts or threats into a conference which has as its prime purpose the making of peace with Japan."

I have spoken of those who were not present at San Francisco. Let me turn now to those who were there. It was natural that special attention should be given at the Conference to the words of the representatives of the Asian States who must for ever live close to Japan. Ceylon, Indonesia, Pakistan, the Philippines and the Indo-Chinese States were represented at San Francisco. It is probably fair to say that they were thorns in the flesh of the Russian propaganda campaign attempted there. The U.S.S.R. set out to pose as the spokesmen of Asia against the machinations of the "imperialist powers" of the West. This attempt failed in the face of the public support given to the treaty by the delegates of the countries I have just mentioned. The representative of Ceylon was particularly effective in this regard. In his statement to the Conference he said:

"It is true that I can speak only on behalf of my Government but I claim that I can voice the sentiment of the peoples of Asia in their general attitude towards the future of Japan... The main idea that animated the Asian countries, Ceylon, India and Pakistan, in their attitude to Japan was that Japan should be free. I claim this treaty embodies that idea in its entirety... It is interesting to note that the amendments of the Soviet Union seek to ensure to the people of Japan the fundamental freedoms of expression, of press and publication, of religious worship, of political opinion and of public meeting - freedoms which the people of the Soviet Union themselves would dearly love to possess and enjoy."

Mr. Carlos P. Romulo, the Secretary of Foreign Affairs of the Philippine Government, registered the dissatisfaction of his Government with certain details of the treaty. He pointed out that the Philippines in proportion to area and population had been the most devastated of all countries in Asia as a result of Japanese aggression. He added:

"This treaty is not wholly acceptable to the Philippine Government. However, having regard for the demonstrated difficulty of securing a generally acceptable treaty by the traditional methods of negotiation, we shall not stand in the way of this agreement nor prejudice the outcome of a major political settlement which bears directly on the peace and security of Asia."

The representative of the Government of Indonesia also indicated the reservations which his Government had with respect to the reparations clauses of the treaty. He pointed out that only after careful study of the underlying principles of the treaty had his Government decided to send a delegation to San Francisco:

"This decision", he said, "was made not because we agree on all the provisions of the treaty but because we see this Conference as an effort to bring peace to the world generally and to the Pacific region particularly... Peace should be built at the level of understanding between individuals and between nations, and my delegation hopes that from this conference will yet emerge an instrument that will serve as a basis for peace which will be to the advantage of both the peoples who suffered most from the tragic mistakes into which the people of Japan were led, as well as the people of Japan themselves with whom we are ready to share the responsibilities of facing the challenge of our troubled times."

Sir Zafrullah Khan, the Minister of Foreign Affairs of the Government of Pakistan spoke not only as an Asian representative but as a representative of the Moslem world. His text was taken from the words of the Prophet: "Repel that which is evil with that which is best and behold; he between whom and thyself there was enmity has become thy warm friend." He argued that the treaty before the Conference was a treaty which was the practical embodiment of this ideal. It was, in his words, not a perfect treaty;

"Abstract perfection would be impossible to achieve - but, as has been said, it is a good treaty. It is the product of over eleven months' free consultation and negotiation between the Allied nations. It represents the largest common measure of agreement among those nations. In accord with the new spirit, the peace it offers is a peace of justice and reconciliation, not of vengeance and oppression."

I have quoted at some length from the statements made to the Conference by the Asian delegates because they augur well for the success of the experiment in the area in which its effect will be of overriding importance. These delegates were not alone however, in supporting the treaty. There was a general recognition among the non-Communist delegates that a gamble was involved in this peace of reconciliation. A number of delegates said that while their countries supported the broad principles of the treaty they would have preferred certain changes in some of the clauses. Yet, it was apparent that each nation had voluntarily subordinated some special interest so that a broad base of unity could be achieved. There was general recognition also that Japan must be allowed the right to protect itself - that prohibition of any Japanese rearmament in an area where armed aggression against the integrity of

a state had so recently been committed was unrealistic. The words of Mr. Schuman, the French Foreign Minister, were symbolic of the general spirit evident among the non-Communist delegates at San Francisco. He said:

"We have seen the rigid controls and restrictions which various treaties have imposed on the vanquished in the past. This method has failed completely. The Allies, weary and disunited, soon relaxed the prohibitions which were first evaded and finally contemptuously and arrogantly flouted. All that survived was a deep-seated rancour in the vanquished loss of prestige for the victors, and finally a new danger of war... What good is it, actually, to sign peace treaties if we permit to be established in the minds of men the belief that war has become inevitable, inevitable because our governments wish or accept it? It is our duty not only to make known our desire for peace but to create belief in this desire, to convince all men of good faith within our countries and outside our frontiers that we place peace above all selfish national considerations as well as above special interests and our ideological preferences... France is thus acceding and signing the treaty proposed to us because it conforms with these principles. She is however aware of certain imperfections as well as risks which it implies. We are constantly forced to choose between risks; we choose those which appear to us to be the least serious and most reasonable ones."

There were present at San Francisco other delegates who not only were not satisfied with the treaty, but who were not prepared to compromise on a single point in the interests of unity. Mr. Gromyko represented the U.S.S.R. and this unbending resolve to have no compromise. His arguments were repeated by the representatives of Poland and Czechoslovakia. The Soviet representative maintained at San Francisco the procedural stand which for four years prevented the summoning of a peace conference - that is, preparation of the treaty by the Council of Foreign Ministers, on which the Soviet Union would have the veto power. This procedure would have ensured a treaty acceptable in all its terms to the U.S.S.R. or there would have been no treaty. Aside from ignoring the just claims of countries which had suffered under Japanese aggression and which had contributed men and material to the defeat of that aggression for equal representation in the preparation of the treaty, this procedure would probably have left Japan without a treaty just as Austria has been left without a treaty.

The Soviet representative presented a number of substantive objections to the treaty as well. He stated bluntly both at sessions of the Conference and in a press conference which he held on the day of the signature of the treaty: "The American-British draft is not a treaty of peace but a treaty for the preparation of a new war in the Far East". This, of course, may be the Russian view. Forty-eight sovereign nations said it was a treaty of peace. Mr. John Foster Dulles, as chief architect of the treaty, and a man to whom I wish to pay my respects for his months of arduous and exacting work, - speaking for the United States Government, did not treat this charge lightly. On the closing evening of the Conference, he said:

"In answer to all the insinuations and accusations that have been made on behalf of Soviet countries here,

I say publicly, with all the force and the solemnity and the authority of which I am capable, that out of this peace there will never be an act by the United States which will turn it into war."

I believe no stronger words of peaceful intentions could be uttered.

I have tried in these few words to give you some mental picture of the San Francisco Conference. There is much that, for reasons of time, I have had to pass over: the physical setting of the conference in one of the world's most beautiful cities, the unstinting hospitality of the city of San Francisco and the State of California, the intense interest of the people of the United States, of whom it is estimated that 12,000,000 saw and heard the proceedings on television, the wide press coverage given to the world by 400 reporters. All these factors contributed to my belief that this was a meeting demonstrating the world-wide desire that action for peace be taken. In my opinion, Japan was set free by the signing of this treaty to pursue her peaceful destiny in Asia, for it is in Asia that she must live. We can only hope that she will be inspired by the ideals on which the treaty is founded, and that her actions will contribute to the peace and stability of Asia. I think I can not do better, in concluding my remarks, than to quote the words of my fellow-delegate, Mr. Pearson, to the Conference:

"We, of the West, would be well-advised not to apply too strictly our own national experience as a yardstick to Japanese progress. Men reach the truth by different paths and they can strive towards a tolerant and peaceful society on widely variant roads. The Japanese have learned from their own bitter experience the tragic folly of aggressive war; that immediate success from military superiority is not victory but only the postponement of overwhelming disaster. It is our hope that some of Japan's continental neighbours will also learn this lesson."

It was a great and unforgettable day in my life and a proud moment to be one of Canada's delegates to sign the Japanese Peace Treaty. A Treaty of reconciliation, a Treaty of trust, giving the Japanese people an opportunity to rise again and take their full place in the community of nations. A new day in the world's history when peace treaties can be made in accordance with fundamental moral principles of the great spiritual teachers and leaders of all nations and all religions. Armaments may prevent a shooting war, but these principles alone can bring goodwill, peace and progress to the world.

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