

(March 9th, 1936)

## Japan and the Far East

BY PROFESSOR NORMAN A. M. MACKENZIE.

COL. JAMES MESS, Acting Chairman: We have a four-fold pleasure in welcoming our guest speaker today. First as plain Norman MacKenzie, second as honorary secretary of our club, third for the subject he has chosen, and fourth because we all know him so well. Professor MacKenzie's life to date has been a most interesting one. His war record was firmly established when he received the Military Medal with bar. As former legal adviser to the International Labor Office at Geneva, and as one of the Canadian representatives at the conference on Pacific relations in Banff, he qualifies as a world figure.

His subject today is "Japan and the Far East," but recognizing the very close relationship between the forces operating in Europe and those at work in Japan, Professor MacKenzie has consented to preface his remarks on Japan with a few words on the European situation today. The news in this morning's papers is somewhat disturbing, and I feel that our guest speaker will at least elucidate some of the points that are disturbing us. We are very glad to have him here, and I offer him a most sincere welcome.

PROFESSOR MACKENZIE:—Mr. Chairman and members of the Canadian Club of Toronto: Quite frankly I feel more like apologizing to you today than anything else. In the first place because, as your chairman has said, I have the honor to be your Honorary Secretary and am charged, with other members of your executive, with the duty of finding interesting speakers. To date I think we have not done badly, but an occasional accident occurs even in the best regulated families, and that is why I am here.

The other reason is that my address arises out of the

recent developments in Tokio, and quite frankly it is extremely difficult for anyone, even in Tokio, to know exactly what is happening there, let alone in Toronto, thousands of miles away. But as I have been a student of that subject I think it might be of interest to discuss what are the events affected by it today.

I propose, therefore, as the chairman has suggested, to begin by discussing briefly the denunciation of the Treaty of Locarno by Germany, and her occupation over the weekend of the demilitarized Rhine zone. The first thing to note is that the Treaty of Versailles and the Locarno Pact have both been broken by Germany; and the second, that by the terms of the Locarno Pact, Great Britain, who is a party to it, is bound by certain obligations. Quite frankly it is rather complicated, legally anyway, in that the Pact links up with the Treaty of Versailles and the Covenant of the League of Nations.

I have noted down one or two provisions of the Pact. The first is that Britain guarantees the observance of articles 42 and 43 of the Treaty of Versailles. These are the two which state definitely that Germany is not to fortify or occupy the demilitarized zone which she has now, in fact, occupied. Article 44 goes on to say that if she does occupy that zone it shall be a hostile act.

Then the Treaty of Locarno goes on to say that if that happens, France may bring the matter before the Council of the League, and that the Locarno Powers shall be notified that this breach of the disarmament section is to be considered by the Council of the League. Then, if the Council comes to the conclusion, as it would seem it must, that there has been a breach of those articles, the Locarno Powers, including Britain, shall be notified, and each of them will go to the assistance of France and Belgium. So that I think it is fair to say that if France and Belgium agree to insist on the legal interpretation of the Treaty of Versailles and the Locarno Pact, Britain is under legal obligation to take action at this moment.

Now it is interesting to note that the Dominions are specifically exempted from the obligations of the Locarno Pact, and that as the occupation of the Rhine cannot be

held to be a resort to war, and therefore a breach of the Covenant of the League of Nations, it seems incorrect to say that Canada is committed to the imposition of sanctions against Germany.

Provision is made, however, for the consideration of the position, which has now arisen, by the League Council, and if the Council devises measures to be taken against Germany, and the League accepts them, then the Canadian Government will have to determine its duty as a member of the League. Further than that, we are British subjects, part of the Empire, and if Britain is involved, we have that relationship to bear in mind when we consider what action may be necessary or that action may demand.

These are the leading features and immediate legal aspects of the situation, as I see them, and now for a few moments I should like to discuss some other aspects of the crisis.

First, it should not be forgotten that the Treaty of Versailles was imposed upon a defeated Germany against her will, and upon a defeated Germany which was expecting, reasonably or unreasonably, to be given better terms.

In the second place it should be remembered that neither the Treaty of Versailles nor the Locarno Pact was signed or agreed to by the present Government of Germany, and while one must admit to a certain suspicion of a Government which comes along with new proposals immediately upon its breach of old promises, one should still remember that the present government may be better able to keep these promises than the promises made under duress by its predecessors.

It is also fair to remember that, although the Treaty of Versailles has been condemned as grossly unfair to Germany, and though the French for the last fifteen years have been condemned because of their attitude toward Germany, that France was invaded by Germany in 1870 and defeated; that she was invaded again by Germany in 1914, and that the bulk of the war was fought on French territory and not on German; that Germany is actually a stronger nation than France; and that France is definitely afraid, and with some measure of reason, of Germany. So that, in criticizing

France, if one does, that probably her doubt and caution have been first occasioned by the refusal of the United States to agree to proposals made by President Wilson along with England, for mutual assistance to France if she were again attacked. I think that the blame for the French attitude, if blame there be, can be traced directly to that fact rather than any other.

The Nazi government itself has been anything but genial or restrained in its treatment of those within its midst who are weaker than itself and opposed to it, notably Jews, pacifists, liberals, socialists and so on. All of these things should be kept in mind when considering the terms Germany is offering as an alternative to the present status of Europe. And I think, too, that offering a 25-year non-aggression pact to the Western countries of Europe, and expressing readiness to return to the League of Nations provided that certain agreements are reached, Germany has not, to date, given any indication or statement of her policy towards Russia.

All this leads one to the conclusion, thinking in terms of the present situation and the policy that can be adopted in regard to it, that Germany, now she is in the Rhineland, is likely to stay there. Her promises must be scrutinized with a great deal of care, but since she has not invaded the territory of any other state and her actions have affected only German citizens, it would be probably the better choice to take Hitler at his word and accept the proposals that he has made, on the understanding that he does not propose to resort to war against Russia or any other Eastern European State. At the same time we should see that there is a defence force adequate to deal with him if he fails to live up to his obligations, and does invade the borders of other states.

Now the connection between these events and the subject of my address—Japan and the Far East—is this, as I understand it. Japan's attitude and actions toward China and Russia will be determined in the near future by the situation in Europe, and by what Germany does.

When I came back from the Far East in 1931, just after the Manchurian adventure, I said on more than one occasion that the seriousness of the situation was not in its

immediate effect on China and Japan, but rather in the example it offered to countries like Italy and Germany, and I regard my prophecies of that time as having been proved only too true, as we have witnessed from the Italian attack on Ethiopia and the German breaches of the treaties of Versailles and Locarno.

I think, therefore, it is necessary today to separate events of major importance and discuss them in their European, American, or far Eastern aspects.

I propose to discuss the Japanese situation under two headings: first the revolutionary movement in Japan, because the present trouble in Tokio is by no means over, and second the contest for dominance in the North Pacific and on the mainland of Asia. As to the first, as I see it, this is a struggle between the capitalist and conservative group in Japan, which is in the main responsible for modernization of the country, and the military group for control of parliament and the budget. To understand the situation it is essential to remember that from 1637 to 1853 Japan was a closed community under what amounted to a military dictatorship headed by the Tokagawans. As our minister from Japan said quite recently, this group to all intents and purposes controlled the emperor and the destinies and policies of Japan. They included that military group the Samurai who bitterly resented the arrival of the Western Naval powers, the United States, Great Britain, France, Holland and so on, and consistently opposed them. But, by virtue of their armaments and industrial development, these powers were able to impose their will on Japan, and the leaders of Japan decided that changes were necessary in their relations with the outside powers. Giving up their attitude of isolation, they sent their young men to the western countries to learn the secret of their success.

They returned, and with them came the modernization of Japan and the introduction of constitutional government on a representative basis. But throughout the Army and Navy maintained a measure of control, in that they insisted that the minister of war and the head of the navy should be appointed, not by the Government but by the army and navy, and by refusing to appoint ministers, they were able

to hold up the formation of a Cabinet, and so hold up the government.

More recently there have been in Japan, as elsewhere, very serious economic difficulties, felt particularly by the peasantry and laboring classes. Now the Japanese army is conscripted and draws from these groups the majority of its members. Not only privates, but officers and N.C.O.'s. come from the ranks. They see that their families are suffering real hardship, while the wealth of the country is centred in a few great families, such as the Mitsuis and the Mitsubishi's, and they resent it. So naturally when their leaders suggest that if they could get control of the country these conditions would be changed, they are only too ready to give their support to a movement of that kind. So you can see that the internal struggle is a struggle of the army, and to a lesser degree of the Navy, based upon the discontent among the workers and peasants against a civilian group controlled by capitalists and nationally minded politicians.

If you look at the external relation of Japan you will realize what the effects of the internal struggle are upon the international situation. The army and navy are involved in a struggle on the mainland of Asia, and they need funds if they are to be successful. They are dependent on the Capitalist party for their funds and they resent this restriction on their preparations, so that they again tend to cut across the political situation in Japan itself. Now at the moment it is a little difficult to say who are to rule. The army, by their assassination of a number of the leading liberals, look as if they might gain control, but the action of the emperor in calling for the loyal support of the privates engaged in the revolution seems to alter the situation. The appointments made by the new premier and advisers of the emperor and the retirement of the high command, would seem to indicate that the so-called liberal forces still count for a good deal in the government and policy of Japan. But it should be noted also that Premier Hirota, because of the decision of the Army and Navy, has been unable to date to set up a cabinet, and the army elements insist on certain guarantees from him, as to whom he will take into his new cabinet when he takes office.

Turn to the situation in the North Pacific and on the mainland. General Smuts, just about a year ago, said somewhat as follows: "The difficulties and frictions of Europe partake of the nature of family squabbles. In the East you have two-thirds of the population of the world, led by the Japanese. They are on the move, but no one knows where they are going. What they do in the next few years is going to have a vital effect on the shape of things national and international in Europe."

The new conflict is a double one. You have in the first place the sea powers, and in the second the continental powers. Again a little history. In the past, that is from the fifteenth to the seventeenth centuries, that area of the world was controlled from the mainland by a continental power. With the advent of the western powers—Great Britain, Holland, Portugal, Spain and later of the United States and France—that whole situation was changed, and the West, by its control of the sea, was able to dominate and exercise its control far into the interior of the continent. In 1902 you had Japan, after a successful war with China, beginning to think in terms of expansion, and making an alliance with Britain against Russia, which was a menace to both. That menace was removed by the successful war of 1904-5. Then in 1912 the treaty between Britain and Japan was renewed, because at that time Germany was beginning to take the place of Russia as a possible menace to both British and Japanese interests in that area, and it was because of that treaty that you had Japan as an ally of our own during the Great War.

In 1921 the scene was somewhat different. Japan, during the war had imposed further control and restrictions and dominance upon China. By what are known as the 21 demands, she had occupied a large part of Shantung, and with the collapse of Government in Russia, and the civil war that happened there, you had Japan, together with the British and America, occupying large areas of the maritime provinces of Siberia, which the Japanese were most reluctant to give up. Through the period from 1900 to 1921 the United States had stood for the principle of the open door in China and the principle of the maintenance of the

integrity of China and against the dominance of that country by Japan.

When the Anglo-Japanese treaty came up for reconsideration, it is interesting to note that all the dominions, with the exception of Canada, approved of its renewal. Premier Meighen objected to the renewal, and did it on the soundest of grounds—namely, that the chief object of the Canadian Foreign policy was the maintenance, at all costs, of the friendly relations between Canada and the United States, and with the tension then existing between the United States and Japan, the renewal of the treaty might have been taken as an unfriendly act by the American people. It was not only wise, it was an act of real statesmanship of Meighen, when he was firm enough to withstand the pressure brought to bear on Canada and insist on something of far more value, notably the Washington conference on the question of the Pacific; for I am convinced that the most important reason that Canada should stay in the British Empire, apart from sentimental and cultural reasons, is the contribution that it can make to the Peace of the World by insisting that the relations between the United States and the Empire are based on understanding and friendship rather than on pressure.

The Washington Conference cleared up the situation in the Pacific. It recognized American interests, Japanese interests and British interests, each in their own particular zones. American interests were confined in the main to the mainland of the United States, Alaska, and the Hawaiian islands; Great Britain based her defence forces on Singapore, and Japan was given dominance in the Northern Pacific, and that arrangement of Naval strength meant that none of them was in a position to attack the other in its home waters, or in the areas in which each was interested. Each agreed not to fortify positions within striking distance of the others. It was hoped that that would stabilize the situation in the Pacific, but unhappily that has not proved to be the case. The Japanese in 1931 quite openly abrogated, to all intents and purposes, certain of the international treaties and the ideas on which the treaties were based, and upset completely the balance of power in the far east. She did it on the assumption that she is, or was at that

time, the dominant naval power in that part of the world. The United States, concerned as she was with her own economic crisis, was not in a position to do anything. Great Britain had her own economic difficulties and the situation in Europe to deal with, and would be unlikely to take steps, and Russia seemed anything but ready or willing to resist any steps she might take.

The result has been that you have a very different situation in the far east today, and the control has returned from the naval powers to the continental powers. The conflict, of course, centres in China as it has always done. Were China strong this particular problem would not have arisen. But China is weak, and at the same time offers very real opportunities for exploitation and development. It is interesting to contrast the British and Japanese policies in regard to China. Both, in the past, have been concerned that no continental power should grow strong enough to endanger their interests, but Japan, in addition to ensuring that no foreign power shall control China, has also seen to it that China herself should not be able to organize on a basis that might offer a threat to Japanese interests. More recently her adventure in Eastern Asia has developed into China and the border of Mongolia.

There you have a situation that might very well occasion war, in that the Russians, speaking through Stalin, have definitely stated that any invasion by the Japanese of outer Mongolia means war with Russia. Personally, however, I do not think that war will occur in the near future unless there is a war in Europe. I say that because I don't believe that Japan is yet strong enough to be sure that she can defeat Russia and at the same time maintain her relative strength with the United States, Great Britain and China. But were war to break out in Europe, Japan would use that opportunity for advancing her hold into China, Mongolia and Siberia.

Now, obviously, we in Canada have a definite if indirect interest in the situation. We trade with both countries, and we have citizens of both countries living in our territory. Therefore we must consider the effect our relationships with the United States and our membership in the British Em-

pire would have upon the part we should have to play in the event of hostilities. It would appear that, while we have no very important or direct concern with a war, we have a very great concern in the maintenance of peace between these respective countries, because on it our prosperity, and possibly the security of our territory depends. I say that because, in the event of trouble between the United States and Japan, or between Great Britain and Japan, we might very well be involved, because we present the most direct route to the Pacific for Britain, and our territory lies between the mainland of the United States and Alaska.

As to the policy to adopt, I don't see there is much we can do about it, except to maintain as far as we can the best possible relations with the Japanese people. We could assist in that by reconsidering the policy which denies to the Canadian Japanese certain rights we grant to all other Canadian citizens, which is one source of dissatisfaction and trouble. In addition we can endeavor to ensure the maintenance of the best relations between the United States and Britain, and finally we can contribute in every way possible to the preservation of peace generally, through support of the League of Nations. We must support any measures that body may take to bring about improvements in the relations between states, because there is no question that our prosperity depends in the main on the maintenance of reasonably friendly relations between the nations with whom we trade and with whom we hope to find markets.

THE CHAIRMAN:—Professor Mackenzie, I might very well have added a fifth reason for our welcome to you today, namely, that your position, as Professor of International Law at the University of Toronto, permits you to put your thoughts before us in such a clear and comprehensive manner. We sincerely hope that there will be a similar accident in the near future, and in the meantime we thank you very heartily for the address you have given us today.