Marshall Testimony of July 7, 1947

TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF THE PACIFIC ISLANDS

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
EIGHTIETH CONGRESS
FIRST SESSION
ON
S. J. Res. 143

JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO APPROVE THE TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF THE PACIFIC ISLANDS

JULY 7, 1947

Printed for the use of the Committee on Foreign Relations
TRUSTEESHIP AGREEMENT FOR THE TERRITORY OF THE PACIFIC ISLANDS

MONDAY, JULY 7, 1947

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

The committee met at 10 a. m., pursuant to call, in the committee hearing room, United States Capitol, Senator Arthur H. Vandenberg (chairman) presiding.

Present: Senators Vandenberg (chairman), Capper, White, Smith, Hickenlooper, Lodge, Connally, George, and Barkley.

The CHAIRMAN. Gentlemen, the committee will come to order and we will start the record, which will be available for the balance of the Senate.

We are considering, this morning, Senate Joint Resolution 143, authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

(S. J. Res. is as follows:)

[S. J. Res. 143, 80th Cong., 1st sess.]

JOINT RESOLUTION Authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands

Whereas the United States submitted to the Security Council of the United Nations for its approval in accordance with article 83 of the Charter of the United Nations a proposed trusteeship agreement for the Pacific islands formerly mandated to Japan under which the United States would be prepared to administer those islands under trusteeship in accordance with the Charter of the United Nations; and

Whereas the Security Council on April 2, 1947, approved unanimously the trusteeship agreement with amendments acceptable to the United States; and

Whereas the said agreement, having been approved by the Security Council, will come into force upon approval by the Government of the United States after due constitutional process: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to approve, on behalf of the United States, the trusteeship agreement between the United States of America and the Security Council of the United Nations for the former Japanese mandated islands (to be known as the Territory of the Pacific Islands) which was approved by the Security Council at the seat of the United Nations, Lake Success, Nassau County, New York, on April 2, 1947.

The CHAIRMAN. The Secretary of State will be the first witness. Mr. Secretary, we will be glad to hear from you.

STATEMENT OF THE HONORABLE GEORGE C. MARSHALL,
SECRETARY OF STATE

Secretary MARSHALL. On July 3, 1947, the President recommended that Congress
enact legislation authorizing him to approve, on behalf of the United States, the trusteeship agreement proposed by this Government and approved by the Security Council of the United Nations on April 2, 1947.

TERRITORY CONCERNED

The trusteeship agreement applies to territory consisting of the Marianas, Caroline, and Marshall Islands in the Central Pacific. These islands were German possessions prior to 1914. In October 1914 they were occupied by Japanese forces. Following the First World War, Germany renounced all her overseas possessions in favor of the Principal Allied and Associated Powers. The former German islands of Micronesia were subsequently mandated under the League of Nations to Japan. During the Second World War they were wrested from the Japanese by American forces at tremendous cost in lives and matériel.

The Cairo declaration of December 1, 1943, stated, in part, that—

* * * Japan shall be stripped of all the islands in the Pacific which she has seized or occupied since the beginning of the First World War in 1914.

This declaration was reaffirmed by the proclamation issued by the heads of the Governments of the United States, China, and the United Kingdom on July 26, 1945, at Potsdam, and subsequently adhered to by the Union of Soviet Socialist Republics. Article 8 of the Potsdam declaration states:

The terms of the Cairo declaration shall be carried out and Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we determine.

On September 2, 1945, Japan accepted these terms by the instrument of surrender.

At the present time the former Japanese mandated islands are administered by the United States Navy under directives issued by the Joint Chiefs of Staff. These three groups of islands consist of some 98 islands and island clusters with a total land mass of only 846 square miles, a total population of only about 48,000 native inhabitants, and negligible indigenous economic resources. The strategic importance of the islands, however, was fully demonstrated in the way they were used by Japan in carrying out its basic plan of aggression. In this regard, the United States representative declared in the Security Council February 26:

The American people are firmly resolved that this area shall never again be used as a springboard for aggression against the United States or any other member of the United Nations.

UNITED STATES POLICY

On November 6, 1946, President Truman announced that—

The United States is prepared to place under trusteeship, with the United States as administering authority, the Japanese mandated islands and any Japanese islands for which it assumes responsibility as a result of the Second World War.

On the same day, a draft trusteeship agreement for the former Japanese mandated
islands, formulated by this Government, was made public. Copies of our proposed agreement were transmitted for information to the other members of the Security Council—Australia, Brazil, China, Egypt, France, Mexico, the Netherlands, Poland, the Union of Soviet Socialist Republics, and the United Kingdom and New Zealand and the Republic of the Philippines. [p. 2/3] Later, copies were also transmitted to the newly elected members of the Security Council—Belgium, Colombia, and Syria. The proposed agreement was formally presented to the Security Council on February 26 of this year by the United States representative, the Honorable Warren R. Austin.

In submitting the trusteeship agreement to the Security Council, the United States acted specifically on the recommendations of the General Assembly of February 1946, which invited. States administering territory held under mandate to submit trusteeship proposals, terms the United States proposed were in full compliance with the trusteeship provisions of the Charter. Our Government submitted its draft trusteeship agreement to the Security Council rather than to the General Assembly because of our desire that the territory be designated as a strategic area.

THE TRUSTEESHIP SYSTEM

The international trusteeship system established by the Charter of the United Nations provides for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. The Charter also provides that in each case the trusteeship agreements shall include the terms under which the trust territory shall be administered and shall designate the authority which will exercise the administration over it. According to article 82 of the Charter, any trusteeship agreement may designate a strategic area or areas to include part or all of the trust territory to which the agreement applies.

By article I of the trusteeship agreement approved by the Security Council on April 2, 1947, the entire Territory of the Pacific Islands formerly held by Japan under mandate is designated as strategic in order to enable the United States to safeguard its own national security and at the same time to discharge its obligations for international peace and security under the United Nations. The United States reserves the right to establish and maintain bases in the islands to insure that the trust territory shall play its part in accordance with the obligations of this country under the Charter of the United Nations. We may from time to time specify certain areas as closed for security reasons. On the other hand, this Government has declared its intention to include the trust territory as fully as those territories under its sovereignty in any special agreement or agreements it may conclude with the Security Council for provision to the United Nations of armed forces, assistance, and facilities, including rights of passage, necessary for maintaining international peace and security, as envisaged under article 43 of the Charter.

The agreement, furthermore, contains detailed provisions for the welfare of the local inhabitants of the islands, and for the submission of its administration of their political, economic, social, and educational development to international supervision.
CONSIDERATION BY THE SECURITY COUNCIL

The Security Council considered the United States draft trusteeship agreement at four meetings. As the President has already transmitted to the Congress a memorandum which analyses the draft agreement, and records briefly the discussion of the Security Council, I shall merely emphasize today the most important points.

No state rejected our proposals although several governments-Australia, New Zealand, and the United Kingdom-initially felt that the matter should be held over until the peace settlement with Japan. The United States Government maintained that the question of the former Japanese mandated islands did not depend upon, and need not await, the peace settlement with Japan. We saw no reason why this matter should be postponed, but were willing, after the formal presentation of our proposals, to consider such postponement as the Security Council might deem necessary.

During the course of its discussions, the Council's deliberations were widened so as to permit the Governments of Canada, India, the Netherlands, New Zealand, and the Republic of the Philippines to express their views. When provision was thus made for the views of all members of the United Nations concerned directly in the Pacific War to be heard by the Council, the proposal to delay the question until a peace settlement with Japan was withdrawn.

Three amendments, none of which fundamentally altered the agreement, were proposed by members of the Security Council and accepted by the United States representative with certain interpolations which he asked to be placed in the record. Article 3, regarding the conduct of administration, was amended by removing from it the phrase "as an integral part of the United States." In accepting this amendment, the United States representative stated:

In agreeing to this modification, my Government feels that it should affirm for the record that its authority in the trust territory is not to be considered in any way lessened thereby.

Article C (1) was amended by adding, after the words "toward self-government," the words, "or independence as may be appropriate to the particular circumstances of the trust territory and its peoples and the freely expressed wishes of the peoples concerned". In accepting this modification, the United States representative declared that:

the United States feels that it must record its opposition not to the principle of independence, to which no people could be more consecrated than the people of the United States, but to the thought that it could possibly be achieved within any foreseeable future in this case.

In addition, article 6 (1) was also amended by deletion of the word "local" in the phrase "in local government." At the request of the United States representative, article 7, was perfected by moving forward the phrase "freedom of conscience" so that it is not subject to the requirements of public order and security.

The changes mentioned above were freely accepted by the United States representative upon instruction from this Government. There were no objections in the Security Council to his interpolations, which I have just indicated, of the amendments.
accepted. The trusteeship agreement, so amended, containing substantially our own proposals, was approved unanimously by the Security Council.

DESIRABILITY OF EARLY ACTION

The trusteeship agreement makes ample provision for the political, economic, social, and educational development of the inhabitants of the territory. At the same time the agreement fully protects the [p.4/5] security interests of the United States and provides that the islands will be administered in a manner which will insure that the trust territory plays its part in the maintenance of international peace and security.

Early action by the Congress, authorizing the President to approve the trusteeship agreement on behalf of the United States would be consistent with the initiative and constructive leadership which the United States has exercised in the establishment of the trusteeship system of the United Nations. Approval of the agreement by the United States will serve to strengthen that system. It is particularly desirable to bring the agreement into force in the very near future in view of our stated position that the matter need not be postponed until the peace settlement with Japan.

Amendments to the trusteeship agreement are made by the same constitutional process as the original agreement. After it becomes effective it cannot be amended without the specific consent and approval of the United States.

I urge, therefore that the Congress take early action authorizing the President to approve the trusteeship agreement and bring it into force.

That is the complete presentation of my statement, Mr. Chairman.

The CHAIRMAN. Mr. Secretary, you quoted Mr. Austin as saying that the American people always insist that these Pacific islands shall never again be used as a basis for aggression against us or anybody else. I think that is the controlling question that Congress and the country are interested in, and I would like to have your categorical opinion, not only as Secretary of State but as one who has had serious and high responsibilities in connection with national defense. I would like to have your opinion as to whether there is anything in your opinion which in any degree handicaps or restrains our freedom of action in the use of these islands for security purposes.

Secretary MARSHALL. Mr. Chairman, I think the terms of the agreement have been so carefully drafted from the security point of view that there is no doubt in my mind that our security and our responsibility for general security are fully provided for. I refer the members of the committee to articles 3, 5, and 13 of the agreement. I believe all our interests are fully conserved.

The CHAIRMAN. So far as the use of these islands for security purposes is concerned, in what degree do we have less authority than we would have if we continued to run them the way they are being run now?

Secretary MARSHALL. I think under the terms of this trusteeship agreement we are
not limited at all. I might put it this way: We must observe certain forms, but we have provisions in the agreement which allow us almost complete liberty of action.

The CHAIRMAN. So that you would say, as I understand you, that under the terms of the trusteeship agreement we have the same freedom of action on behalf of national security as we would have if we were continuing the administration of the islands under our present exclusive control?

Secretary MARSHALL. I think that is correct, sir.

Senator WHITE. Then the agreement gives us nothing that we do not now have?

Secretary MARSHALL. I think that is substantially correct. [p. 5/6]

The CHAIRMAN. I do not know how it could give you anything you have not now got, because you now have everything.

Secretary MARSHALL. I said before that we have to observe certain forms. Our interests are clearly protected by various specific provisos that we can declare for security reasons closed areas, and matters of that kind, and do everything that I think is essential for our own security, and the general security of the Pacific as a region.

The CHAIRMAN. How is it contemplated to handle the other islands, the islands that we conquered outside of the mandated area?

Secretary MARSHALL. Well, now, specifically which are you referring to? Okinawa?

The CHAIRMAN. Yes.

Secretary MARSHALL. I am not prepared to give you a detailed answer to that at the present time, sir. That will be involved in the peace treaty.

The CHAIRMAN. Senator Connally?

Senator CONNALLY. I did not get to hear the general's opening statement, but I assume it was an exposé of this draft agreement here that I hold in my hand. You say that under this agreement there will be no handicaps at all on our utmost freedom in handling these islands for military, naval, and security purposes entirely?

Secretary MARSHALL. Yes, sir; with the qualification that we will have to observe certain forms in our procedure, but we are given the authority to act.

Senator CONNALLY. What are the particular forms to which you refer?

Secretary MARSHALL. At present we run the islands without the objection to report to anybody else. Here we would have to say "Yes" or "No" to desires to inspect. We have the power to say "No," but we have the formality of having to say "Yes" or "No" to representatives of the United Nations.

With relation to reports, we would have to go through a certain procedure to close areas for security reasons.

Senator CONNALLY. We are occupying them now purely as conquerors. We just
went in there and took them.

Secretary MARSHALL. That is true.

Senator CONNALLY. And until their status is settled either by the Peace Conference or this sort of agreement, that is continued, the relation of the conqueror and the subjugated territories, which of course it would not do to continue permanently unless we just took them over, as we did other territories, and made them subject to the United States. I heartily approve your disagreeing to adopting them as an integral part of the United States. They will be wanting statehood the next thing you know.

Secretary MARSHALL. In other words, that would be in relation to why we did not propose to annex the islands. The question was very carefully considered by the security departments of the Government.

Senator CONNALLY. We do not want to annex the islands.

General, is there anything in here about the rights of the inhabitants, the natives, that would in anywise hamper us in our defense control?

Secretary MARSHALL. I do not think there is, sir. I might say that the rights of the natives are more virally provided for, and more fully provided for, than under any previous trusteeship agreement. Their provisions are quite adequate, I think for the welfare of all of them, but [p. 67] there is no complication that I see in regard to the security of the islands in relation to the rights of the natives.

Senator CONNALLY. We would have complete sovereignty in a way, or limited sovereignty over them; if they would stage a rebellion or uprising we would have authority to put it down; would we not?

Secretary MARSHALL. Yes, sir; but there are so few of them that it could be only a local disturbance.

Senator CONNALLY. Under our beneficient influence they might increase their population, though.

I believe that is all for the present.

The CHAIRMAN. Mr. Secretary, referring back to your answer both to Senator Connally and to me, you said three or four times that this unlimited right of the use of the islands for national security had some restrictions, some paper restrictions, because of the reports and so forth that have to be made.

I notice in a statement issued by the State Department upon that subject that the following statement occurs:

Article 13 of the draft agreement provides that articles 87 and 88 of the Charter, relating to reports, petitions, visits, and questionnaires concerning nonstrategic areas, shall be applicable to the trust territory, even though it is designated as strategic area, except that the administering authority may determine the extent of applicability in any areas which may from time to time be specified by the administering authority as closed for security reasons.
Now, under those circumstances, do we not have even plenary power over the application of these requirements for reports and visits and so forth?

Secretary MARSHALL. That is correct, sir.

The CHAIRMAN. Therefore, there is no limitation upon the freedom with which we can use these strategic areas in the scheme of national defense; is that not so?

Secretary MARSHALL. That is correct, sir.

The CHAIRMAN. Senator George?

Senator GEORGE. No questions.

Senator CONNALLY. Just one more question. That involves, of course, our good faith in the exercise of this strategic area agreement.

Secretary MARSHALL. Yes, sir.

Senator CONNALLY. Otherwise other powers would charge us with using that as a pretext, merely to increase our authority and power in the rest of the territory, would they not?

Secretary MARSHALL. I did not quite get the implications of that, sir.

Senator CONNALLY. I mean by that that we would have to act in the utmost good faith in doing that, or the other powers parties to this Agreement would charge us merely with using that as a pretext; for extending our power and authority over the other territory. I assume we would act in good faith, of course.

Senator GEORGE. What islands, Mr. Secretary, are covered under this resolution—the principal islands, at least?

Secretary MARSHALL. The Marianas and Caroline and Marshall Islands, in the Central Pacific.

The CHAIRMAN. Senator White, have you anything further?

Senator WHITE. No, sir.

The CHAIRMAN. Senator Smith? [p. 7/8]

Senator SMITH. I have one question to clear my own thinking on this.

The islands subject to this trusteeship agreement are the islands that came to us through World War I, when they were the German islands taken over by the League of Nations and mandated to Japan, and then taken over by us, and they are left in the theory of the mandate, which is now the trusteeship of the United Nations. I think that is correct.

Secretary MARSHALL. That is correct. These islands were German possessions prior to 1914. In October 1914 they were occupied by the Japanese forces.

Senator SMITH. Now we are facing the question of how we will deal with the islands that we took over during this war, which we conquered. That is a different problem entirely from these mandated islands, these trusteeed islands, and we will deal with that
matter at a later date.

Secretary MARSHALL. That must be involved in the peace treaty.

Senator SMITH. From a strategic angle, they will probably be just as important as these are, and I assume the Government of the United States will see to it that they are placed in the same security position, at least, as these trusteesed islands.

Secretary MARSHALL. So far as we think they occupy that position in the Pacific.

Senator SMITH. Well now, from the standpoint of title, if we are thinking of title for the moment, the title to these islands would be in the United Nations as successor to the League of Nations; as, being appointed the trustee, the United States takes over the responsibility of the old conception of mandatory power that the Japs had after the German war, which they so badly abused.

Secretary MARSHALL. Yes, sir.

Senator SMITH. I notice this is called an "agreement." Does that mean it is an agreement between the members of the Security Council, or an agreement between the Security Council and the United States?

Secretary MARSHALL. Between the Security Council and the United States of America.

Senator SMITH. Establishing the fact that we are the trustee, and we assume therefore, in entering the agreement, whatever provisions are in these articles governing the administration of them, from the legal standpoint?

Secretary MARSHALL. That is correct.

Senator SMITH. That is all.

The CHAIRMAN. What would be your answer to this question, suggested by what Senator Smith has said. I suppose it will arise. Why is it so important to conclude a trusteeship agreement for these mandated islands before the total Pacific islands problem is settled in the peace treaty?

Secretary MARSHALL. I had a very carefully prepared item on that, so that there will be no misunderstanding.

Answering your question, Mr. Chairman, we have properly contended that since these islands never belonged to Japan, and since all the states which could be concerned with them are members of the Security Council, or could be associated with the discussions, the question need not wait for the peace settlement with Japan. In other words, the action could be clearly indicated, clearly justified, [p. 8/9] and decision taken, without complicating the peace settlement whatsoever, in our opinion, and therefore, as we all suffer from the evils of delays in settling these things, here was one thing we could settle without a disturbing relationship with the peace treaty. Therefore, the proposition was to settle it and we could establish a very definite relationship with the Security Council and proceed on that basis, which has been done.
(Further discussion of this point was off the record.)

The CHAIRMAN. Senator Barkley?

Senator BARKLEY. General, I know that these islands are designated as the Territory of the Pacific Islands, all one entity, I suppose, to be administered under one geographical division of the Pacific. Is that true, or does that agreement provide for the possibility of a separate sort of administration for each one?

Secretary MARSHALL. I think, Senator, that will come out in relation to the action of Congress in relation to the form of government in these various islands, which will be brought up to the Congress from the State, War, Navy, and Interior Departments as soon as action is taken on this agreement with the Security Council. I cannot tell you offhand whether the same form of government would apply to each group or not. We have various complications in there. Guam is not a mandated island, but it is in the Marianas group. Guam presents one situation, while another island close by is on another status, and just how the government will be organized will not necessarily be an over-all matter.

Senator BARKLEY. It was not necessary to include Guam in this?

Secretary MARSHALL. Guam presents one situation, while another island close by is on another status, and just how the government will be organized will not necessarily be an over-all matter.

Senator BARKLEY. It was not necessary to include Guam in this?

Secretary MARSHALL. Guam is not in this, but the character of the government in Guam will have a bearing on the adjacent island.

Senator BARKLEY. It is not part of the designation as the Territory of the Pacific Islands.

Secretary MARSHALL. I might quote article 9 of the agreement:

The administering authority shall be entitled to constitute the trust territory into a customs fiscal, or administrative union or federation with other territories under United States jurisdiction and to establish common services between such territories and the trust territory where such measures are not inconsistent with the basic objectives of the international trusteeship system and with the terms of this agreement.

That is not a mandatory proviso.

Senator BARKLEY. Hereafter, when we do have some kind of peace with Japan, these other islands that we now have possession of will be disposed of in some way?

Secretary MARSHALL. Yes, sir; under the peace treaty.

Senator BARKLEY. We do not know what will happen to them, but if there should be any further trusteeships in our behalf growing out of the disposition of those islands, would there be a hiatus in there between the designation of this particular group as the Territory of the Pacific Islands and some other name for the others? It is rather difficult, I suppose, to foresee that.

Secretary MARSHALL. I do not see a serious complication there.

The CHAIRMAN. Senator Hickenlooper?

Senator HICKENLOOPER. I would like to ask the Secretary a little different question here.

We get some advantage out of this, at least apparently, to me, the advantage of
security and control and things of that kind. But we [p. 9/10] also assume some rather extensive responsibilities with respect to these people down there. It is my impression that these islands now support about the maximum population of each island at their present health conditions. What are we going to do 20 years from now, when our medical school at Guam and the nursing school at Guam has put out a lot of medical people around these islands and the diet has been changed and the population has begun to increase in these islands. Have you done any thinking along that line? What will our responsibilities be then? Are we going to have to import food and all those things to this great area?

Secretary MARSHALL. Certainly if the population increased to the point that it could no longer be supported on its local products, and could not establish any exports sufficient to balance the necessary imports, we would be placed in the embarrassing position that you just outlined. However, I think there are a good many things that possibly can be done to improve the situation, not only in health but in the opportunities for very moderate production which would assist them to maintain themselves.

As it is now, everything they have now is on the most primitive basis, and I do not think it would be too far fetched an assumption to state that there is more that can be done there to produce some modest output than is now available, and that to an extent I should think would offset the dilemma to which you are referring.

However, I do not think we could meet that problem by stating, for example, that the beneficial health program will so increase the population that at some time we will be forced to make some contributions, and therefore we should abandon the islands.

Senator HICKENLOOPER. I was not suggesting that.

Secretary MARSHALL. The only answer I can make is that American ingenuity and contributions that should flow from them ought to produce some small measure of increase in their productive capacity for their own support.

Senator HICKENLOOPER. It is my impression of these islands that about the thing they can export down there will be a little copra, and that that cumulatively from a lot of these islands may be a considerable amount, but these populations have been static for a long time down there.

Secretary MARSHALL. They are on the decrease now. They have been on the decline, and possibly under our health measures they may, as you say, increase.

Senator HICKENLOOPER. And within, say, 20 or 25 years the population of those islands is going to be a tremendous factor; and, personally, I think we are going to have to be prepared to meet it, and probably should be thinking about it now, because they are going around with health measures, which are perfectly fine, and we have found some new kinds of diets. They do not like coconuts any more. They like K rations and meat and a little something besides fish, and I think it is one of the practical problems we are going to have to meet, although not now. I hope we are thinking about meeting it eventually.

Secretary MARSHALL. You are really outlining an Americanization of the Pacific. However, you did not mention baseball, but I suppose that is included, and I suppose Coca-
Cola has become a necessary drink down there, too. [p. 10/11]

Senator HICKENLOOPER. The whole point of my question is, we look at the fine benefits which we get from security, but there are some human problems we are going to have to take on, and they will be sizable 20 years from now.

Secretary MARSHALL. The human problem and the question of the rights of the individual there, in their adaption to their tribal customs and matters of that sort, we will have a very practical problem there.

The CHAIRMAN. Anything else, Senator?

Senator HICKENLOOPER. No.

The CHAIRMAN. Senator Lodge?

Senator LODGE. Do you not feel that, as a matter of fact, the natives will be better off under us than they were before, taking it all in all?

Secretary MARSHALL. Yes, sir; if we do not try to change them too much.

Senator LODGE. Yes. I think they will be immeasurably better off under us.

The CHAIRMAN. If there is nothing more, Mr. Secretary, thank you very much. We will go down through the panel and see if we can discover anything wrong.