

Exhibit 2840

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Ex. Ex. _____
Ct. Ex. _____

Excerpts requested and furnished for the defendants by order of Court from the testimony of former SECRETARY OF STATE CORDELL HULL given at hearing held before Joint Congressional Committee on the investigation of the Pearl Harbor Attack, same being found in Volumes 7 and 9 of Report of Proceedings, IPS Document No. 2007:

(Vol. 7, pp. 1088-1089)

In the fall of 1937 our Government was confronted with the decision whether to apply the Neutrality Act to the hostilities between China and Japan. It was clear that the arms embargo authorized by the Act would hurt China and help Japan, since China needed to import arms and Japan manufactured a large supply. The President used the discretion provided by law and refrained from putting the Act into operation.

On July 26, 1939, our Government notified the Japanese Government of its desire to terminate the Treaty of Commerce and Navigation of 1911. It was felt that this treaty was not affording adequate protection to American commerce either in Japan or in Japanese occupied portions of China, while at the same time the operation of the most-favored-nation clause of the treaty was a bar to the adoption of retaliatory measures against Japanese commerce. The treaty therefore terminated on January 26, 1940, and the legal obstacle to our placing restrictions upon trade with Japan was thus removed.

Beginning in 1938 our Government placed in effect so-called "moral embargoes" which were adopted on the basis of humanitarian considerations. Following the passage of the Act of July 2, 1940 restrictions were imposed in the interests of national defense on an ever-increasing list of exports of strategic materials. These measures were intended also as deterrents and expressions of our opposition to Japan's course of aggression.

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(Vol. 7, pp. 1089-1090)

Throughout this period the United States increasingly followed a policy of extending all feasible assistance and encouragement to China. This took several different forms including diplomatic actions in protest of Japan's aggression against China and Japan's violation of American rights. Loans and credits aggregating some two hundred million dollars were extended in order to bolster China's economic structure and to facilitate the acquisition by China of supplies. And later lend-lease and other military supplies were sent to be used in China's resistance against Japan.

(Vol. 7, p. 1091)

During these years we had kept before the Japanese all these doctrines and principles in the most tactful and earnest manner possible, and at all times we had been careful not to make threats. I said that I had always felt that if a government makes a threat it ought to be ready to back it up. We had been forthright but we had been as tactful as possible.

(Vol. 7, pp. 1101-1102)

We had in mind doing everything we could to bring about a peaceful, fair, and stabilizing settlement of the situation throughout the Pacific area. Such a course was in accordance with the traditional attitudes and beliefs of the American people. Moreover, the President and I constantly had very much in mind the advice of our highest military authorities who kept emphasizing to us the imperative need of having time to build up preparations for defense vital not only to the United States but to many other countries resisting aggression. Our decision to enter into the conversations with the Japanese was, therefore, in line with our need to rearm for self-defense.

The President and I fully realized that the Japanese Government could not, even if it wished, bring about an abrupt transformation in Japan's course of aggression. We realized that so much was involved in a reconstruction of Japan's position that implementation to any substantial extent by Japan of promises to adopt peaceful courses would require a long time. We were, therefore, prepared to be patient in an endeavor to persuade Japan to turn from her course of aggression. We carried no chip on our shoulder, but we were determined to stand by a basic position, built on fundamental principles which we applied not only to Japan but to all countries.

(Vol. 7 pp. 1114-1115)

Accordingly, on July 26, 1941, President Roosevelt issued an executive order freezing Chinese and Japanese assets in the United States. That order brought under the control of the Government all financial and import and export trade transactions in which Chinese or Japanese interests were involved. The effect of this was to bring about very soon virtual cessation of trade between the United States and Japan.

On August 6 the Japanese Ambassador presented a proposal which he said was intended to be responsive to the President's proposal regarding neutralization of Indo China.

Br. Ex. _____

Ct. Ex. _____

(PP. 1114-1115, Cont.)

In essence, the Japanese proposal was that:

1. The Japanese Government should undertake to refrain from stationing troops in regions of the southwest Pacific, to withdraw from French Indochina after "settlement of the China incident," to guarantee Philippine neutrality, and to cooperate in the production and procurement of natural resources in east Asia essential to the United States; and

2. The United States should undertake to "suspend its military measures in the southwestern Pacific areas" and to recommend similar action to the Governments of the Netherlands and Great Britain, to cooperate in the production and procurement of natural resources in the Southwestern Pacific essential to Japan, to take measures to restore normal commerce between the United States and Japan, to extend its good offices toward bringing about direct negotiations between Japan and the Chungking Government, and to recognize Japan's special position in Indochina even after withdrawal of Japanese troops.

Vol. 7, pp. 1119-1120)

On September 6 Prime Minister Konoe in a conversation with the American Ambassador at Tokyo indicated that the Japanese Government fully and definitely subscribed to the four principles which this government had previously set forth as a basis for the reconstruction of relations with Japan. However, a month later the Japanese Minister for Foreign Affairs indicated to the American Ambassador that while those four points had been accepted "in principle," certain adjustments would be necessary in applying these principles to actual conditions.

(Vol. 7, p. 1133)

In telegrams of November 3 and November 17, the American Ambassador in Japan cabled warnings of the possibility of sudden Japanese attacks which might make inevitable war with the United States.

(Vol. 7, pp. 1136-1165)

VI. JAPANESE ULTIMATUM OF NOVEMBER 20 AND OUR REPLY

On November 20th the Japanese Ambassador and Mr. Kurusu presented to me a proposal which on its face was extreme. I knew, as did other high officers of the Government, from intercepted Japanese messages supplied to me by the War and Navy Departments, that this proposal was the final Japanese proposition -- an ultimatum.

(Vol. 7, pp. 1136-1165, Cont.)

The proposal read as follows:

"1. Both the Governments of Japan and the United States undertake not to make any armed advancement into any of the regions in the Southeastern Asia and the Southern Pacific area excepting the part of French Indochina where the Japanese troops are stationed at present.

"2. The Japanese Government undertakes to withdraw its troops now stationed in French Indo-China upon either the restoration of peace between Japan and China or the establishment of an equitable peace in the Pacific area.

"In the meantime the Government of Japan declares that it is prepared to remove its troops now stationed in the southern part of French Indo-China to the northern part of the said territory upon the conclusion of the present arrangement which shall later be embodied in the final agreement.

"3. The Government of Japan and the United States shall cooperate with a view to securing the acquisition of those goods and commodities which the two countries need in Netherlands East Indies.

"4. The Governments of Japan and the United States mutually undertake to restore their commercial relations to those prevailing prior to the freezing of the assets.

"The Government of the United States shall supply Japan a required quantity of oil.

"5. The Government of the United States undertakes to refrain from such measures and actions as will be prejudicial to the endeavors for the restoration of general peace between Japan and China."

The Plan thus offered called for the supplying by the United States to Japan of as much oil as Japan might require, for suspension of freezing measures, for discontinuance by the United States of aid to China, and for withdrawal of moral and material support from the unrecognized Chinese Government. It contained a provision that Japan would shift her armed forces from southern Indochina to northern Indochina, but placed no limit on the number of armed forces which Japan might send into Indochina and made no provision for withdrawal of those forces until after either the restoration of peace between

Japan and China or the establishment of an "equitable" peace in the Pacific area. While there were stipulations against further extension of Japan's armed force into southwestern Asia and the southern Pacific (except Indochina), there were no provisions which would have prevented continued or fresh Japanese aggressive activities in any of the regions of Asia lying to the north of Indochina--for example, China and the Soviet Union. The proposal contained no provision pledging Japan to abandon aggression and to revert to peaceful courses.

On November 21, Mr. Kurusu called alone upon me and gave me a draft of a formula relating to Japan's obligations under the Tripartite Pact. That formula did not offer anything new or helpful. I asked Mr. Kurusu whether he had anything more to offer on the subject of a peaceful settlement as a whole. Mr. Kurusu replied that he did not.

On November 21 we received word from the Dutch that they had information that a Japanese force had arrived near Palao, the nearest point in the Japanese Mandated Islands to the heart of the Netherlands Indies. Our Consuls at Hanoi and Saigon had been reporting extensive new landings of Japanese troops and equipment in Indochina. We had information through intercepted Japanese messages that the Japanese Government had decided that the negotiations must be terminated by November 25, later extended to November 29. We know from other intercepted Japanese messages that the Japanese did not intend to make any concessions, and from this fact taken together with Kurusu's statement to me of November 21 making clear that his Government had nothing further to offer, it was plain, as I have mentioned, that the Japanese proposal of November 20 was in fact their "absolutely final proposal."

The whole issue presented was whether Japan would yield in her avowed movement of conquest or whether we would yield the fundamental principles for which we stood in the Pacific and all over the world. By mid-summer of 1941 we were pretty well satisfied that the Japanese were determined to continue with their course of expansion by force. We had made it clear to them that we were standing fast by our principles. It was evident, however, that they were playing for the chance that we might be overawed into yielding by their threats of force. They were armed to the teeth and we knew they would attack whenever and wherever they pleased. If by chance we should have yielded our fundamental principles, Japan would probably not have attacked for the time being--at least not until she had consolidated the gains she would have made without fighting.

There was never any question of this country's forcing Japan to fight. The question was whether this country was ready to sacrifice its principles.

To have accepted the Japanese proposal of November 20 was clearly unthinkable. It would have made the United States an ally of Japan in Japan's program of conquest and aggressions and of collaboration with Hitler.

Br. Ex. _____
Ct. Ex. _____

(Vol. 7, pp. 1136-1165, Cont.)

Hitler. It would have meant yielding to the Japanese demand that the United States abandon its principles and policies. It would have meant abject surrender of our position under intimidation.

The situation was critical and virtually hopeless. On the one hand our Government desired to exhaust all possibilities of finding a means to a peaceful solution and to avert or delay an armed clash, especially as the heads of this country's armed forces continued to emphasize the need of time to prepare for resistance. On the other hand, Japan was calling for a showdown.

There the situation stood -- the Japanese unyielding and intimidating in their demands and we standing firmly for our principles.

The chances of meeting the crisis by diplomacy had practically vanished. We had reached the point of clutching at straws.

Three possible choices presented themselves.

Our Government might have made no reply. The Japanese warlords could then have told their people that the American Government not only would make no reply but would also not offer any alternative.

Our Government might have rejected flatly the Japanese proposal. In that event the Japanese warlords would be afforded a pretext, although wholly false, for military attack.

Our Government might endeavor to present a reasonable counter-proposal.

The last course was the one chosen.

In considering the content of a counter-proposal consideration was given to the inclusion therein of a possible modus vivendi. Such a project would have the advantages of showing our interest in peace to the last and of exposing the Japanese somewhat in case they should not accept. It would, if it had served to prolong the conversations, have gained time for the Army and Navy to prepare. The project of a modus vivendi was discussed and given intensive consideration from November 22 to November 26 within the Department of State, by the President, and by the highest authorities of the Army and Navy. A first draft was completed on November 22 and revised drafts on November 24 and 25. It was also discussed with the British, Australian, Dutch and Chinese Governments.

The projected modus vivendi provided for mutual pledges by the United States and Japan that their national policies would be directed

Br. Ex. _____

Ct. Ex. _____

(Vol. 7, pp. 1136-1165, Cont.)

toward lasting peace; for mutual undertakings against advances by military force or threat of force in the Pacific area; for withdrawal by Japan of its armed forces from southern Indochina; for a modification by the United States of its freezing and export restrictions to permit resumption of certain categories of trade, within certain specified limits, between the United States and Japan; for the corresponding modification by Japan of its freezing and export restrictions; and for an approach by the United States to the Australian, British and Dutch Governments with a view to their taking similar measures. There was also an affirmation by the United States of its fundamental interest that any settlement between the Japanese and Chinese Governments be based upon the principles of peace, law, order, and justice. There was provision that the modus vivendi would remain in force for three months and would be subject to further extension.

It was proposed as a vital part of the modus vivendi at the same time to give to the Japanese for their consideration an outline of a peace settlement which might serve as a basis for working out a comprehensive settlement for the Pacific area along broad and just lines. On November 11 there had been prepared in the Division of Far Eastern Affairs for possible consideration a draft of a proposal along broad lines. This draft like others was drawn up with a view to keeping the conversations going (and thus gaining time) and to leading, if accepted, to an eventual comprehensive settlement of a nature compatible with American principles. This draft proposal contained statements of general principles, including the four principles which I had presented to the Japanese on April 16, and a statement of principles in regard to economic policy. Under this draft the United States would suggest to the Chinese and Japanese Governments that they enter into peace negotiations, and the Japanese Government would offer the Chinese Government an armistice during the period of the peace negotiations. The armistice idea was dropped because it would have operated unfairly in Japan's favor.

A further proposal to which I gave attention was a revision in tentative form made by the Department on November 19 of a draft of a proposed comprehensive settlement received from the Treasury Department on the previous day. This tentative proposal was discussed with the War and Navy Departments. In subsequent revisions points to which objections were raised by them were dropped. A third proposal which I had under consideration was that of the modus vivendi.

What I considered presenting to the Japanese from about November 22 to November 26 consisted of our modus vivendi draft and an outline of a peace settlement which might serve as a basis for working out a comprehensive settlement for the Pacific area along broad and just lines. This second and more comprehensive part followed some of the lines set forth in the November 11 draft and in the November 19 draft.

(Vol. 7. pp. 1136-1165. Cont.)

While the modus vivendi proposal was still under consideration, I emphasized the critical nature of this country's relations with Japan at the meeting of the War Council on November 25. The War Council, which consisted of the President, the Secretaries of State, War and Navy, the Chief of Staff and the Chief of Naval Operations, was a sort of clearing house for all the information and views which we were currently discussing with our respective contacts and in our respective circles. The high lights in the developments at a particular juncture were invariably reviewed at those meetings. At that meeting I also gave the estimate which I then had that the Japanese military were already poised for attack. The Japanese leaders were determined and desperate. They were likely to break out anywhere, at any time, at any place, and I emphasized the probable element of surprise in their plans. I felt that virtually the last stage had been reached and that the safeguarding of our national security was in the hands of the Army and Navy.

In a message of November 24 to Mr. Churchill, telegraphed through the Department, President Roosevelt added to an explanation of our proposed modus vivendi the words, "I am not very hopeful and we must all be prepared for real trouble, possibly soon."

On the evening of November 25 and on November 26 I went over again the considerations relating to our proposed plan, especially the modus vivendi aspect.

As I have indicated, all the successive drafts, of November 22, of November 24 and of November 25 contained two things: (1) the possible modus vivendi; and (2) a statement of principles, with a suggested example of how those principles could be applied -- that which has since been commonly described as the 10 point proposal.

I and other high officers of our Government knew that the Japanese military were poised for attack. We knew that the Japanese were demanding -- and had set a time limit, first of November 25 and extended later to November 29, for --acceptance by our Government of their extreme, last-word proposal of November 20.

It was therefore my judgment, as it was that of the President and other high officers, that the chance of the Japanese accepting our proposal was remote.

So far as the modus vivendi aspect would have appeared to the Japanese, it contained only a little chicken feed in the shape of some cotton, oil and a few other commodities in very limited quantities as compared with the unlimited quantities the Japanese were demanding.

(Vol. 7, pp. 1136-1165, Cont.)

It was manifest that there would be widespread opposition from American opinion to the modus vivendi aspect of the proposal especially to the supplying to Japan of even limited quantities of oil. The Chinese Government violently opposed the idea. The other interested governments were sympathetic to the Chinese view and fundamentally were unfavorable or lukewarm. Their cooperation was a part of the plan. It developed that the conclusion with Japan of such an arrangement would have been a major blow to Chinese morale. In view of these considerations it became clear that the slight prospects of Japan's agreeing to the modus vivendi did not warrant assuming the risks involved in proceeding with it, especially the serious risk of collapse of Chinese morale and resistance and even of disintegration of China. It therefore became perfectly evident that the modus vivendi aspect would not be feasible.

The Japanese were spreading propaganda to the effect that they were being encircled. On the one hand we were faced by this charge and on the other by one that we were preparing to pursue a policy of appeasing Japan. In view of the resulting confusion, it seemed important to restate the fundamentals. We could offer Japan once more what we offered all countries, a suggested program of collaboration along peaceful and mutually beneficial and progressive lines. It had always been open to Japan to accept that kind of a program and to move in that direction. It still was possible for Japan to do so. That was a matter for Japan's decision. Our hope that Japan would so decide had been virtually extinguished. Yet it was felt desirable to put forth this further basic effort, in the form of one sample of a broad but simple settlement to be worked out in our future conversations, on the principle that no effort should be spared to test and exhaust every method of peaceful settlement.

In the light of the foregoing considerations, on November 26 I recommended to the President -- and he approved -- my calling in the Japanese representatives and handing them the broad basic proposals while withholding the modus vivendi plan. This was done in the late afternoon of that day.

The document handed the Japanese representatives on November 26 was divided into two parts:

The first part of the document handed the Japanese was marked "Oral." In it was reviewed briefly the objective sought in the exploratory conversations, namely, that of reaching if possible a settlement of questions relating to the entire Pacific area on the basis of the principles of peace, law and order and fair-dealing among nations. It was stated that it was believed that some progress had been made in reference to general principles. Note was taken of a recent statement by the Japanese Ambassador that the Japanese Government desired to continue the conversations directed toward a comprehensive and peaceful settlement.

(Vol. 7, pp. 1136 to 1165, Cont).

In connection with the Japanese proposals of November 20 for a modus vivendi, it was stated that the American Government most earnestly desired to afford every opportunity for the continuance of discussions with the Japanese Government directed toward working out a broad-gauge program of peace throughout the Pacific area. Our Government stated that in its opinion some features of the Japanese proposals of November 20 conflicted with the fundamental principles which formed a part of the general settlement under consideration and to which each government had declared that it was committed.

Our Government suggested that further effort be made to resolve the divergences of views in regard to the practical application of the fundamental principles already mentioned. Our Government stated that with this object in view it offered "for the consideration of the Japanese Government a plan of a broad but simple settlement covering the entire Pacific area as one practical exemplification of a program which this Government envisages as something to be worked out during our further conversations."

The second part of the document embodied the plan itself which was in two sections.

In Section I there was outlined a mutual declaration of policy containing affirmations that the national policies of the two countries were directed toward peace throughout the Pacific area, that the two countries had no territorial designs or aggressive intentions in that area, and that they would give support to certain fundamental principles of peace upon which their relations with each other and all other nations would be based. These principles were stated as follows:

"(1) The principle of inviolability of territorial integrity and sovereignty of each and all nations.

"(2) The principle of non-interference in the internal affairs of other countries.

"(3) The principle of equality, including equality of commercial opportunity and treatment.

"(4) The principle of reliance upon international cooperation and conciliation for the prevention and pacific settlement of controversies and for improvement of international conditions by peaceful methods and processes."

This statement of policy and of principle closely followed the line of what had been presented to the Japanese on several previous occasions beginning in April.

Br. Ex. _____
Ct. Ex. _____

(Vol. 7, pp. 1136-1165, Cont.)

In Section I there was also a provision for mutual pledges to support and apply in their economic relations with each other and with other nations and peoples liberal economic principles. These principles were enumerated. They were based upon the general principle of equality of commercial opportunity and treatment.

This suggested provision for mutual pledges with respect to economic relations closely followed the line of what had previously been presented to the Japanese.

In Section II there were outlined proposed steps to be taken by the two Governments. One unilateral commitment was suggested, an undertaking by Japan that she would withdraw all military, naval, air and police forces from China and from Indo China. Mutual commitments were suggested along the following lines:

(a) To endeavor to conclude a multilateral non-aggression pact among the governments principally concerned in the Pacific area;

(b) To endeavor to conclude among the principally interested governments an agreement to respect the territorial integrity of Indo China and not to seek or accept preferential economic treatment therein;

(c) Not to support any government in China other than the National Government of the Republic of China with capital temporarily at Chungking;

(d) To relinquish extraterritorial and related rights in China and to endeavor to obtain the agreement of other governments now possessing such rights to give up those rights;

(e) To negotiate a trade agreement based upon reciprocal most-favored-nation treatment;

(f) To remove freezing restrictions imposed by each country on the funds of the other;

(g) To agree upon a plan for the stabilization of the dollar-yen rate with Japan and the United States each furnishing half of the funds;

(h) To agree that no agreement which either had concluded with any third power or powers shall be interpreted by it in a way to conflict with the fundamental purpose of this agreement; and

(i) To use their influence to cause other governments to adhere to the basic political and economic principles provided for in this suggested agreement.

The document handed the Japanese on November 26 was essentially a restatement of principles which have long been basic in this country's foreign policy. The practical application of these principles to the situation in the Far East, as embodied in the ten points contained in the document, was along lines which had been under discussion with the Japanese representatives in the course of the informal exploratory conversations during the months preceding delivery of the document in question. Our Government's proposal embodied mutually profitable policies of the kind we were prepared to offer to any friendly country and was coupled with the suggestion that the proposal be made the basis for further conversations.

A vital part of our program of standing firm for our principles was to offer other countries worthwhile plans which would be highly profitable to them as well as to ourselves. We stood firmly for these principles in the face of the Japanese demand that we abandon them. For this course there are no apologies.

Our Government's proposal was offered for the consideration of the Japanese Government as one practical example of a program to be worked out. It did not rule out other practical examples which either Government was free to offer.

We well knew that, in view of Japan's refusal throughout the conversations to abandon her policy of conquest and domination, there was scant likelihood of her acceptance of this plan. But it is the task of statemanship to leave no possibility for peace unexplored, no matter how slight. It was in this spirit that the November 26 document was given to the Japanese Government.

When handling the document of November 26 to the Japanese representatives, I said that the proposed agreement would render possible practical measures of financial cooperation which, however, had not been referred to in the outline for fear that they might give rise to misunderstanding. I added also that I had earlier informed the Ambassador of my ambition of settling the immigration question but that the situation had so far prevented me from realizing that ambition.

It is not surprising that Japanese propaganda, especially after Japan had begun to suffer serious defeats, has tried to distort and give a false meaning to our memorandum of November 26 by referring to it as an "ultimatum". This was in line with a well-known Japanese characteristic of utilizing completely false and flimsy pretexts to delude their people and gain their support for militaristic depredations and aggrandizement.

Br. Ex. _____
Ct. Ex. _____

(Vol. 7, pp. 1136-1165, Cont.)

VII. THE LAST PHASE

After November 26 the Japanese representatives at their request saw the President and me on several occasions. Nothing new developed on the subject of a peaceful agreement.

On November 26 following delivery of our Government's proposal to the Japanese Ambassador, correspondents were informed by an official of the Department of State that the Japanese representatives had been handed a document for their consideration. This document, they were informed, was the culmination of conferences during the recent weeks and rested on certain basic principles with which the correspondents would be entirely familiar in the light of many repetitions.

On November 27 I had a special and lengthy press conference at which I told the correspondents they were free to use the information given them as their own or as having come from authoritative sources.

I said that from the beginning I had been keeping in mind, and I suggested that the correspondents keep in mind, that the groups in Japan led by the military leaders had a plan of conquest by force of about one-half of the earth with one-half of its population. They had a plan to impose on this one-half of the earth a military control of political affairs, economic affairs, social affairs, and moral affairs of each population very much as Hitler was doing in Europe.

I said that this movement in the Far East started in earnest in 1937. It carried with it a policy of non-observance of any standards of conduct in international relations or of any law or of any rule of justice or fair play.

From the beginning, we, as one of the leading free countries, had sought to keep alive the basic philosophy and principles governing the opposing viewpoint in international relations, that is, government by law, government by orderly processes, based on justice and morals and principles that would preserve absolutely the freedom of each country; principles of non-interference in the domestic affairs of other countries; the preservation inviolate of the sovereignty and territorial integrity of other countries; the peaceful settlement of disputes; equality of commercial opportunities and relations. These and other principles that go along with them have been, I pointed out, the touchstone of all of our activities in the conduct of our foreign policy. We had striven to impress them on other countries, to keep them alive as the world was going more and more to a state of international anarchy. We had striven to preserve their integrity. That was no easy undertaking.

I said that in the spring of 1941 there had come up the question of conferences with the Japanese on the subject of peace. The purpose was

Br. Ex. _____
Ct. Ex. _____

(Vol. 7. pp. 1136-1165, Cont.)

to ascertain whether a peaceful settlement relating to the entire Pacific area was possible.

I mentioned that for a considerable time there had been two opposing groups in Japan. One was a military group, sometimes led by military extremists. They had seemed to be in the saddle when the China undertaking in 1937 was decided upon. As the Chinese undertaking went on, there was an opposing group in Japan, representing honest lovers of peace and law and order. Another portion of this group comprised those who personally favored the policy of force and conquest but considered that the time was not propitious, for different reasons, to undertake it. Some of this group were inclined to oppose Japan's policy because of the unsatisfactory experience of Japan in China and of what they regarded as Japan's unsatisfactory relations with Germany under the Tripartite Pact.

I said that our conferences with the Japanese during the preceding several months had been purely exploratory.

During that time I kept other countries who had interest in that area informed in a general way.

I pointed out that for the previous ten days or so we had explored all phases of the basic questions presented and of suggestions or ideas or methods of bringing Japan and the United States as close together as possible, on the theory that that might have been the beginning of some peaceful and cordial relations between Japan and other nations of the Pacific, including our own.

During the conversations, I said we had to keep in mind many angles. We had to keep in mind phases not only of the political situation but of the Army and the Navy situation. As an illustration, I cited the fact that we had known for some days from the facts and circumstances which revealed themselves steadily that the Japanese were pouring men and materials and boats and all other kinds of equipment into Indochina. One qualified observer reported the number of Japanese forces in Southern Indochina as 128,000. That may have been too high as yet. But a large military movement was taking place. There was a further report that the Japanese Navy might make attacks somewhere there around Siam, any time within a few days.

I told the correspondents that we were straining heaven and earth to work out understandings that might mitigate the situation before it got out of hand, in charge, as it was to a substantial degree, of Japanese military extremists.

Br. Ex. _____
Ct. Ex. _____

(Vol. 7, pp. 1136-1165, Cont.)

Referring to Indochina, I said that if the Japanese established themselves there in adequate numbers, which they seemed to be doing, they not only had a base for operations against China but they would be a distinct menace to the whole South Sea area. When we saw that this signified an extra danger, naturally we explored every kind of way to avoid that sort of menace and threat.

I said that we had had the benefit of every kind of view. Some charged us with appeasement, others with having let other countries down. All the time we had been working at just the opposite. All these various views were made in good faith and no fault attached to the proponents thereof. This was just a condition which was not without its benefits.

We had exhausted all of our efforts to work out phases of this matter with the Japanese. Our efforts had been put forth to facilitate the making of a general agreement. We wanted to facilitate the conversations and keep them from breaking down but at all times keeping thoroughly alive the basic principles that we had been proclaiming and practicing during all those years.

On November 26, I continued, I found there had been so much confusion and so many collateral matters brought in along with high Japanese officials in Tokyo proclaiming their old doctrines of force, that I thought it important to bring the situation to a clear perspective. So I had recounted and restated the fundamental principles and undertook to make application of them to a number of specific conditions such as would logically go into a broad basic peaceful settlement in the Pacific area.

There had been every kind of suggestion made as we had gone along in the conversations. I said that I had considered everything in the way of suggestions from the point of view whether it would facilitate, keep alive, and if possible carry forward conversations looking toward a general agreement, all the while naturally preserving the fullest integrity of every principle for which we stood. I had sought to examine everything possible but always to omit consideration of any proposal that would contemplate the stoppage of the conversations and search for a general agreement for peace.

To a correspondent's question whether I expected the Japanese to come back and talk further on the basis of what I gave them on November 26, I said that I did not know but, as I had indicated, the Japanese might not do that. I referred to the military movements which they were making and said I thought the correspondents would want to see whether the Japanese had any idea of renewing the conversations.

Br. Ex. _____
Et. Ex. _____

Page #16

(Vol. 7, pp. 1136-1165, Cont.)

In reply to a further question whether in order to conform to the basic principles of our Government's policy it would be necessary for the Japanese to withdraw the troops they were sending to the Southward, I said, "Yes". In reply to another question as to whether it would not mean withdrawal of Japanese troops from China and Indochina, I said that of course our program announced in 1937 covered all that. The question of getting the troops out of China had been a bone of contention.

In reply to a question whether the assumption was correct that there was not much hope that the Japanese would accept our principles and go far enough to afford a basis for continuing the conversations, I said that there was always a possibility but that I would not say how much probability there might be.

In reply to a question whether the Japanese had proved adamant on the question of withdrawing from the Axis, I replied that they were still in it.

In reply to a question whether the situation took action rather than words from the Japanese, I said this was unquestionably so, but it took words first to reach some kind of an understanding that would lead to action.

In reply to a question how the Japanese explained these military movements to the south, I replied that they did not explain.

On November 28, at a meeting of the War Council, I reviewed the November 26 proposal which we had made to the Japanese, and pointed out that there was practically no possibility of an agreement being achieved with Japan. I emphasized that in my opinion the Japanese were likely to break out at any time with new acts of conquest and that the matter of safeguarding our national security was in the hands of the Army and the Navy. With due deference I expressed my judgment that any plans for our military defense should include an assumption that the Japanese might make the element of surprise a central point in their strategy and also might attack at various points simultaneously with a view to demoralizing efforts of defense and of coordination.

On November 29 I expressed substantially the same views to the British Ambassador.

I said the same things all during those days to many of my contacts.

On November 25 the American Consul at Hanoi, Indochina, had communicated to the Department a report that the Japanese intended to launch an

Br. Ex. _____
Ct. Ex. _____

(Vol. 7, pp. 1136-1165, Cont.)

attack on the Kra Peninsula about December 1, and he reported also further landings of troops and military equipment in Indo China in addition to landings he had previously reported from time to time. On November 26 the American Consul at Saigon had reported the arrival of heavy Japanese reinforcements in Southern Indo China, supplementing arrivals he had reported earlier that month. On November 29 the Department of State instructed its posts in southeast Asia to telegraph information of military or naval movements directly to Manila for the Commander-in-Chief of the United States Asiatic Fleet.

On November 30, I was informed by the British Ambassador that the British Government had important indications that Japan was about to attack Siam and that this attack would include a sea-borne expedition to seize strategic points in the Kra Isthmus.

In a message from Premier Tojo to a public rally on November 30 under the sponsorship of the Imperial Rule Assistance Association and the "Great Japan East Asia League" he stated among other things that:

"The fact that Chiang Kai-shek is dancing to the tune of Britain, America, and communism at the expense of able-bodied and promising young men in his futile resistance against Japan is only due to the desire of Britain and the United States to fish in the troubled waters of East Asia by pitting the East Asiatic peoples against each other and to grasp the hegemony of East Asia. This is a stock in trade of Britain and the United States.

"For the honor and pride of mankind we must purge this sort of practice from East Asia with a vengeance."

On that day, Sunday, November 30, after conferring with our military regarding the Japanese Prime Minister's bellicose statement and the increasing gravity of the Far Eastern situation, I telephoned the President at Warm Springs and advised him to advance the date of his return to Washington. Accordingly, the President returned to Washington on December 1.

On December 2, the President directed that inquiry be made at once of the Japanese Ambassador and Mr. Kurusu in regard to the reasons for continued Japanese troop movements into Indo China.

On December 3, I reviewed in press conference certain of the points covered by me on November 27. I said that we had not reached any more advanced state of determining questions either in a preliminary or other way than we had in November.

(Vol. 7, pp. 1136-1165, Cont.)

On December 5, the Japanese Ambassador called and presented a reply to the President's inquiry of December 2, containing the specious statement that Japanese reinforcements had been sent to Indochina as a precautionary measure against Chinese troops in bordering Chinese territory.

On December 6, our Government received from a number of sources reports of the movement of a Japanese fleet of 35 transports, 8 cruisers and 20 destroyers from Indochina toward the Kra Peninsula. This was confirmation that the long threatened Japanese movement of expansion by force to the south was under way. The critical character of this development, which placed the United States and its friends in common imminent danger, was very much in all our minds, and was an important subject of my conference with representatives of the Army and Navy on that and the following day.

On December 6, President Roosevelt telegraphed a personal appeal to the Emperor of Japan that the "tragic possibilities" in the situation be averted.

On December 7, the Japanese struck at Pearl Harbor.

Throughout the critical years culminating in Pearl Harbor and especially during the last months, the President, the Secretary of State, the Secretary of War, the Secretary of the Navy and the heads of our armed services kept in constant touch with each other. There was the freest interchange of information and views. It was customary for us to pick up the telephone and for the caller to ask one of the others whether he had anything new of significance to communicate whatever the caller may have had that was new. These exchange of information and views were in addition to those which took place at Cabinet meetings and at meetings during the fall of 1941 of the War Council, and in numerous other conversations.

As illustrative of the contacts which I had with officers of the War and Navy Departments during the especially critical period from November 20 to December 7, 1941, I attach a record of the occasions when I talked with such representatives as compiled from the daily engagement books kept by my office (Annex A). That record may, of course, not be complete.

In addition, I attach a statement of the record of the occasions on which I talked with representatives of the War and Navy Departments from October 1940 to December 7, 1941 (Annex B.)

I attach also a statement in regard to the arrangements for contacts during the years 1940 and 1941 between the State Department and the War and Navy Departments (Annex C).

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(Vol. 7, pp. 1136-1165, Cont.)

In the foregoing I have endeavored to give a simple narrative and analysis of what happened in this country's relations with Japan, especially as they bear upon the inquiry of this Joint Committee. If I can throw light on any aspect of our relations not covered in this statement, I shall be glad to do so.

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(Vol. 7, pp. 1189-1190)

Mr. Gesell: Well now, at about this time Secretary Stimson reports that there was a meeting at the White House, on the 25th of November, at which you and Secretary Knox and himself were present, and General Marshall and Admiral Stark.

He says there:

"The President brought up the relations with the Japanese. He brought up the event that we were likely to be attacked, as soon as, perhaps, next Monday, for the Japanese are notorious for making an attack without warning, and the question was what we should do. We conferred on the general problem."

Do you remember any conferences at that time or at about that time with the War Council as to what should be done about the general problem?

Mr. Hull: The main point I was making during these and subsequent days was the very great improbability that Japan would seriously continue to participate in any conversations. We had learned through the interceptions not only that they had determined on their ultimatum but that they had ordered that conversations cease on the 25th, and then finally they worried me almost sick after the 20th about getting a quick reply.

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(Vol. 9, p. 1472)

The Vice Chairman: Then you did regard the Japanese proposal of November 20 as nothing but an ultimatum?

Mr. Hull: Well, they said so both in writing and orally and we could only regard it as that from its very nature.

The Vice Chairman: Now, was your reply of November 26 in any sense an ultimatum?

IPS Doc. 2007 (For the Defense) Page #20

Mr. Hull: Well, the truth is we were most anxious, as we have said here at different times, to go forward with the conversations, and we had every motive to desire to go forward with them, and we offered this, as I say, as an ordinary, normal plan for international relations, on these lines, and I think everybody in the State Department, the President and others, were in agreement; and, as I say, the Japanese would have found a way at once, all they had to do was to announce that they were through with conquest and aggression and automatically they would have become the beneficiaries of these proposals.

The Vice Chairman: Did you receive any information that the Japanese regarded your message of November 26 as an ultimatum?

Mr. Hull: Not until sometime afterward. They then had their fleet on its way, as I say, to Hawaii waters. They themselves had ordered the discontinuance of conversations. We were satisfied, of course, that they would attack at any time. We didn't know what time. They had that solely within their own power. But it wasn't until they proceeded to manufacture a falsehood in order to dodge the effect of their own ultimatum, the old fraudulent cry, "Stop thief", they thought if they could pretend to their own people, they knew that that wouldn't travel far in this country, except at the hands of people who might be a little prejudiced or a little extreme in their views, but they felt that they could put over the idea in their own country just as Hitler put over one falsehood after another to shield and disguise his own plans and his own course to his armies of invasion.

The Japanese alibi was taken up and adopted by a few people in other parts of the world but not to any great extent.