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India's Refusal to Sign the 1951 San Francisco Peace Treaty: Revisiting the Motivations of the Decision and of Historical Reconciliation towards Japan

Dr. Monika Chansoria

When India declared its independence from British colonial rule and governance in August 1947, Japan was among the first nations to recognize India's sovereignty. India, for its part, declined to attend the 1951 San Francisco Peace Conference between the United States and Japan. India was against the limitations being placed on Japan's sovereignty by the proposed draft provisions of the 1951 San Francisco Peace Treaty and argued that the US was failing to give due recognition to the wishes of the Japanese people.¹ Instead, India chose to enter a separate bilateral peace treaty with Japan in 1952, as part of which Delhi waived all reparation claims against Tokyo. In addition, India was one of the first Asian nations to establish diplomatic ties with Tokyo in 1952. This paper focuses on reviewing primary archival documents of the year 1951 through which India developed and formed its case and position on the 1951 Japanese peace treaty.²

Choosing to view the whole question of the Japanese peace treaty more on basic grounds, the Government of India by 1951 was maintaining that the terms of the treaty should concede Japan a position of honor, equality, and contentment among the community of

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1 For more details on this, see Monika Chansoria, "Japan-India at 70: The Early Origins of a Relationship that Defines Asia's Future," *Japan Review*, vol. 5, 2022; and for added references and reading see, Monika Chansoria, "Japan's Relations with South Asia," in Sumit Ganguly and Frank O'Donnell, eds., *Routledge Handbook of the International Relations of South Asia* (London: Routledge, 2022).

2 As cited in *Selected Works of Jawaharlal Nehru, Second Series*, vol. 16, Part II, 01 July 1951-31 October 1951 (S. Gopal ed.) [Archives at the Nehru Memorial Museum and Library, Teen Murti House, New Delhi]; hereafter referred to as *Selected Works of Nehru* (1951).

free nations, and that they should be so framed as to enable all countries specially interested in the maintenance of stable peace in the Far East to subscribe to the treaty sooner or later. In a letter dated July 23, 1951 written to India's Ambassador to Burma M.A. Rauf, India's Prime Minister (PM) Jawaharlal Nehru said that for India to sign the proposed Japanese peace treaty would practically mean giving up the position that India had theretofore taken in foreign policy. Nehru wrote, "It means lining up with the USA in world politics... It means accepting American troops and bases in Japan."³ India found it difficult to sign this particular treaty⁴ and preferred to sign a separate and independent bilateral treaty with Japan featuring simple terms that called for ending the state of war without any qualifications and other commitments.

On the Burmese Demand for Reparations

India was also pleased that the Burmese government was more or less of the same opinion regarding the Japanese peace treaty. Beginning with the question of reparations, India clarified its stand that it would not insist on any reparations from Japan. However, Burma did claim reparations to compensate for the losses it suffered during the war-time occupation by Japan. Burma's first prime minister Thakin Nu (also known by the name U Nu) wrote a letter to PM Nehru on July 20, 1951. In his reply to Nu, Nehru acknowledged that Burma's foreign minister was about to visit Delhi in a day or two,

which would provide India the opportunity of discussing the Japanese peace treaty in addition to other matters.⁵ While India had considered the question of reparations from its own point of view, Nehru in his letter to Nu (dated July 24, 1951) conveyed with regard to the Japanese peace treaty that India entirely agreed Burma's claim for compensation/reparations was very strong.⁶

By July 1951, India had decided that it should not press and demand reparations from Japan, primarily because the damages to India were relatively minor and so India had not been particularly affected. The history of reparations in Europe, for instance, had also demonstrated that it was hardly possible to realize them, even if grand promises were made. Following World War I, enormous reparations were imposed on Germany, though barely any payment was made, and ultimately Hitler repudiated them as they had become a source of continuous irritation.⁷ India's position had gradually crystallized to argue that any stress on reparations would have no meaning in pure economic terms. In addition, India had paid compensation in the sum of \$4-5 million (approximately 40-50 lakh Indian rupees) in war damages to the people of the Northeast region out of its own resources. These damages had been caused partly by the Japanese and partly by the Anglo-American forces.

When the draft of the Japanese treaty was shared with India, the latter stressed that this treaty should aim at lessening the existing

3 Letter to M.A. Rauf (India's Ambassador to Burma), New Delhi, July 23, 1951, cited in *Selected Works of Nehru*, n. 2, p. 603.

4 The terms of the treaty circulated on July 3, 1951 to all countries as a memorandum envisaged the signing by "any or all nations at war with Japan who are willing to make peace on the basis proposed."

5 The Government of India were notably critical of the seven-point memorandum the US circulated to members of the Far Eastern Commission in October 1950. India desired that the Bonin and Ryukyu islands be left under the sovereignty of Japan. It was against any treaty provision to retain Allied troops on Japanese territory. It did not object to Japan's entering into security arrangements with the US or any other power after the treaty came into force and was willing to waive reparations. India wanted the treaty to be drafted by a conference of all States belonging to the Far Eastern Commission.

6 Letter to Thakin Nu, New Delhi, July 24, 1951, cited in the *Selected Works of Nehru*, n. 2, p. 604.

7 *Ibid.*, p. 605.

tensions in the Far East, help towards peaceful future settlement, and not make matters worse. From an Indian standpoint, the draft would likely lead to a considerable worsening of the situation. The draft also permitted American troops and bases inside Japan, which was seen as a derogation of Japanese sovereignty.⁸ Furthermore, India's prime minister wrote to his Burmese counterpart that, in addition to Formosa (Taiwan), Japan would become a still bigger and more vital issue in the future. The prospect of achieving real peace in the Far East was bleak. Nehru further shared with Nu his input on the Japanese government being anxious about whether India, Burma, and Indonesia would sign the treaty at San Francisco, given that the positions of India, Burma, and Indonesia were roughly similar.

Following his letter dated July 24, PM Nehru once again wrote to PM Nu on July 27 upon the conclusion of the visit of Burmese Foreign Minister Sao Hkun Hkio to New Delhi. The talks between Hkio and Nehru largely revolved around the proposed Japanese peace treaty. India shared its approach to the draft treaty as one that considered whether it would lead to a peaceful settlement in the Far East. It was acknowledged that future peace in the Far East depended greatly on the relationship between China and Japan. A peace treaty was thus desirable, even though some countries had been left out, allowing those nations enough room to conclude separate bilateral treaties with Japan.⁹ Nehru was also confident that the new treaty would later be signed by Chiang Kai-shek's government and that Japan would recognize

that government, which would create another difficulty in that it would practically mean a continuing state of near-war between China and Japan. Nehru wrote that, although India was not in a position to prevent this, it should consider avoiding becoming a party to such a clash.¹⁰

Conveying India's intention of *not* going to San Francisco and signing the treaty, PM Nehru then shared with PM Nu that New Delhi had pointed out to the US the minimum changes necessary in the draft. That said, though, Nehru was equally certain that Washington would not accept these changes, as the US had already rejected them in the past. Upon receiving a negative response this time around, India had decided to inform them of its decision *not to sign* the treaty.¹¹

Further, in his meeting with India's PM, Burmese Foreign Minister Sao Hkun Hkio mentioned an idea floated by Thakin Nu: a conference of the foreign ministers of Burma, India, and Indonesia in New Delhi.¹² Nehru welcomed the idea, and suggested that the ideal timing for such a meeting/conference would be after the signing of the treaty in San Francisco. This would enable the three ministers to consider their positions and perhaps make a joint suggestion to Japan to sign simple individual treaties of peace with Burma, India, and Indonesia without any other commitments.¹³

India's Reply to the US Government

While replying to the US government on the draft of the treaty on July 28, 1951, India

8 Ibid.

9 Letter to Thakin Nu, New Delhi, July 27, 1951, cited in *Selected Works of Nehru*, n. 2, pp. 606-607.

10 Ibid.

11 Ibid., p. 608.

12 Thakin Nu sent a cable on July 27, 1951 stating that, after his foreign minister's departure, he had received an important message from Burmese sources in Pakistan that the border situation was becoming dangerous. He proposed that the prime ministers of Burma and Indonesia meet with Nehru and the prime minister of Pakistan to discuss measures for relieving the tension.

13 Ibid.

conveyed harmony with the underlying object of terminating the state of war with Japan and admitting it to the community of free sovereign nations. The Government of India also was glad that, unlike similar treaties in the past, the proposed treaty with Japan was not punitive. It shared with Washington that the government and the people of India had friendly sentiments towards the people of Japan and would welcome closer relations with an independent Japan. According to India, the terms of the treaty should not give just cause for offence to other interested powers in the Far East and thus imperil the prospects of a stable and enduring peace.¹⁴

India thereby reiterated its desire that the draft provisions be reconsidered with a view to removing certain objections, one being Article 6(a) of the revised draft that, while providing for the withdrawal of occupation forces, envisaged the possibility of foreign armed forces being stationed or retained in Japanese territory under bilateral or multilateral agreements with Japan. India stated that it did not see the need for such a provision as Article 5(c) stated that Japan could voluntarily enter into collective security arrangements, which India believed should be made later with an independent Japan rather than as a condition of independence.¹⁵

By mid-August 1951, India had received the US' reply to its inputs and comments. That reply did not take things far since the US did not accept any of the suggestions put forward by India. In fact, it left things much as they were. By this time, it had become amply clear to India that it could not possibly accept the terms of

the Japanese peace treaty and therefore *could not sign* the same. In an August 13, 1951 letter to India's Ambassador in Burma M.A. Rauf, Prime Minister Nehru conveyed India's decision not to go to San Francisco and participate in the proceedings.¹⁶ Before making a formal announcement, however, Nehru wanted to have a copy of the final draft and give it due consideration. Significantly, in his letter to Rauf, PM Nehru shared an interesting piece of information that he had received from Tokyo. India's attitude, though not publicly stated, had become fairly well-known by then in Japan, and stirred into action many quarters of Japanese society that had been acquiescent. Moreover, the editor of one of the biggest newspapers in Tokyo expressed his appreciation privately and said that he wished he had started a campaign on these lines previously. Based on this input among others, it was becoming far more certain that India's decision of *not signing* the treaty would be approved by a majority of the Japanese people.¹⁷

Correspondence with Indonesia and Cable to A. Soekarno

Nehru wanted to act collectively on this matter and, if possible, bring the Indonesian government on board as well. However, he was quick to share his doubts about Indonesia following suit.¹⁸ Subsequently, in a cable sent to Indonesia's President A. Soekarno, PM Nehru wrote that India had shared its views with the former's government, informing them about various steps taken by New Delhi in regard to the proposed Japanese peace treaty. India felt that certain clauses in this treaty were such

14 On the *Draft Treaty of Peace with Japan*; see the note drafted by Nehru sent to the United States Government, New Delhi, July 28, 1951, cited in n. 2, pp. 608-609.

15 Ibid.

16 Letter to M.A. Rauf, New Delhi, August 13, 1951, cited in *Selected Works of Nehru*, n. 2, pp. 614-615.

17 Ibid.

18 Ibid.

that they would increase tensions and not bring peace to the Far East.¹⁹ India had suggested some important changes to the US government but regrettably the US government had been unable to accept them. Having considered this matter, India thereafter had decided that it should *not participate* in the San Francisco Conference and consequently *not sign* the peace treaty. Nehru informed Soekarno that the decision was to be placed before the Indian cabinet for formal approval soon, and that New Delhi intended sending a note to this effect to the US government by around August 25, 1951.²⁰

Further, India informed Indonesia that Burma, too, had decided *not to* attend the San Francisco Conference. New Delhi was hopeful of coordinating its activities as far as possible with Burma on this matter. Nehru hoped that Soekarno's government would adopt a similar attitude on the issue so that there might be full cooperation among the three governments.²¹ India intended to declare an end to the state of war between India and Japan soon after the latter attained independent status as a consequence of the San Francisco treaty. Later, New Delhi was to consider the question of signing a separate bilateral treaty with Japan.

Diplomatic Correspondence through August 1951

In a letter written to India's ambassador to the Soviet Union on August 1, 1951, PM Nehru highlighted that, in the proposed conference, many issues had been kept vague in the clauses listed under 'territorial'.²² India had thought

that peace would enable Japan to be free from occupation forces but, according to the draft treaty, US armed forces were to remain in Japan and the rearming of Japan had been permitted in the name of Japan's unrestricted sovereignty. Nehru also shared with India's envoy that the Burmese government were on the same page as India on this matter, as were probably the Indonesian government despite immense pressure from the US.²³

Interestingly, India's Ambassador to the United States and Mexico Vijayalakshmi Pandit, who was also the sister of PM Nehru, had advised the Indian government to sign the Japanese peace treaty, although the Indian ambassadors in London, Moscow, and Peking (Beijing) had advised *very strongly against this*, providing plenty of reasons for their view. Moreover, K.P.S. Menon (India's foreign secretary at that time) was also *against signing the treaty*, as were most members of the government's *Foreign Affairs Committee*. After carefully noting all these inputs, PM Nehru observed that moderate tendencies and real democratic ways and policies find less scope, while fascists and communists hold the field against each other, perhaps ultimately leading to war. As far as India was concerned, it wanted to keep out of this and, while it was "certainly not lining up with the communist countries, [we] have an equal distaste for the fascists"²⁴, and therefore India *would not be* in a position to sign the treaty. Moreover, PM Nehru was certain that accepting the Japanese treaty as it was would have put an end to India's policy at the time and, in fact, would constitute a political

19 Cable to Indonesian President, A. Soekarno, New Delhi, August 18, 1951, cited in *Selected Works of Nehru*, n. 2, p. 616.

20 Ibid.

21 Ibid.

22 Letter to S. Radhakrishnan (India's ambassador to the Soviet Union), New Delhi, August 1, 1951, cited in *Selected Works of Nehru*, n. 2, pp. 610-611.

23 Ibid.

24 Letter to Vijayalakshmi Pandit (India's ambassador to the United States and Mexico), New Delhi, August 6, 1951, cited in *Selected Works of Nehru*, p. 612.

somersault, leaving no logic in any policy that it would pursue.²⁵ Advising India's Ambassador to the United States and Mexico Vijayalakshmi Pandit on the far-reaching consequences of India signing the treaty, PM Nehru wrote:

It means a reversal of what we have been saying and acting upon thus far. It means a submission, under pressure or fear, to American policy in the Far East and Asia. The consequence of *not signing* it means greater ill will in the United States. My mind is clear that we *cannot sign* this treaty. No doubt the treaty will be signed without us and will take effect. We cannot stop it and do not come in the way. But I see no reason whatever why we should be, in a sense, guarantors of the treaty and of the many provisions in it which we utterly dislike. We would prefer to sign a simple bilateral treaty with Japan.²⁶ It is possible that we might be rather isolated in the business, except perhaps for Burma. Indonesia will probably not hold out for long.²⁷

Additionally, in a note to Girija Shankar Bajpai, secretary-general at the Ministry of External Affairs (MEA), PM Nehru stated that he was inclined to agree with the former's view about India's attending, or rather *not attending*, the San Francisco Conference. The Conference was likely to become a major factor for wordy warfare and mutual recrimination, and India's position would become very embarrassing and

difficult, holding the views it did.²⁸ Bajpai in an earlier note to Nehru had written that, since the signing of the treaty by India was impossible, the right course would be "to communicate our objections to the treaty and *not to* attend the Conference at San Francisco... There would be substantial differences in that we should not be parties to the day-to-day debate and, as such, victims of day-to-day criticism in the western press..."²⁹

Subsequently, in a reply to the telegram³⁰ dispatched by the High Commissioner of India to the United Kingdom V.K. Krishna Menon, PM Nehru sent him a cable on August 16, 1951 conveying India's provisional decision to dispatch its criticisms of the draft treaty to the US and, if no major changes were made in the draft, then *not to* attend the San Francisco Conference. The US by that time had sent an elaborate reply to India's proposals but had not agreed to any substantial changes. Nehru once again confirmed here that Burma's attitude was more or less in line with India's, except for the reparation claims.³¹

By this time, the Soviet Union had announced its decision to go to the San Francisco Conference. This came in as a surprise to many, including India.³² It was evident that Moscow was not going to sign the treaty, but to use the platform of the Conference for stating its objections on record. Related was a telegram dated August 19, 1951, sent

25 Ibid.

26 Ibid., p. 613.

27 Indonesia had suffered the loss of about four million lives and material damages amounting to billions of dollars under Japan's occupation. It participated in the San Francisco Conference and signed the peace treaty but declined to ratify the treaty until the reparations issue had been settled.

28 On the *San Francisco Conference*, Note to Secretary-General (MEA), New Delhi, August 15, 1951, cited in *Selected Works of Nehru*, n. 2, p. 615.

29 Ibid.

30 Cable to V.K. Krishna Menon (citing Menon's telegram no. 10256 on the Japanese peace treaty), New Delhi, August 16, 1951, p. 615.

31 Ibid.

32 The USSR decided to attend the San Francisco Conference despite its opposition to the US-sponsored treaty, August 13, 1951.

by India’s Ambassador to the Soviet Union S. Radhakrishnan to PM Nehru, in which the former asked: “Gromyko wishes to see me tomorrow 21 hours... May be about Japanese peace treaty... Anything you wish me to ascertain?”³³ Upon receiving the telegram, Nehru replied a day later via a cable message:

You might ascertain what procedures the Soviet delegation intend adopting at San Francisco Conference in view of US declaration that no change can be made in final draft of Japanese treaty and fixed time table for signing. There is general impression that Soviet relations with China are not very cordial and there is growing rivalry. Have you noticed any such development. For your personal information we have decided *not to* participate in San Francisco Conference. Burma will also not participate. Our decision will be finalized soon in full Cabinet and conveyed to US about 25th August. After that publicity will be given to it.³⁴

The Government of India replied to the August 23, 1951 note received by the US. Welcoming the assurance that the overriding desire of the US government was peace in Asia and that the US did not want to be a party to colonialism or imperialism, India underlined opposition to colonialism and imperialism as the basis of its struggle. That said, the Government of India made many significant observations, a select few³⁵ of which are cited below:

- (1) The Government of the United States have expressed the belief that their view of the proposed treaty is shared by the Government and the people of Japan. The Government of India regret that they cannot share this view; such information as they have received does not confirm

the appreciation of the situation by the United States Government.

- (2) In discussing the Government of India’s views regarding defensive arrangements to be made by Japan, the Government of the United States describe them as tantamount to leaving Japan defenseless against proved aggressors. The Government of India fail to find any warrant for such a conclusion from anything that they have said. The draft treaty recognizes that Japan as a sovereign nation possesses the inherent right of individual or collective self-defense and that Japan may voluntarily enter into collective security arrangements. Adequate provision is thus made for Japan independently to make whatever arrangement she considers necessary for her self-defense as soon as she has signed the peace treaty and it is not clear to the Government of India why there should be “any period of total defenselessness” for Japan.

Statement in the Indian Parliament on the Japanese Peace Treaty

Finally, as things were coming to culmination on this subject, the Parliament of India on August 27, 1951 was apprised of the latest developments regarding the proposed peace treaty with Japan, and of the Government of India’s decision thereon. The statement noted:

The war against Japan ended six years ago. This was followed by a military occupation of Japan which has continued till now. India, in common with other powers, was interested in putting an end to this unsatisfactory state of affairs and terminating it by a treaty of peace.

33 Telegram dated August 19, 1951, dispatched by India’s Ambassador to the Soviet Union S. Radhakrishnan.

34 Cable to S. Radhakrishnan, New Delhi, August 20, 1951, cited in *Selected Works of Nehru*, n. 2, p. 617.

35 India’s Reply to the U.S. drafted by Nehru, New Delhi, August 27, 1951, cited in *Selected Works of Nehru*, n. 2, pp. 620-622.

Owing to differences in the approach to this question between different powers, little progress could be made. The Governments of the United States of America and the United Kingdom thereupon took the lead in drafting a peace treaty with Japan. There were originally two separate drafts which differed materially from each other. Finally, some minor changes were incorporated in the United States draft and the Government of the United Kingdom accepted it. The United States and the United Kingdom then became joint sponsors of the revised draft treaty and this was communicated to us on July 20, 1951.³⁶

On the issue of considering the draft treaty and the revised draft treaty, the Government of India further informed Parliament:

The Government gave careful consideration to this revised draft and communicated their views on July 28 to the US Government in regard to it. In this reply it was stated that the Government of India were in full sympathy with the underlying object of terminating war with Japan as soon as possible and admitting her to the community of free sovereign nations. It was pointed out that the other objective of the peace treaty with Japan should be to lessen the existing tension in the Far East and help towards a peaceful settlement of the problems affecting that area. In order to satisfy these objectives, attention was drawn to some provisions in the draft treaty and certain proposals were made on behalf of the Government of India.³⁷

The Parliament of India was apprised of the US government's reply to the Government of India received on August 12, 1951:

Some minor variations were made in the original draft, but none of the major suggestions put forward by the Government of India was accepted. The Government thereupon, after careful consideration, came to the conclusion that India *should not sign* the peace treaty or participate in the San Francisco Conference. It was further decided that immediately after Japan attained independent status, the Government of India would make a declaration terminating the state of war between India and Japan and, later, a simple bilateral treaty with Japan should be negotiated.³⁸

In accordance with this decision, the following communication was sent on August 23, 1951 to the Government of the United States through the Indian Embassy in Washington:

The Government of India have the honor to acknowledge with thanks the receipt of the reply of the Government of the United States of America to the representations which they had made on the Japanese peace treaty in their communication dated July 30, 1951. They fully appreciate the consideration given to their views by the US Government and wish to assure them that the present reply is conceived in a spirit of frank and sincere friendship for the Government and people of the US. Throughout the negotiations that have taken place between the two Governments on the subject of the treaty, the Government of India have laid emphasis upon two fundamental objectives:

- i) the terms of the treaty should concede to Japan a position of honor, equality, and contentment among the community of free nations; and
- ii) they should be so framed as to enable

³⁶ *India and the Japanese Peace Treaty*, Statement made in Parliament, August 27, 1951; *Parliamentary Debates* (Official Report), vol. 14, Part II, columns 1357–1362, (August 06–29, 1951), p. 617.

³⁷ *Ibid.*, p. 618.

³⁸ *Ibid.*

all countries specially interested in the maintenance of a stable peace in the Far East to subscribe to the treaty, sooner or later.³⁹

Having stated the above, the Government of India said on record in Parliament that, after careful thought, it had concluded that the *treaty did not*, in material respects, satisfy either of the above two criteria. More significantly, on the question of the Ryukyu and Bonin islands, the Government of India added:

It is only natural to expect that Japan should desire the restoration, in full, of her sovereignty, over territory of which the inhabitants have a historical affinity with her own people and which she has not acquired by aggression from any other country. The Ryukyu and the Bonin Islands fully satisfy this description. Nevertheless, the treaty proposes that until the US Government seek and obtain trusteeship over these Islands, they should continue to be subject to the legislative and administrative control of the US. It is apparent to the Government of India that such an arrangement cannot but be a source of dissatisfaction to large sections of the Japanese people and must carry the seed of future dispute and, possibly, conflict in the Far East.⁴⁰ The Government of India recognized that, as a sovereign nation, Japan should have the right to make arrangements for her defense as provided in Article 5 of the treaty. If, in exercise of this right, Japan should decide to enter into defensive agreements with a friendly power, no one could reasonably object to this. But the right should be exercised by the Government of Japan when Japan has become truly sovereign. A provision in the treaty which suggests that the present occupation forces may stay on in Japan as part of such a

defensive agreement is bound to give rise to the impression that the agreement does not represent a decision taken by Japan in the full enjoyment of her freedom as a sovereign nation. The effect of this, not only on the people of Japan but upon large sections of people in Asia, is bound to be most unfortunate.⁴¹

By this time, it had already been announced that the Conference convened at San Francisco to consider the draft peace treaty with Japan would not be open to negotiation, though attending governments were free to state their views on the treaty. The Government of India felt that the statement of its views on the treaty had already been put forth in its reply, and were adequate to clarify its position to the Conference and its attendees.

It was against the backdrop of all these preceding reasons and archived arguments that the Government of India ultimately decided *not to become* parties to the 1951 San Francisco Peace Treaty. It was India's hope, however, that lasting peace would consistently prevail in the Far East in keeping with the principles on which its foreign policy was based. As a first step, India intended, as soon as this might be practicable, to put an end to the state of war and establish full diplomatic relations with Japan.

39 Ibid.

40 Ibid., p. 619.

41 Ibid., p. 620.