

**The *Asama Maru* Incident  
of January 21, 1940**

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## INTRODUCTION

On September 1, 1939, German armies invaded Poland after having occupied Austria and Czechoslovakia during the preceding year and a half. Although Britain and France had assured Poland of assistance in just such a crisis and had repeatedly warned Germany not to launch an attack against her neighbor, German forces overwhelmed the Polish defenses. Britain and France, therefore, declared war against Germany on September 3. Thus began World War II.

Throughout the autumn of 1939 and on into the following winter and despite the rapid and complete defeat of the Polish armed forces, British and French land and air forces remained quiescent on Germany's western front.. Similarly, the German land and air forces engaged in no offensive actions against their western enemies. Journalists began to call this strange situation “the phony war.”

Nevertheless, at sea, German and British naval forces engaged in serious and deadly combat from the start. On September 3, a German V-boat torpedoed the British passenger liner *Athenia* of 13,500 tons with a loss of 112 lives, 28 of whom were American citizens. During the next five months, 119 British merchant ships, totaling more than a half million tons, were lost by enemy action, most by V-boat activity, some by mines, and a few by surface raiders.<sup>1</sup>

Within hours after the declaration of war, British Prime Minister Chamberlain asked Winston Churchill to assume the duties of First Lord of the Admiralty, the same post he had occupied at the beginning of World War I, and the announcement was flashed to the fleet that, “Winston is back.” Under Churchill’s energetic leadership, the Royal Navy established a blockade of Germany, concentrated major fleet units in -the waters around the British Isles for defense, and introduced measures to protect vital British shipping. At the same time, it searched the seas for German ships.

When news of the outbreak of war was radioed around the world, German passenger liners and freighters on the high seas altered course and sped to neutral ports to avoid capture by British warships. German crews manning vessels of other flags also sought safe havens. Within a few weeks, dozens of such ships and hundreds of German seamen were stranded in ports in the western hemisphere, mainly in the United States. Most of these seamen wanted to return to Germany by the fastest means possible and, on the way, avoid capture and internment by British authorities. For months, they tried to find passage on neutral ships sailing across the Atlantic or, later, across the Pacific. In their efforts, they received support from their employers, such as the Standard Oil Company of New Jersey, and from the German government.

This paper will describe one attempt by nearly two dozen of these seamen to make their way from the United States to Germany by way of the Pacific and will show how the British government dealt with this challenge. The climax in the story came on January 2], 1940, when *HMS Liverpool* intercepted the neutral Japanese passenger liner *Asama Marti* about 35 miles from Yokohama, took off 21 Germans, and claimed them as prisoners of war.

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<sup>1</sup> Winston S. Churchill, *The Gathering Storm* (Boston: Houghton Mifflin, 1948), 405-421. William L. Shirer, *The Rise and Fall of the Third Reich* (New York: Simon and Schuster, 1960), 635-638.

Soon finding it expedient to release some of these men, the British, nevertheless, managed to induce the Japanese government to cooperate in preventing hundreds of other Germans from following the first group.

### ***FORMULATION of BRITISH POLICY***

The question concerning the treatment of enemy aliens found on board neutral ships came before a meeting of the British war cabinet on September 27, 1939. This body included Prime Minister Neville Chamberlain, First Lord of the Admiralty Winston Churchill, Foreign Secretary Lord Halifax, and about six or eight 'others, all bearing the responsibility of formulating and implementing policy on the conduct of the war against Germany. During the course of the discussion, the members considered reports and recommendations from Lord Lothian, British ambassador in Washington, and Sir Percy Loraine, the ambassador in Rome. In addition, they studied a report from the attorney-general advising that the treatment accorded enemy aliens on neutral ships should be similar to that accorded enemy aliens within Great Britain.

Along lines suggested by Lord Lothian and the attorney-general, the war cabinet agreed that, in regard to enemy aliens on neutral ships, British policy should be based on the following considerations:

- a) the need to avoid offending neutral opinion, particularly in the United States of America and Italy;
- b) as a general rule, to remove only those enemy aliens from neutral ships who were officers or non-commissioned officers, active or reserve, of the enemy armed forces or who were known enemy agents or who were technicians whose activities could be important to the enemy war effort;
- c) in the immediate future, to confine action to vessels inward bound to European ports;
- d) as far as possible, to avoid removing enemy aliens from neutral ships on the high seas;
- e) to make no public statement of these intentions.<sup>2</sup>

This formulation remained the policy *of* the British government until the nature of the problem became more clear.

On 13 October, the Admiralty sent out instructions intended to implement this policy. In providing detailed guidance for naval officers who had the duty of examining the cargo, crews, and passengers of ships at ports such as Gibraltar as well as on the high seas, the Admiralty cautioned that "... removal from neutral ships should only take place in contraband control bases and then only from neutral vessels inward bound to European ports ...". Furthermore, British naval officers were warned that American ships should not be stopped for any reason in the western Atlantic.<sup>3</sup>

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<sup>2</sup> War Cabinet Conclusions 29 (30), 27 Sep 1939, Cab 65/1.

<sup>3</sup> Admiralty "A" Message Home & Abroad, 751A, 13 Oct 1939, ADM 116/4157.

Several weeks later, the Foreign Office instructed Lord Lothian to seek an interview with American Secretary of State Cordell Hull to explain this British policy. The ambassador was also to suggest that American shipping companies could save themselves trouble by refusing to embark German citizens of military age who sought passage for Europe.<sup>4</sup> Clearly, the British government was trying to keep the American government informed on measures aimed to 'isolate Germany and, in the process, to win the cooperation of the United States.'",

By the month of December, the nature of the problem of enemy aliens was becoming more clear. Lothian reported from Washington that, according to the press, about 400 German seamen, formerly employed on tankers of the Standard Oil Company, had been discharged and were stranded in ports in the United States. He added that about 50 more seamen were stranded in Central and South American ports.<sup>5</sup> Three weeks later, the *New York Times* carried an article mentioning an additional 576 seamen from the scuttled German liner *Columbus* held at Ellis Island.<sup>6</sup> Furthermore, the Admiralty, in a letter of December 19 to the Foreign Office, noted that "the enemy are now making a regular practice of repatriating their nationals in America ... by embarking them on Italian ships whose first port of call, after the Azores, is Lisbon and sending them [onward] by air ..."<sup>7</sup> Among these Germans there were certainly many of military age, many with navigational skills, many radio operators, and many diesel mechanics. The British feared that such "technicians" would succeed in returning to Germany and would soon be manning the new V-boats scheduled to join the German navy in the coming months.

Therefore, as the year 1939 drew to a close, the British government realized that more would have to be done to thwart the attempts of German citizens of military age to return to their fatherland from abroad. To deal with the stream of Germans moving eastward across the Atlantic, the Admiralty asked the Foreign Office to try to persuade the Portuguese government to lend assistance at the Azores and at Lisbon. At the same time, the British made a similar approach to the Italian government with respect to passengers carried on Italian ships. The British appear to have achieved some success because Germans soon began to make arrangements to travel westward across the Pacific by Japanese ship and onward via the trans-Siberian railroad.<sup>8</sup>

### *NAVAL ACTION*

At the beginning of January 1940, the British government adopted a more vigorous policy concerning enemy aliens travelling aboard neutral ships, and that policy was quickly revealed in a dramatic way. Henceforth, the navy would pay more attention to neutral ships

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<sup>4</sup> Foreign Office to Lothian, telegram no. 746 and no. 747, 10 Nov 1939, FO 371/23942.

<sup>5</sup> Lothian to Foreign Office, telegram no. 865 5 Dec 1939, FO 371/23943.

<sup>6</sup> *New York Times*, 28 Dec 1939, page 8.

<sup>7</sup> Admiralty to Foreign Office, letter M. 015894/39. 19 Dec 1939, FO 371/23943

<sup>8</sup> Briefing paper W 1585/31/49 from Foreign Office, Mr. Steel, for Foreign Secretary, 22 Jan 1940, FO 371/25709.

Foreign Office to Lothian, telegram no. 130, 30 Jan 1940, FO 371/25709.

Lorraine (embassy Rome) to Foreign Office, despatch no. 149, 21 Feb 1940, FO 371/25112.

sailing on the Pacific and would not hesitate to board such ships on the open sea to search for aliens likely to serve in the German armed forces.

Collecting information from intelligence sources in New York, Ottawa, Kingston, San Francisco, and other places, the Admiralty learned that approximately fifty German citizens were planning to sail on the Japanese liner *Asama Maru*, from San Francisco for Yokohama at the beginning of January. Earlier, these Germans had planned to sail from the United States eastward across the Atlantic on an Italian liner but had decided that their chances for eluding the watchful British would be better if they attempted the longer way home by way of the Pacific and the trans-Siberian railroad. The Admiralty also ascertained that the only British ship available for intercepting neutral vessels on the west coast of North America was the armed merchant cruiser *Rqjputana*, located about 1300 miles south of San Francisco. She was capable of a maximum speed of 17 knots, but the *Asama Maru* was a faster vessel and could easily outdistance the cruiser.

The Admiralty concluded that interception of the *Asama Maru*, if attempted, would have to be conducted from the China station in the western Pacific. The Foreign Office, before approving such an operation, insisted that any interception should be undertaken as far from Japan as possible, certainly out of sight of the Japanese coast. The Foreign Office also asked that the Japanese naval attaché be warned in general terms of British policy in advance of any interception. On the basis of these considerations, the Admiralty arranged an interview with the attaché on 9 January and informed him that the British government "reserved the right to remove from neutral vessels all Germans of military age who were trying to return to Germany."<sup>9</sup> On the same day, an order was sent to the commander-in-chief of the China station to intercept the *Asama Maru* on the high seas and remove any Germans who appeared to be returning to Germany to participate in the enemy war effort. The directive previously sent out in October described the categories of persons who might be claimed as prisoners of war.<sup>10</sup>

*The Asama Maru*, completed in 1930 for the Japanese N.Y.K. Line and designed especially for transpacific service, measured 17,000 tons, had a top speed of 21 knots, and carried passengers, mail, and freight. Under the command of Captain Yoshisada Watanabe, the ship sailed from San Francisco at noon on 6 January. After calling briefly at Honolulu on 11 January, the ship carried more than 100 passengers in first class as well as others in second and third class. Among the passengers were about 50 German citizens, some of whom were seamen and others were businessmen. On 14 January, the ship crossed the International Date Line and spent the following week sailing through severe gales.<sup>11</sup>

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<sup>9</sup> D.N.I. memorandum, 9 Jan 1940, from Stephen Barry to "M" Branch, ADM 116/4157.

<sup>10</sup> A series of typed and handwritten notes or minutes among the heads of various branches of the Admiralty reveal the steps by which they gathered information and arrived at the decision to order *HMS Liverpool* to intercept and board *Asama Maru* off the coast of Japan. These notes are dated January 3, 4, 5, 6, and 7, and some bear the register number M.017653/39. All are to be found in ADM 116/4157. Also see Consul General San Francisco to Admiralty and others, 1344/6, 6 Jan 1940, and Admiralty to Commander-in-Chief, China, 9 Jan 1940. Both in ADM 116/4157.

<sup>11</sup> Foreign Affairs Association of Japan, Tokyo, *Contemporary Japan: A Review of Far Eastern Affairs*. Vol. IX, p. 494. United States Naval Institute, *Proceedings*, Vol. 56, no. 1, Jan 1930, p. 63.

On 11 January, the commander-in-chief, China station, ordered *HMS Liverpool* to intercept the *Asama Maru* in accordance with Admiralty instructions. The British ship, commanded by Captain A.D. Read, was a light cruiser of 9,100 tons carrying 12 six-inch guns as the main armament, and had arrived on the station a few weeks earlier. As Read tried to plot a course which would enable him to intercept the Japanese ship, he had to consider (a) the storm which could affect the speed and path of the *Asama Maru*, (b) the importance of intercepting the ship out of sight of the Japanese coast because of the sensibilities of the Japanese people, and (c) the possibility that Japanese warships would provide an escort for the *Asama Maru* as she approached Yokohama. To minimize this last possibility, Read had to carry out the interception as far from Japan as possible and as rapidly as possible. Accompanying *HMS Liverpool* was the armed merchant cruiser *Arawa*.<sup>12</sup>

On Sunday, 21 January 1940, about a hundred miles southeast of Yokohama, the day dawned cold and overcast, and a considerable swell continued to roll across the sea in the wake of the recent storm. Because the *Asama Maru* had fallen behind schedule and had deviated from the usual course, Captain Watanabe was eager to press ahead as quickly as possible and called for a relatively fast speed of 18 knots. Passengers aboard the *Asama Maru* were informed that the ship was expected to arrive at Yokohama quarantine about 5:00 p.m. and that they should have their baggage and papers in order for debarkation. Shortly after noon, they strolled to the dining room for lunch as they had done for the past two weeks.<sup>13</sup>

At 12.16 p.m. on board *HMS Liverpool*, Captain Read sighted the Japanese vessel in the distance and, after approaching her, signalled, "What ship?" The reply came promptly, "*Asama Maru*." Read then signalled, "Stop your vessel instantly." When no notice was taken, he signalled, "Heave to, stop at once." At 12:53 as the *Asama Maru* was still proceeding at about 18 knots, *HMS Liverpool* fired a blank round. The Japanese ship then stopped, and Read signalled, "I am sending a boat."<sup>14</sup>

The boat carried a boarding party of three officers and ten men, all armed with pistols. When it arrived alongside the *Asama Maru* at 1:15 p.m., Lieutenant Commander G.H. Greenway, leading the party, clambered up a rope ladder and asked to be conducted to the captain. On meeting Captain Watanabe, the British officer expressed regret that it had been necessary to stop the ship but that he wished to interrogate all his German passengers and that it would be necessary to take some of them off his ship as prisoners of war. The captain refused to admit the right to remove German passengers and asserted that international law permitted only the removal of contraband cargo on the high seas. The two

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<sup>12</sup> Paul Haggie, *Britain at Bay. The Defence of the British Empire against Japan. 1931-1941* (Oxford, Clarendon Press, 1981), 168-169, Peter C. Smith and John R. Dominy, *Cruisers in Action, 1939-1945* (London: William Kimber, 1981), 249, 276.

<sup>13</sup> N.Y.K. Line, *Abstract of Log. M.S. "Asama Maru" Voyage No. 55 Homeward*. Distributed to passengers aboard on 21 Jan 1940. *My Travels Abroad*, a manuscript diary of Chester G. Dunham, a passenger on the *Asama Maru*. Both documents in author's possession.

<sup>14</sup> Commanding Officer, *HMS Liverpool*, to Commander-in-Chief, China Station, 25 Jan 1940, no. 374/012, ADM 116/4157.

continued to argue their cases until Greenway declared that he would delay the ship as little as possible if Watanabe would cooperate by assembling all of the German passengers.

Greenway later described the conclusion of the interview:

Finally, when I pointed out that men could be just as much contraband as goods, the Captain, without admitting that I was in the right, told me to be as quick as possible as he was anxious to get into Yokohama before dark. He gave an order in Japanese to the chief officer and the purser and told me to go with them. He then turned away muttering to himself. From the chief officer I learnt that he had been ordered to muster all the German passengers in the saloon.<sup>15</sup>

Within about ten minutes, all of the German passengers were assembled in the first class lounge and, one by one, each was questioned in turn. While Greenway checked names off a list supplied by naval intelligence and while the Japanese purser checked names off his passenger list, Lieutenant M.E.P. Studdert, of the boarding party, interrogated the passengers in the German language. After nearly an hour, Greenway determined that 21 passengers, all former officers or technicians discharged from Standard Oil tankers, could be claimed as prisoners of war in

Among the non-German passengers discreetly but curiously observing the unusual proceeding was an American who wanted to know what was going on. He walked up to one of the British seamen standing guard at the lounge and asked the name of the warship. The guard briskly replied, "Sorry, Yank, but I can't tell you." The passenger was not alone in his lack of information: Captain Watanabe and his officers were not informed either of the name of the British warship or of the names of any of the British officers.<sup>16</sup>

Before quitting the *Asama Maru* with his party, Greenway again went to the bridge to speak with the captain. He asked whether the latter had any complaints to make as to the manner in which the boarding of the ship and the removal of the prisoners had been carried out. Watanabe replied that he had no complaints to make in that respect but that he still protested against the removal of any German passengers at all. The Japanese captain appeared to Greenway - more genial than he had earlier at the first meeting. Greenway did not consider it expedient to sign the log of the *Asama Maru* and thus cause further delay, and Watanabe did not ask him to do so. Both officers had their own reasons for wishing to bring this incident to a rapid close. The boarding party finally left the ship at 2:35 p.m., after having been on board for one hour and twenty minutes. At 2:40 p.m. after the boat had left the *Asama Marti*, Captain Read on *HMS Liverpool* signalled, "Proceed" and "Thank you." The incident had occurred about 35 miles southeast of Yokohama at 34 degrees 35<sup>1</sup>/<sub>2</sub> minutes north latitude and 140 degrees 32<sup>1</sup>/<sub>2</sub> minutes east longitude.

### ***SENSATIONAL NEWS!***

Shortly after nightfall on 21 January, the *Asama Maru* arrived at her pier in Yokohama. Apparently, reports of the interception at sea by a British warship had already

<sup>15</sup> Boarding Officer's Report, H.M.S. "Liverpool" 21st Jan 1940. Enclosure to item in footnote 14.

<sup>16</sup> Craigie to Foreign Office, telegram no. 125, 26 Jan 1940, FO 371/25108. *Toledo Blade*, 29 Feb 1940.

reached newspaper offices on shore because reporters eagerly sought to interview and photograph passengers from the ship as they filed ashore. Later that night, they called the British embassy in Tokyo for more information and comment. News of the *Asama Maru* incident spread quickly across Japan.

Initially, Japanese newspapers contained factual accounts of the incident without editorial comment, but on 23 January, British Ambassador Sir Robert Craigie reported to the Foreign Office in London that

There is an outburst of indignation throughout the Japanese press this morning and it is evident that public opinion is being stirred by reactionary societies to a high pitch of fury against Great Britain. Group of right-wing members of Diet met yesterday and decided to address a strongly worded interpellation to the Government on resumption of session. A number of anti-British meetings are to take place this week.<sup>17</sup>

On the same day, the American ambassador to Japan, Joseph C. Grew, noted in his diary that “the incident ... promises to cause a first-class scandal ... the emotional patriotism and chauvinism of the entire country have been let loose.”<sup>18</sup>

During the days that followed, the Japanese press denounced the interception of the *Asama Maru* as “an act of piracy” perpetrated by “a pirate ship” and called it a “violation of international law” and an insult to the nation because it had occurred within sight of the Japanese homeland and at the foot of the “sacred Mount Fuji.” The press also demanded the immediate return of all of the “abducted passengers,” an apology from the British government, and guarantees against such “illegal” acts in the future.<sup>19</sup>

On 24 January, Craigie telegraphed that “there has been a continuous succession of demonstrations at the embassy throughout today” by student organizations and by other groups coming often from distant parts of the country. The demonstrators demanded the release of the Germans taken prisoner and an apology for this “outrageous affront to the Imperial House, to the Japanese flag, to the navy, and to the entire nation.” During the week after the arrival of the *Asama Maru* at Yokohama, forty or more deputations visited the British embassy to protest, to denounce, and to demand. The British ambassador, in trying to inform London as accurately and completely as possible concerning the intensity of Japanese anger, reported that, “Even a publication like the liberal and usually constructive ‘Oriental Economist’ produced an article entitled ‘Must Japan fight Great Britain after all?’”<sup>20</sup> So unexpected and so strong was the outburst of Japanese hostility toward Great Britain that the Foreign Office in London feared that Craigie could fall victim to an attack by an “isolated fanatic” or that the embassy in Tokyo could suffer damage from mob action.<sup>21</sup>

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<sup>17</sup> Craigie to Foreign Office, 22 Jan 1940. FO 371/25108.

<sup>18</sup> Joseph C. Grew, *Ten Years in Japan* (New York: Simon and Schuster, 1944), 313

<sup>19</sup> Craigie to Foreign Office, telegrams 110.92, 110. 105, no. 111, no. 119, and no. 121, dated 22, 23, 23, 24, and 24 Jan 1940. All in FO 371/25108.

<sup>20</sup> Craigie to Foreign Office, despatch no. 143(350/710/40), 5 Mar 1940, FO 371/25111.

<sup>21</sup> Foreign Office to Craigie, telegram no. 59, 27 Jan 1940. FO 371/25108.



Besides the inflamed public opinion in Japan, two other elements complicated this international crisis. About a week before the interception of the *Asama Maru*, the leadership of the Japanese government had changed: Admiral Mitsumasa Yonai had taken charge as prime minister and Hachiro Arita had become foreign minister. Both had the reputation of relative moderation and understanding in their dealings with Great Britain and the United States, and both had opposed the efforts of Japanese army leaders to forge a closer alliance with Germany. Therefore, the Yonai cabinet came to office in the face of bitter opposition from army leaders and those who sympathized with them. These opponents were happy to find a pretext to embarrass and, perhaps, topple the Yonai government.<sup>22</sup>

A second element complicating the crisis concerned the hundreds of German seamen still in the United States and the Japanese merchant ships regularly sailing across the Pacific to Japan. On 23 January, the British consul general in San Francisco sent a cable in which he referred to the interception of the *Asama Maru* and reported that “other parties of German seamen are assembled at United States Pacific coast ports for repatriation.”<sup>23</sup> On the same day, the Japanese foreign ministry summoned the counsellor of the British Embassy and handed him a list of three Japanese ships then at sea bound for Japan from American ports. The British diplomat was warned that, if any more ships were intercepted, the situation would become very serious. Later that day, the foreign minister himself summoned the ambassador and reinforced the earlier warning. He went on to hint that the Japanese navy might undertake to convoy such merchant ships. That evening after the interview, Craigie returned to the embassy and sent a cable to London ominously suggesting that another interception could easily lead to a break in diplomatic relations, Japanese countermeasures, and, finally, war.<sup>24</sup>

### ***DIPLOMATIC NEGOTIATION***

Neither the British nor the Japanese government wanted another war at this time. The former was striving to build up forces for large-scale ground fighting in Europe against Germany within a few months while the Japanese army was bogged down in China. The problem then was to devise some means of accommodating British and Japanese interests and reducing, if not eliminating, the chances of conflict.

At 10:30 p.m. on 22 January, the Japanese foreign ministry summoned the British ambassador and presented him a memorandum strongly protesting against the removal of the German seamen from the *Asama Maru*. According to the Japanese memorandum, a belligerent has a right to claim, as prisoners, only those persons who are “actually embodied in the armed forces.” Furthermore, because the capture occurred in “waters adjacent to

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<sup>22</sup> Craigie to Foreign Office, tel. no. 119, 24 Jan 1940, FO 371/25108. Joseph C. Grew, *Ten Years in Japan* (New York: Simon and Schuster, 1944), 312.

<sup>23</sup> British consul general San Francisco to British embassy Tokyo, 23 Jan 1940, FO 371/25108.

Joseph C. Grew, *Turbulent Era, A Diplomatic Record of Forty Years: 1904-19.5*, 2 vols. (Boston: Houghton Mifflin, 1952), II, 1221, 1225.

Leonard Mosley, *Hirohifo, Emperor of Japan* (Englewood Cliffs, New Jersey: Prentice-Hall, 1966), 189.

<sup>24</sup> Craigie to Foreign Office, telegram no. 108, no. 110, no. 113, no. 113, 23 Jan 1940, FO 371/25108.

Japan,” the Japanese government regarded the British action “as a serious, unfriendly act.” The memorandum demanded a “full and valid explanation promptly” and concluded by warning against a repetition of such an action. In accepting the protest from the vice minister for foreign affairs, Craigie expressed surprise that the Japanese government had used such strong terms, asserted that the British forces had acted in accordance with recognized principles of international law, and promised to transmit the memorandum to his government.<sup>25</sup>

Within hours in a series of telegrams, he sent a full translation of the memorandum with his comments and evaluation. In his view, “one reason for which the Japanese Government rushed in with so strongly worded a protest at so inconvenient an hour was to stem the rapidly rising tide of anti-British feeling and resentment ...”<sup>26</sup> Later in another telegram to London, Craigie attempted to explain the difficult position of the Yonai government and the excited, unreasoning mood of the Japanese people after two years of war in China:

Japan unfortunately has not a single leader who would dare to face such a storm as has now transpired here and to tell the people the truth. Government least of all could afford to do this openly, for, having no solid foundation either in popular support or in military might, they would be swept away overnight. They are already being bitterly assailed from all sides for not having demanded an apology and immediate return of the Germans; if no settlement can be reached with us of a nature to assuage Japanese opinion, their days are numbered ...<sup>27</sup>

In London, the British war cabinet was meeting daily to receive the latest reports on military and diplomatic affairs, to plot courses of action, and to make decisions. At a session on Tuesday morning, 23 January, Foreign Secretary Lord Halifax summarized Craigie’s latest reports, described the Foreign Office view of the matter, and commented that “an effective answer to the Japanese protest” was being prepared. During the days that followed, while officials at the foreign office labored over their draft response to the Japanese and over the guidance to be given to Craigie, the war cabinet members believed, at one point, it was their duty to act on the principle of “one war at a time” and to make the best terms possible “before the situation got out of hand.” At another point, the members thought that the navy should adopt an attitude of “fail to find” any more Japanese ships carrying German citizens until the war in Europe should take a more favorable turn.<sup>28</sup>

On Thursday, 25 January, Lord Halifax presented to the war cabinet his proposed instructions to Craigie to find a way out of the *Asama Maru* predicament. After an extensive discussion of all aspects of the matter, the members asked the foreign secretary to redraft his instructions along lines suggested during the course of their meeting and, in the process, to consult with the First Lord of the Admiralty, Winston Churchill, On the following day,

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<sup>25</sup> Craigie to Foreign Office, telegram no. 97 and no. 98, 22 Jan 1940; telegram no. 100, no. 101, and no. 103, 23 Jan 1940, all in FO 371/25108.

<sup>26</sup> Craigie to Foreign Office, telegram no. 101, 23 Jan 1940, FO 371/25108.

<sup>27</sup> Craigie to Foreign Office, telegram no. 120, 24 Jan 1940, FO 371/25108.

<sup>28</sup> War Cabinet Conclusions 21 (40) 23 Jan 1940, 23 (40) 25 Jan 1940, 24 (40) 26 Jan 1940, 26 (40) 29 Jan 1940, 27(40) 30 Jan 1940; all in ADM 116/4157.

Halifax reported that he had done as requested and then had sent his instructions to the ambassador in Tokyo in the form of two telegrams,

One telegram, prepared by the legal adviser to the Foreign Office and sent *en clair*, consisted of a long, erudite argument. It wisely began with a statement which the Japanese could interpret as an apology: "His Majesty's Government greatly regret ... that the present incident, occurring as it did so close to the capital, should have aroused such profound resentment in Japan." It then went on to refute the basis for the Japanese protest and to assert the legality and propriety of the action of *HMS Liverpool* in stopping the *Asama Maru*. It referred to the Declaration of London of 1909, as the Japanese had done by inference, and pointed out that the declaration had not been ratified by any government and consequently was an insubstantial basis for the Japanese protest. It stated that all German men of military age were subject to military service under German law and therefore should be considered part of the German armed forces in wartime. Finally, it concluded with a ringing denunciation of the unrestricted submarine warfare being conducted by Germany and an expression of determination to put an end to the V-boat menace by all means at the disposal of the British government. Following instructions, Craigie incorporated the text of the telegram into a memorandum which he presented to the Japanese foreign minister on 27 January. This memorandum constituted the official and formal reply to the Japanese protest and, in due course, was released to the public.<sup>29</sup>

The second telegram, drafted in consultation with Chamberlain and Churchill and sent in cipher, provided the basis for a settlement of the incident. It recognized that the legal positions of the British and Japanese governments were far apart and could not be reconciled under the existing circumstances. Nevertheless, the telegram continued, the British government was "anxious to examine ... {the} means by which ... further difficulties and incidents calculated to impair good relations can be avoided."<sup>30</sup> It then went on to outline the basis on which Craigie should conduct his negotiations with the Japanese foreign minister: matters which should be insisted on, matters which might be yielded under certain circumstances, and matters which could be offered as inducements.

For ten days, Craigie met almost daily with Japanese Foreign Minister Arita or with his vice minister and engaged in discussions sometimes lasting two to three hours. The two diplomats probed and prodded, bluffed and bargained. While Craigie regularly telegraphed to the foreign office in London to report on his talks and to obtain information and guidance, Arita regularly conferred with his cabinet colleagues and made vague optimistic statements to the press or to the Japanese Diet.

At the same time, British and Japanese authorities quietly made separate, tentative, and supportive moves toward a settlement. While the British navy "failed to find" any more Japanese ships carrying German citizens of military age, the Japanese shipping lines N.Y.K. and O.S.K. began to deny passage to persons who were suspected of being members of the

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<sup>29</sup> Foreign Office to Craigie, telegram, no. 55, 26 Jan 1940. FO 371/25108.

<sup>30</sup> Foreign Office to Craigie, telegram, no. 54, 26 Jan 1940. FO 371/25108.

armed forces of a belligerent country.<sup>31</sup> On 31 January, British Prime Minister Chamberlain made a conciliatory reference to Japan in a public speech which was covered by the press.<sup>32</sup>

On 1 February, the Japanese foreign ministry gave Craigie a note which requested the return of all 21 German seamen taken from the *Asama Maru* but which also expressed the “great pleasure” of the Japanese government on receiving what appeared to be an apology in the long British memorandum a few days earlier.<sup>33</sup> The vice minister hastened to explain to Craigie that this note stated an official position dictated by political necessity but that the Japanese government did not really expect the return of all 21 seamen.<sup>34</sup> By 5 February, Craigie and Arita had resolved the major questions connected with the *Asama Maru* incident in a series of understandings which they occasionally referred to as a “gentlemen’s agreement.”<sup>35</sup>

The world learned much about this agreement almost immediately. On 6 February, Prime Minister Chamberlain announced in the House of Commons that nine of the 21 German seamen taken from the *Asama Maru* had been found to be “relatively unsuitable for military service” and would be “handed over to Japanese authorities in due course.” He added that, “Japanese shipping companies have been instructed that they should ... refuse passage to any individual of a belligerent country who is embodied in the armed forces or is suspected of being so embodied. . . It is anticipated that such incidents as that in connexion with the *Asama Maru* will be avoided in future.”<sup>36</sup>

On the same day, Japanese Foreign Minister Arita made a similar statement in the Diet. He noted that the British government had promptly expressed regret for the effects that the incident had had in Japan and expressed appreciation for the British desire to reach a speedy and amicable settlement. He announced that the Japanese government had received assurances that incidents, such as that of the *Asama Marti*, would not recur and that nine of the 21 Germans taken from that ship would be returned. He added that the Japanese government would accept them and continue to press for the return of the others. Finally, he declared that Japanese ships in the future will refuse passengers “who are, or who are suspected to be, embodied in the armed forces of belligerents.”

What the world did not learn was that both governments now regarded the *Asama Maru* incident as closed, that Japanese consular officials in the western hemisphere would cooperate with their British colleagues to ensure that Germans of military age did not find

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<sup>31</sup> War Cabinet Conclusions 23 (40) 25 Jan 1940, ADM 116/4157. Craigie to Foreign Office, telegram no. 127, 26 Jan 1940, and telegram no. 166, 29 Jan 1940, FO371/25109.

<sup>32</sup> *The Times* (London), 1 Feb 1940.

<sup>33</sup> Craigie to Foreign Office, telegram no. 204, 1 Feb 1940, FO 371/25110.

<sup>34</sup> Craigie to Foreign Office, telegram no. 205, Feb 1940, FO 371/25110.

<sup>35</sup> Craigie to Foreign Office, telegram no. 116 (24 Jan), and no. 125 (26 Jan), FO 371/25108; no. 127 (26 Jan), 136 (26 Jan), no. 143 (27 Jan), and no. 175 (30 Jan), FO 371/25109; no. 187 (31 Jan), no. 186 (1 Feb), no. 191 (1 Feb), no. 204 (1 Feb), no. 205 (1 Feb), no. 210 (1 Feb), no. 211 (1 Feb), no. 228 (3 Feb), and no. 247 (5 Feb), FO 371/25110. *The Times* (London), 29 Jan, 30 Jan, 1 Feb, 2 Feb, 5 Feb 1940.

<sup>36</sup> *The Times* (London), 7 Feb 1940, page 8.

passage across the Pacific, and that Japanese shipping companies would accept British passengers without closely inquiring into their military status.<sup>37</sup>

On 8 February, Foreign Secretary Lord Halifax telegraphed his congratulations to Craigie “on the successful conclusion [*of*] this difficult and delicate negotiation” He went on to say, “It was. . . your consistent readiness to recommend a commonsense settlement and your timely show of firmness that brought the Japanese to accept the equitable terms they were offered.”<sup>38</sup>

Several weeks later in a despatch to the foreign secretary, Craigie assessed the *Asama Maru* incident:

... As outstanding problems in international law have habitually been settled by precedents which in their turn have been established by the exercise of superior force, it might be advisable to ensure the existence of this last factor on our own side before again seeking to impose on the Japanese Government our interpretation of an undecided issue ...

After this cautionary note, he concluded in an optimistic tone:

The situation is mending more rapidly than I had anticipated and I hope that its ill-effects will soon be entirely dissipated. In the meantime I trust that our confidential understanding with the Japanese Government will work out in such a way that we may have succeeded in preventing by agreement the passage of those German nationals whom we would in other circumstances have intercepted by naval action.<sup>39</sup>

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<sup>37</sup> Craigie to Foreign Office, telegram no. 281, 13 Feb 1940, and no. 313, 19 Feb 1940, FO 311/25111. Minute by G.V. Kitson, enclosed in Shanghai despatch no. 87, 12 Feb 1940, to the British ambassador, FO 371/25113. Foreign Office circular telegram no. 19,22 Feb 1940, to posts in western hemisphere, FO 371/25111,

<sup>38</sup> Foreign Office to Craigie, telegram no. 108, Feb 1940, FO 371/25110.

<sup>39</sup> Craigie to Foreign Office, despatch no. 143(350/710/40), 5 March 1940, FO 371/25113.

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