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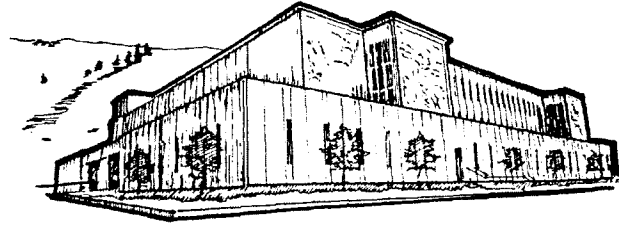
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John William Powell and The China Weekly Review:
An Analysis of His Reporting and His McCarthy Era Ordeal

By
Fuyuan Shen

Presented in partial fulfillment of the requirements
for the degree of
Master of Arts in Journalism
July 1993

Approved By

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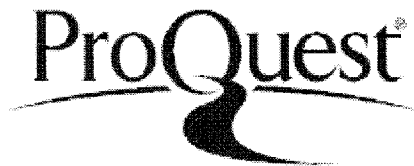


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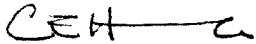


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Journalism

John William Powell and The China Weekly Review: An Analysis of His Reporting and His McCarthy Era Ordeal.

Advisor: Dr. Charles E. Hood, Jr. 

This study explains the life of John William Powell with particular emphasis on his experience as the editor The China Weekly Review in Shanghai after World War II, and the difficulty he went through after he returned to the United States during the McCarthy era.

Powell was born in China, but was reared mainly in the United States. He attended the University of Missouri School of Journalism. After America entered World War II, Powell went to work in the Office of War Information.

In 1945, Powell went to Shanghai to restart the Review, which his father, J.B. Powell, had edited and owned. The journal, known to be critical of Japan's aggression in Asia, was shut down during the Japanese occupation of Shanghai, and his father was physically incapacitated in Japanese jails.

During the Korean War, Powell hailed the Chinese entry into the war, and echoed Chinese and North Korean charges that the United States was engaged in germ warfare. The Review purportedly was used by the Chinese for ideological indoctrination in U.S. POW camps. Failure to comply with the indoctrination was reported to have resulted in the death of U.S. prisoners.

Powell eventually closed down the Review because of increasing financial losses, and returned to the United States with his family in 1953. After his return, the Powells faced Congressional hearings and later the government charged him with treason and sedition. The ordeal cost him dearly, both professionally and economically, but finally the government dropped all the charges against him in 1961 for lack of evidence.

This study of Powell's writings concludes that he did not knowingly falsify anything, but he was not as objective as he could have been in his reporting. The issue of germ warfare remains open. Except for that, most of what Powell reported about the war actually happened. Western historians interpreted same facts differently, but the differences are largely matters of opinion or are rooted in differing cultural perspectives. Today, Powell remains as convinced as he was then about his germ warfare charges.

Powell's case shows journalists how difficult it is to cover a foreign country when tension is high between nations. It also shows that journalists can be easily manipulated or led astray by propaganda and the lack of adequate information.

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Fuyuan Shen

Chapter One. Introduction

Of all the China Hands, a group of American foreign service officers and journalists who were accused of being overly sympathetic to the Chinese Communists during and after World War II, John William Powell perhaps suffered the most and the longest from McCarthyism. He was among the few Americans to stay in China after the Communists took over. After he came back, he faced the charges of sedition and treason, and lost his newspaper career.

He was also the most controversial of the China Hands. Considered to be a "fearless and fair" journalist by his colleagues in the news profession at one time, he would later be characterized by them as a turncoat "Red China Boy" as a Newsweek article labeled him.

Powell was born in Shanghai, the son of a prominent American journalist, John Benjamin Powell. Both he and his father were educated at the University of Missouri School of Journalism. He worked in 1940 as a newsman in China before joining the U.S. Office of War Information as an editor at the start of World War II.

In 1945, he took over his father's paper, The China Weekly Review, in Shanghai. His father, who had edited the Review since 1917 and had purchased it in 1922, had been a strong supporter of the Chinese Nationalists and an outspoken critic of Japanese militarism.

As the Chinese Nationalists desperately tried in the post

World War II years to impose their rule on China, the Review, under the operation of Powell, grew increasingly critical of the regime. Its editorials and essays highlighted the inefficiency, cruelty, corruption and press censorship of the Nationalist government. Powell's wife, Sylvia, and another American journalist, Julian Schuman, also worked at the Review at that time.

After the Communists took over mainland China in 1949, the Review, having changed to a monthly, published laudatory reports of the conditions in Communist-held territories. It became the only English-language paper to be published in China after 1949.

During the Korean War, the magazine devoted much attention to criticizing American military and diplomatic policies. From 1951 to 1953, Powell published a variety of stories detailing China and North Korea's germ warfare charges against the United States. The American government, however, discredited Powell for his views. When he returned to the United States with his wife and two small children in 1954, he found a hostile environment.

A congressional committee interrogated him and then lobbied hard for his prosecution. The State Department and some military officials, angry over the Review's the germ warfare charges, also sought to punish Powell.

He was indicted in early 1956 for sedition, but the proceeding resulted in a mistrial nearly three years later.

Despite repeated threats by the U.S. government that he would be retried or indicted for treason, no more efforts were made to prosecute him. Finally, in 1961, U.S. Attorney General Robert F. Kennedy ordered the sedition indictment dismissed and closed the investigation of treason charges on grounds that evidence proving an overt act of treason was impossible to obtain.

To defend themselves, Powell and his wife, Sylvia, spent more than \$40,000 of their own savings and funds raised on their behalf. Because of the political environment of that time, they could not find jobs in the United States. Effectively "blacklisted" by newspapers, Powell eventually read a book on carpentry and developed a new career renovating Victorian houses in San Francisco. He still maintains his interest in China and germ warfare.

"Because of what I wrote critically--indeed harshly--of America's China policy and of my country's role in the Korean War," he said in 1984, "we had seven difficult years. They were frightening, time-consuming, and horribly expensive." He condemned those who "try--and sometimes succeed--in shaping the news to fit their own narrow interests," because they "do their countries a great disservice."

Throughout the years, Powell persisted in securing classified documents in an attempt to prove the truth of what he had written in the early 1950s. The charges regarding American use of bacteriological weapons during the Korean War

remain unproved. The truth undoubtedly lies buried in governmental archives in Washington and Beijing.

However, recent evidence shows that the U.S. Army used Japanese personnel to assist its bacteriological warfare programs after World War II. This, some scholars argued, tends to support Powell's contention. But some government officials knew about the Army's use of Japanese military personnel before the indictment against Powell was prepared. It was probably the government's intention, scholars argued, to suppress anything that might even imply, let alone prove, that it had engaged in germ warfare.

The purpose of the thesis is to study Powell's writings in the Review to see whether he objectively reported the Korean War. To achieve this goal, news sources and Powell's stands on various issues will be studied in detail. The author will also compare the Review's coverage of the Communist germ warfare charges with that of other U.S. media such as The New York Times.

In the next few chapters, an effort is made to put Powell and his magazine into historical perspective, so that a conclusion can be made as to how responsibly Powell had behaved. Was he, like other old China Hands, an innocent victim of the Red scare of the 1940s and 1950s, or did he contribute to his difficulties by failing to meet American standards of responsible, fair-minded journalism?

Chapter Two. The United States and China: A Historical Review

U.S. contact with China started more than one hundred and fifty years before John William Powell took over The China Weekly Review. Since 1784, when the American ship "Empress of China" arrived to trade at the port of Canton in the middle of the Qing dynasty(1644-1911), relations between the United States and China had been mainly centered around bilateral trade. The first treaty between the United States and China, the Wangsha Treaty, was signed in 1844. Through this agreement, the United States secured the same trade rights that the British had won from China in the Opium War(1839-1842), and also a promise to enjoy all future privileges given by China to other nations.

Other trade agreements in the nineteenth century, the Treaty of Tientsin in 1858 and the Burlingame Treaty of 1868, contained most-favored nation clauses. As a result of these treaties, whenever a Western country compelled China to grant new demands in the next hundred years or so, the same benefits passed automatically to the Americans.¹

The first American minister to the empire of China was Anson Burlingame, appointed by President Abraham Lincoln in 1861. He negotiated China's first bilateral agreement with a Western power, thus making America the first occidental nation

¹ Michael Shaller, The United States and China in the Twentieth Century (New York and Oxford: Oxford University Press, 1990), p. 14.

to recognize China as an equal. Burlingame was known to be the sole Western diplomat to often walk out of his office to meet with Chinese workers and officials. His sincere effort to understand the complexities of the Chinese society gained him unusual confidence in the Chinese imperial court. His influence on America's China policy left its mark thirty years later when Secretary of State John Hay enunciated the Open Door Policy in 1899.² Under the policy, foreign nations received equal opportunity for trade with China and promised to respect China's territorial and administrative integrity.

Because the United States was a latecomer to the China trade, American interests were in securing equal access to Chinese markets. China's sovereignty was only a secondary consideration for the U.S. government.³ Besides the desire of trading profits, there was also a strong moral element to U.S. involvement with China. The first American missionaries arrived in 1811. Although relatively few in number, they became enormously influential in Chinese intellectual circles and in forming American perceptions of China. Virtually every denomination in the United States at the turn of this century had its China mission society, and U.S. congregations received periodic missionary reports praising the good qualities of the

² John Tierney, Jr., About Face: The China Decision and Its Consequences (New York: Arlington House Publishers, 1979), P. 126.

³ Chin-Chuan Lee, Voices of China: The Interplay of Politics and Journalism (New York and London: The Guilford Press, 1990), p. 203.

Chinese people and pointing to their desperate need for food, medicine, and modern education.⁴

By the 1890s, about 1,500 U.S. missionaries were working in China. Of particular importance were the many mission-run schools and universities established throughout China. These schools became the primary means whereby Chinese intellectuals learned about Western thought.

The U.S. military also had a role in early Sino-American relations. U.S. forces regularly protected American traders and missionaries, and a sizable contingent of Marines was deployed to assist in the suppression of the Boxer Rebellion in 1900. Most of the money received by the United States as indemnity for the Boxer Rebellion was used to educate Chinese students in the United States.⁵

The most emotional issue in early Sino-American relations was Chinese immigration to the United States. Thousands of Chinese were recruited to help build the first transcontinental railways across the United States during the 1850s and 1860s. But racist actions against the Chinese swept the western states. In the 1880s, the U.S. Congress passed a series of laws restricting further immigration of the Chinese and requiring resident Chinese to register and carry identification wherever they went. Angered by this

⁴ Martin L. Lasater, Policy in Evolution: The U.S. Role in China's Reunification (Boulder and London: Westview Press, 1989), p. 8.

⁵ Ibid.

discrimination, Chinese students led boycotts against American goods in China during the early part of this century.⁶

1. Early American Journalism in China

U.S. economic and cultural contacts with the Far East brought the first wave of American journalists to China. Most of them arrived in 1900 to report the lifting of the Boxer Siege and then, in 1905, returned for the Russo-Japanese War in Manchuria. Few of these correspondents actually remained in the Far East, however.

The core group of American correspondents assigned to China in the year 1909 was tiny. It comprised two men in Beijing (from The Associated Press and the New York Herald), and Thomas F.F. Millard, a former war correspondent for the Herald, who also represented several other papers as a correspondent-at-large. Reporting for the New York Herald from Hong Kong was Australian journalist W. H. Donald. These men were ahead of their time in U. S. journalism because before the First World War, the U.S. press did not have specialists in foreign nations. International news was the domain of Great Britain.⁷

American correspondent Thomas Millard was a pioneer who belonged to no tradition in American journalism and who

⁶ Lasater, Policy in Evolution, p. 8.

⁷ I have relied for much of the history of early of American journalism in China on Peter Rand's "A Quixotic Adventure: The American Press in China, 1900-1950." The article appeared in Chin-Chuan Lee's Voices of China.

created the role of the China Hand as journalist to which successive generations of American reporters adapted themselves. Theodore Roosevelt was a fan of Thomas Millard's journalism. He admired Millard's anti-British dispatches from the Boer War and his Russo-Japanese War reports. The president encouraged Millard to educate the American public about China through books and magazine articles. He urged Millard to transform public indifference into popular support for a strong pro-China policy. Millard did so with zeal and made China his business, impressing Chinese government officials with his access to Americans in high places and becoming an intermediary in the promotion of American bank loans to China. Being an expansionist and a democratic idealist, Millard used journalism as a tool to spread his ideas about American expansion in the Far East and at the same time to advance the economic interest of China in Washington against those of Great Britain and Japan. He was fundamentally anti-imperialist, especially anti-British and anti-Japanese, and believed that expanding American commerce in China would bring with it special benefits for the Chinese people.⁸

American readership then knew very little about China. Therefore, most of the journalists wrote books or published treaty-port newspapers for American business subscribers in Shanghai and other coastal ports. Millard established an English language newspaper, The China Press and, an English

⁸ Lee, Voices of China, pp. 204-205.

weekly journal, Millard's Review of the Far East. These journalists stayed in China partly because the colonial life gave them a sense of importance. They were at the top of the heap, socially and economically. Underneath it all, though, the motive that inspired U.S. correspondents to live and work in China was the strong attachment they formed to the Chinese people and their national aspirations. It was this feeling that influenced how they wrote about China and gave the profession of reporting from China its quixotic character.

During his involvement in China, Millard sought to improve Sino-American communications and help China break the British monopoly of the news by giving the Chinese the means of quickly presenting their point of view. Later, he joined the Chinese government as a political advisor and remained in that position for several years.⁹

A godfather figure, Millard was an enthusiastic supporter of the Missouri School of Journalism.¹⁰ His "anti-colonial, anti-imperialist, pro-independence, pro-Republican and pro-American" values were passed on to the new generations of journalists in China through J.B. Powell, who was the father of John William Powell. An instructor at the University of

⁹ John Maxwell Hamilton, "The Missouri News Monopoly and American Altruism in China: Thomas F.F. Millard, J.B. Powell, and Edgar Snow," Pacific Historical Review (February 1986), p. 33

¹⁰ Stephen R. Mackinnon and Oris Friesen, China Reporting: An Oral History of American Journalism in the 1930s & 1940s (Berkeley, Los Angeles and London: University of California Press, 1987), p. 25.

Missouri School of Journalism, J.B. Powell went to China in 1917 at the invitation of Millard to run Millard's Review of the Far East. He stayed on in China for 25 years and eventually bought Millard's journal, which he renamed The China Weekly Review.

Dean Walter Williams, founder of the Missouri journalism school, had recommended Powell to Millard. Williams had visited the Far East and was responsible for creating a Far East study program at the University of Missouri that prepared future journalists for China. Williams also contributed to the growth of professionalism in the Chinese press. He established the exchange program between the schools of journalism at Missouri and Yenching University in Peking. Missouri instructors were sent to teach at the first journalism school in China at Yenching and Chinese students traveled to Missouri to study journalism.¹¹

During the 1920s and 1930s, more than 40 graduates of the Missouri Journalism School found their way to China. Besides Millard and J.B. Powell, others who were well-known among this "Missouri mafia" were: Carl Crow, the first city editor of The China Press and author of Guide Book to China, a "bible" for tourists; Emily Hanh, whose books--The Soong Sisters and China to Me--were bestsellers; and Edgar Snow, who later ventured

¹¹ Peter Rand, "A Quixotic Adventure," p. 206.

into the Communist-held area and wrote Red Star Over China.¹²

Another writer on Asian topics was Agnes Smedley, a native of Missouri, although she was not generally associated with the University of Missouri. Having traveled extensively and resided in Shanghai, she became popular in America for her books, The Daughter of the Earth and Battle Hymn of China.

2. China's Civil War and the War With Japan

In 1927, when a series of domestic events finally put China in the hands of Chiang Kai-shek, the country seemed less chaotic to the world than it had been before. The U.S. government adopted a laissez-faire policy in the Far East after the Washington Conference of 1921-1922. With the belief that nothing seriously affecting America's Far East policy would happen, the U.S. government withdrew from the area as an active force to be reckoned with.¹³

In the few years after 1927, Chiang was primarily concerned with the extermination of the Communists and their sympathizers, who were forced to the countryside to wage guerilla warfare. With the support of the powerful in China and industrialized nations in the West, Chiang became increasingly assertive in his efforts to control China. Finally, in 1935 after the famous Long March through mountains and rivers in the west, the Red Army established its

¹² John B. Powell, "Missouri Authors and Journalists in the Orient," Missouri Historical Review, October 1946, pp. 45-55.

¹³ Rand, "A Quixotic Adventure," p. 207.

headquarters in Yen-an, its wartime capital in Shaanxi Province.

The fight for legitimacy between the Nationalists and the Communists was complicated by Japan's invasion of Manchuria in 1931. Japan's invasion posed a direct challenge to U.S. faith in the Far Eastern status quo and also to the League of Nations. The invasion was a major international story. So was the outbreak of war in Shanghai, in early 1932, when Japanese soldiers met the heroic resistance of the Chinese army in street fighting and retaliated by bombing the civilian population.

Japanese aggression in Manchuria resulted in establishment of the puppet state of Manchuguo, under the sponsorship of Japan. However, the top echelons of the U.S. government did not perceive Japan as a potential threat to world peace until the Marco Polo Bridge incident in 1937, when Japan began its massive drive into the heart of China. U.S. passivity up to that time was reflected in the scarcity of China news in the U.S. press.

Events of enormous consequence for China's future were happening throughout the decade of the 1930s. They received very little attention in the U.S. press, even though American journalists in China were not only documenting them, but becoming increasingly involved in them. To some of the older correspondents in China, like J.B. Powell and Thomas Millard, who wanted a China free and strong for American business, the

great threat was Japan, and the most prominent figure on the national scene was Chiang Kai-shek, for he seemed to have brought some stability to the country, with the financial help of the Shanghai business community.

The Sino-Japanese War significantly weakened the very foundation of the Nationalists, draining away their resources and energies, whereas the Communists took advantage of the opportunities and expanded their strength and influence in the rural areas.¹⁴ Through his paid lobbyists, Chiang enlisted abundant military and material support from the United States. President Roosevelt sent his envoy, General Joseph Stilwell, to China to coordinate the distribution of U.S. military aid and to organize Chiang's armies to fight the Japanese. Stilwell soon saw a corrupt and incompetent government hoarding military aid for the coming civil war.

The American government seemed to be wedded to the Chinese Nationalists.¹⁵ From Pearl Harbor until V-J Day, the American government sought to win Chiang's cooperation in defeating Japan. However, Chiang's primary goal was to curtail the growth of the Communists. This difference in primary aims resulted in increased tension between Chiang and Stilwell. Ultimately, Chiang maneuvered to have President Roosevelt recall General Stilwell.

¹⁴ Paul Gordon Lauren(ed.), The China Hands' Legacy: Ethics and Diplomacy (Boulder and London: Westview Press, 1987), p.3.

¹⁵ Ibid., p.144.

In order to maintain political support within the United States, Chiang also tried to control the American journalists in China by means of censorship. As the Japanese advanced, Chiang moved to the remote fortress city of Chungking in Sichuan Province. There, any story about the Nationalists corruption, or articles critical of the Nationalist Chinese war effort, would be killed by Chiang's minister of information, Hollington Tong, who was also a graduate of Missouri's journalism school.

The China beat journalists included Theodore White and Annalee Jacoby of Time; Arch Steele of the Chicago Daily News, a highly respected veteran who later was regarded as the dean of American correspondents in the Far East; Brooks Atkinson and Tillman Durdin of The New York Times; Jack Belden of International News Service; and Hugh Deane of the Christian Science Monitor.¹⁶

Being relatively later arrivals on the China scene, these journalists were young, idealistic and adventurous. They were not city-bound and saw for themselves the misery and chaos of rural China. Some of the new journalists, such as Edgar Snow, Arch Steele, Tillman Durdin and Harold Isaacs, had actually shipped to China on an adventure and then stayed. Steele and Durdin eventually became correspondents accredited to major U.S. papers. Snow worked for The China Weekly Review, then

¹⁶ Charles Hood, "The China Hands' Experience: Journalists and Diplomacy," in Lauren, The China Hands' Legacy, pp.157-158.

became a correspondent for the London Daily Telegraph and a contributor to the Saturday Evening Post. Harold Issacs and Durdin both went to work, upon their arrival in China, for Hollington Tong (then editor of the China Press in Shanghai). Isaacs soon quit, travelled up the Yangtze River, and became a dedicated muckraker, while Durdin joined The New York Times.¹⁷

Agnes Smedley, another journalist, took up first the cause of persecuted Chinese urban intellectuals of the late 1920s and early 1930s, and later the cause of the Chinese Communists. Smedley, Issacs, Snow, and his wife, Nym Wales, whom he had met in Shanghai in 1931 and married in 1932, were all China advocates in the tradition of Thomas Millard. One way or another they all went to bat for the Chinese, as Millard had done. They all eventually wrote important books about China, and, like Millard, they were all put to use by their Chinese friends. Millard's connections were Republican Chinese of an earlier day. Millard was still in China during the 1930s, however, working as an advisor to the Nationalists in Nanjing.

Americans were of special value to the Communist cause because they could work in China under the protection of extraterritoriality, outside Chinese jurisdiction. Isaacs, with the encouragement of Mme. Sun Yat-sen, exposed the

¹⁷ Lee, Voices of China, p. 209.

Nationalists' terror through his publication China Forum, which received most of its material from underground Chinese Communists. Mme. Sun was said to have acted as the liaison between the Communists and Edgar Snow, and helped to arrange Snow's trip to the Communist headquarters in the Shaanxi Province, in 1936, which resulted in Red Star Over China. The book brought the first impressions of Mao's Communist movement to those outside of China.

This period was also connected with the name of Henry Luce, publisher and editor of the Time magazine. Luce was romantic about Chiang, his wife Soong Mei-ling, and the Nationalist movement. Luce was strongly opinionated about China and Chiang Kai-shek in particular. Through his foreign editor, Whittaker Chambers, Luce routinely altered dispatches of Time's correspondents, Annalee Jacoby and Theodore White. Jacoby later recalled that her stories and interviews in Time were doctored. Her interviews with major Chinese figures contained questions that she did not ask and answers nobody ever gave her.¹⁸

The image that Luce created was of a heroic China under the valiant leadership of Chiang fighting the Japanese for the United States. This impression of the Nationalists given by Luce and his journals, Time and Life, influenced many Americans. It also influenced President Roosevelt, who insisted on giving Nationalist China a place among the Big

¹⁸ MacKinnon, China Reporting, pp. 138-139.

Four Powers.¹⁹

While alienated by the censorship of Chiang and Luce, the U.S. reporters enjoyed relatively good relationships with Chou En-lai, the charismatic Communist spokesman in Chungking, and his beautiful press attache, Gong Peng. The superior public relations of the Chou can be vividly illustrated by the way he courted the U.S. reporters. According to Durdin, Chou En-lai would say to Americans, "One of my top personalities in history is Thomas Jefferson. One of my aspirations is to go to the United States someday, and please come to Yen-an and see us."²⁰

The majority of American journalists had come to China predisposed to be suspicious of Communists. But once they stayed in China for some time, they found that the Nationalists were a very unreliable source of information.²¹ These journalists found themselves caught in an ethical dilemma of whether to report objectively what they witnessed in China or to give moral encouragement to the U.S. ally while honoring the censorship.

With Pearl Harbor in December 1941, the Sino-Japanese War became part of World War II. Nationalist China suddenly became an ally of the United States. Since Chiang had been resisting

¹⁹ Harrison E. Salisbury, "China Reporting: Red Star to Long March," pp.221-222. The paper appeared in Chin-Chuan Lee's Voices of China.

²⁰ MacKinnon, China Reporting, p.85.

²¹ Lauren, The China Hands' Legacy, p.164.

Japanese aggressors for four years, it was widely believed that Chiang was a brilliant leader and could fight off the Japanese in Asia for the United States. But the American journalists on the China beat who knew this was not true found it extremely difficult to dissuade the public of the fantasy. These journalists saw the nature of Chiang's regime, and the potential of Mao's Communist movement. The Nationalist minister of information would delete even the slightest criticism of his government.²²

While the Nationalist statements could not be trusted, the Communist's were always questionable because there was no way to confirm their accounts. So, by 1944, foreign correspondents became extremely anxious to see the Communist area of the country from which they had been barred for a long time. The group that was allowed to visit Yen-an in 1944 included Brooks Atkinson; Theodore H. White; Harrison Forman of the New York Herald Tribune; Israel Epstein of Allied Labor News and who also reported for The New York Times and Time magazine; Gunther Stein of The Christian Science Monitor; Father Cormac Shanahan, editor of the Catholic Monthly and China Correspondent and correspondent for The Sign; and N. Protsenko, China manager of the Tass News Agency.²³

The ensuing reports presented a very favorable impression

²² Lauren, The China Hands' Legacy, p.142.

²³ Warren W. Tozer, "The Foreign Correspondents' Visit to Yen-an in 1944: A Reassessment," Pacific Historical Review, May 1972, p. 210.

of the Communists: their land reclamation, self-sufficiency on agricultural production, well-trained troops, democratic government, and so on. The reports provoked bitter criticism from the Nationalist government of China and its supporters in the United States. Some critics have concluded that these reporters exhibited strong pro-Communist--or at least, anti-Nationalist--bias. As a result, the arguments goes, the American public became disillusioned with Chiang Kai-shek's Nationalist regime.

Of all who visited Yen-an, only Father Cormac Shanahan presented a somewhat negative picture of the Communists.²⁴ Except for the admission that the people in Yen-an were well-fed and the Communist troops were in good spirits, he said that there was no freedom in Yen-an and people there were strictly controlled. But, Father Shanahan's writings were mostly discredited as being too much distorted or full of contradictions.²⁵

When the war was over, most China beat journalists faced charges of "harming the interests of the United States--charges ranging from "poor judgment" and "disloyalty" to "sedition" and even "treason."²⁶ These are exactly the same charges that Powell faced later when he returned from China in

²⁴ Tozer, "The Foreign Correspondents' Visit to Yen-an in 1944," p. 218.

²⁵ Ibid., p. 219.

²⁶ Lauren, The China Hands' Legacy, p.27.

1953. When the Chinese Communists forced the Nationalists to flee to the island of Taiwan and the Korean War broke out, McCarthyism emerged as an important political force in America. Named after former U.S. senator, Joseph McCarthy, McCarthyism refers to the Communist hysteria that many believe he helped foment during the early 1950s. Those journalists who has written favorable reports about the Communists found themselves under enormous pressure. Theodore White was charged with losing China to the Reds and Annalee Jacoby was charged with being a "Communist." John William Powell was accused of betraying America's cause in the Far East.

When McCarthyism abated in the United States, journalists who had been identified as security risks had that stigma removed by the government. But for some of them, their reputations as journalists were ruined. Mac Fisher, who had been a reporter for United Press in Chungking, was later barred from holding any decision-making positions in the United States Information Agency. John W. Powell lost his journalism career and had to turn to renovating Victorian houses in San Francisco. Today, most of the reporters still think they did a pretty good job covering China. Steele later said: " We reported things as we saw them. What we saw was that the Nationalists were in chaotic disarray and the Communists were winning the war. This wasn't pro-Communist reporting. It was objective reporting."²⁷

²⁷ Hood, "The China Hand's Experience," p.167.

About forty years later, these old China Hands journalists had the chance again to gather together at Scottsdale, Arizona, for the conference--"War Reporting: China in the 1940s." The meeting was the brainchild of two University of Arizona history professors. When these veteran war reporters were again asked the question of whether they were biased in favor of the Chinese Communists, the answer was "No." They were all aware, they said, of efforts by both the Nationalists and the Communists to manipulate them and that they were skeptical of both parties and reported what they saw and knew.²⁸

After the Communists took over the mainland and the Nationalists fled to the island of Taiwan, the relationship worsened between the new nation--the People's Republic of China--on the mainland, and the United States. The hostility culminated in the Korean War in the early 1950s. After 1949, only one paper, Powell's The China Weekly Review, continued its presence in China under the new regime. The paper soon became embroiled in controversy over its coverage of the early Communist regime and the Korean War.

²⁸ MacKinnon, China Reporting, p.149.

Chapter Three. The China Weekly Review and the Powells

1. J.B. Powell and the Review

John William Powell was born in Shanghai in 1919, where his father edited The China Weekly Review, a respected English language journal of news and opinion about Chinese affairs. John W. Powell came to the United States when he was a little over one year old, and returned to China at the age of six. In 1927, when Chiang Kai-shek moved against the Communists and took the city of Shanghai, Powell's father sent him and his sister, Martha, to the United States, where he went to school in Hannibal and Columbia, Missouri. He was mainly reared in the United States.

After graduation from high school in 1938, Powell studied at the University of Missouri School of Journalism, from which his father graduated as a member of its first journalism class. In the fall 1940, he decided to take a break from school and went back to Shanghai in 1941 to work for The China Press, an English language newspaper owned by one of Chiang Kai-shek's closest associates, H.H. Kung. He did mostly general reporting and rewrite work. During the evenings, he worked for his father's magazine, The China Weekly Review.

After staying less than a year in China, Powell came back to the United States and continued his education at the Missouri School of Journalism. He had altogether three years of journalism education, but was never graduated from college. He wanted to join the military when the United States entered

World War II. However, poor eyesight kept him from doing so. Instead, he joined the government, first working with the Federal Communications Commission, and then as a news editor with the Office of War Information. After working in Washington and New York for a year, he was assigned in 1943 to Chungking to work with the press and psychological warfare services. He dropped leaflets out of army bombers over occupied Hong Kong and Canton.¹

Shortly after the bombing of Pearl Harbor, the Japanese had arrested Powell's father, J.B. Powell, and put him into prison, where he suffered frostbite on his feet. In 1945 when the Japanese surrendered, the elder Powell was too ill to return to China from the United States, so Powell left OWI and assumed control of the Review.

The journal had been first founded by Thomas Millard, the pioneer American journalist in China, who named it Millard's Review of the Far East. The first issue of Millard's magazine came out on June 9, 1917. Millard used the journal to try to break with the colonial convention of ignoring native news and to rebut allegations that might injure China's national prestige and credit.² In 1922, when Millard began to advise the Chinese government full time, he sold the magazine to his editor, J.B. Powell.

¹ Powell interview, March 19-23, 1993 in San Francisco.

² Hamilton, "The Missouri News Monopoly and American Altruism," p.34.

The elder Powell had edited the Review since 1917. He had been teaching at the Missouri School of Journalism when Millard cabled Dean Williams to recommend an editor. It was the first transoceanic telegram that J.B. Powell had ever seen. Throughout the years he spent in China, J.B. Powell and his wife lived simply, dressed casually and befriended all kinds of people, even those who disagreed with them.

One of the first things he did as the owner of the magazine was to change its name, Millard's Review of the Far East, because he thought that it "too restrictive and personal."³ He experimented with several names, the first being The Weekly Review of the Far East, and finally in June 1923, The China Weekly Review was adopted. Interestingly, considering the special importance and respect Chinese usually give to established names, J.B. Powell continued to use the paper's original Chinese language name--Millard's Review of the Far East. Except for the title which was in both English and Chinese, the content of the journal was in English only.

J.B. Powell established the Review in the style of the New Republic of Walter Lippmann and Herbert Croly, which was then regarded as the most attractive journal in America.⁴ He pretty much kept Millard's independent, anti-imperialist, and pro-China approach. Most of the readers were young Chinese

³ J.B. Powell, My Twenty Five Years in China (New York: Macmillan, 1945), p.90.

⁴ Ibid., p.14.

intellectuals, students of mission and municipal schools, who were very concerned with international issues. Then there was the Anglo-American community in Shanghai, which numbered around 10,000. Other readers included Shanghai-based Scandinavians, Frenchmen, Germans, and Russians.

J.B. Powell did not like Communism and sided with the Nationalists when they began to expand their zone of control. He maintained a steady defense of the Nationalists, often citing American history to boost his points. When Chiang's military units occupied missionary schools and property, the Review noted that William and Mary College had been occupied by American, British and French forces during the American revolution and by the Confederate and Union troops during the American Civil War.

"America became politically independent at the close of the revolution against Great Britain," the Review said on Sept. 8, 1928, "but did not become financially and economically independent from Europe until quite recently."⁵ The rationalization was that it would take time for the Nationalists to develop their country, especially in face of Japanese intrusions and domestic turmoil.

J.B. Powell realized that Chiang was a authoritarian leader, and the Nationalists' corruption and press censorship seriously disturbed him. However, even when the Communists began to receive favorable coverage from others in the mid-

⁵ The China Weekly Review, Sept. 8, 1928.

1930s, he did not give much attention to them. In 1945, he wrote in Reader's Digest that Chiang was moving toward a democratic republic.

However, as evidence of his interest in providing both sides of an issue, he would regularly run stories in the Review by pro-Communist radicals like Agnes Smedley and Anna Louise Strong, with whom he disagreed, and gave the Review a reputation as the chief forum in China for open debate and free exchange of information.⁶

Under J.B. Powell's stewardship, the Review hammered at foreign powers to give up their spheres of influence in China. He called on them to relinquish their railway and mining rights, and to remove their troops. He saw the United States as having a special role in modernizing China. He wrote in the Review in 1921: "In Practical American terms, the Open Door in China means a first rate anti-trust law for China." He said: "I have developed a profound confidence in the good common sense of the Chinese people and in their ability to unify and develop their country if given half a chance."⁷

J.B. Powell's open criticism of Japanese militarism in China seriously endangered him in the late 1930s. The Japanese closed the Review's office on Dec. 8, 1941 shortly after they occupied Shanghai. A few days later, the Japanese put J.B.

⁶ Hamilton. "The Missouri News Monopoly and American Altruism," p.36.

⁷ The China Weekly Review, Nov. 5, 1921.

Powell into jail in Shanghai, where he suffered terribly. In the end, his feet were amputated because of frost-bite. He was repatriated to the United States in August 1942 and was taken to the Columbia University Medical Center in New York where he remained until May 1945. While in the hospital, he received considerable help from friends and admirers to help pay his mounting bills: \$10,000 personally from Chiang Kai-shek, another \$1,000 from the Nationalist government, \$3,600 from Chinese newsmen and some \$10,000 from American journalists.⁸

J.B. Powell spent the recuperation period writing and learning to walk on artificial feet. He planned to return to China to run the Review, but was never able to make it. In 1946, he went to Japan to testify at the war crimes trial in Tokyo, despite his fragile health. He collapsed and died in 1947 after addressing a University of Missouri alumni luncheon in Washington, D.C. He was a strong supporter of Chiang and the Nationalists to the last.⁹

2. The Review Under John W. Powell

After four years of suspension, The China Weekly Review finally resumed publication with Powell in charge. The first issue of the new Review bears the date Oct. 20, 1945. When Powell and the Review's old staff returned to the paper's office at 113 Avenue Edward VII (today's Yen-an Road) in

⁸ Hamilton, "The Missouri News Monopoly and American Altruism," p.41.

⁹ Ibid.

Shanghai, they found that the previous Japanese occupants had thoroughly looted the place. However, the staff members were extremely happy to be back in Shanghai and doing business at the same place. The paper stated that it would aim at the same high standards of journalism and to follow the same basic principles of truth and accuracy as those established in 1917 by its founders, Thomas Millard and J.B. Powell.¹⁰

During the Chinese civil war, the Review featured articles on the internal struggle in China, the developing Cold War, domestic insurrections in Indochina and Malaya, and trade problems. Powell began to build the journal's circulation and develop a reputation as a journalist by broadening the paper's scope with articles by Chinese and American contributors and expressing criticism of the inefficiency, cruelty, corruption, and press censorship of Chiang's Nationalist government. He tried to steer a middle course between the Nationalists and the Communists. In its editorial on Nov. 24, 1945, Powell wrote:

We feel that the usual answer that the Chinese people are still not yet organized to handle democracy is just so much political eye-wash. No one is qualified to say whether the Chinese people are capable to handle democracy or not until the Chinese people are given a chance to try it out. We are inclined to think that both the Kuomintang (Nationalists) and the Communists are apt to under-estimate the political maturity of the Chinese people.... We propose that both Kuomintang and the Communists take this chance to demonstrate fully and without further delay that they are prepared to put their democratic aspiration into actual practice.¹¹

¹⁰ The China Weekly Review, Oct. 20, 1945.

¹¹ The China Weekly Review, Nov. 24, 1945.

In 1947, Powell defied Chiang's censorship and reported the Nationalists' massacre of about 5,000 people on the island of Taiwan, which was torn by revolt on the eve of the Nationalist occupation. On March 30, 1947, The New York Times reporter Tillman Durdin wrote: "An American weekly magazine, The China Weekly Review, today was the first publication in the country to give a full story of the recent tragic events in the island. The Review carries a detailed account, written by John W. Powell, the publisher, who has just returned from a week's visit to the island."¹² After the story came out, major U.S. newspapers referred to Powell as a "fearless" and lauded him as "one of the best-informed newspapermen on China conditions."¹³

Powell harshly criticized MacArthur's Japanese policy to restore to power the conservative political and economic groups. He also turned his editorial attention to the United States itself, criticizing the House Un-American Activities Committee, the affinity of some policy makers and politicians for Chiang, and what he saw as the growing diplomatic intransigence of the United States vis-a-vis the Soviet Union. Meanwhile, the paper regularly carried ads for the National

¹² The New York Times, March 30, 1947.

¹³ Lauren, The China Hands Legacy, p. 29.

City Bank, Pan American, Ford and other American corporations.¹⁴

As Chiang's forces retreated and the Chinese Communists took over Shanghai in 1949, the Review published an optimistic front-page editorial on May 28. It stated: "This publication has been a consistent critic of the corruption, exploitation and ineptitude that has characterized the Nationalist regime, particularly in the post-war years. We therefore welcome the change that has come about and hope that the arrival of the People's Liberation Army will mark the beginning of a new era in which the people of China can now begin to enjoy the benefits of good government. The new authorities have an immense task ahead of them in reconstructing the country and in reorganizing its social structure. We wish them well and will endeavor to reflect honestly and fairly the development of the new China."¹⁵ In the following issues, it also published laudatory reports of conditions in the Communist-held regions. Associate editor Julian Schuman ventured 120 miles from Shanghai to report that Communist rule was pleasant and efficient in contrast to the harshness of the Nationalists.

A year earlier, however, the Review had editorially disparaged Communist claims that the United States was spying

¹⁴ Stanley I. Kutler, The American Inquisition, Justice and Injustice in the Cold War (New York: Hill and Wang, 1982), p. 219.

¹⁵ The China Weekly Review, May 28, 1949.

in their territory. In its Nov. 20, 1948 editorial, the Review said: "... The claims of the Communists to the effect that the US is establishing a spy net in Asia equipped with radio locators, etc. becomes a bit ridiculous. For a realistic outfit, such statements seem even more out of place. If the Chinese Communists really believe this story, they appear more gullible than we had imagined them to be. If they don't believe it and are using the story purely for propaganda purposes, which seems to us more than likely, they are toying with the truth, which is something impossible to justify."¹⁶

After Shanghai was taken over by the Communist troops, the subscriptions of the Review went down significantly from their peak of about 10,000 and advertising revenue also went down dramatically. With economic difficulties and most parts of the country under the control of the new regime, Powell thought about closing the paper. However, encouraged by many Chinese and American friends and readers who wanted to get reliable news about China, Powell decided to continue. Most of the American subscribers were former China missionaries, businessmen interested in China, and universities across the United States.

Powell's criticism of Chiang's Nationalists and his sympathy for the Communist government did not go unnoticed in Washington. In September 1949, U.S. Passport Office Chief Ruth Shipley refused to renew Powell's passport, saying that

¹⁶ The China Weekly Review, Nov. 20, 1948.

Powell's publication was pro-Chinese Communist. The passport official also labeled Powell's wife, Sylvia, a "Communist Propagandist" after she praised the "new order" in Shanghai and criticized in a Portland newspaper American support for Chiang's Nationalist party.¹⁷

Other U.S. officials also expressed disapproval of the Powells. The American Consulate in Shanghai complained in 1949 that the Powells were among a group of Americans who tended to lean away from the principles of U.S. government policy and had caused considerable trouble. The various reports complained that Powell's editorials and articles were decidedly "Pink."¹⁸

By 1950, Shanghai had a total of four foreign-owned publications, down from seven before 1949. The only closures of foreign publications were due to poor business. In July, limited circulation and the loss in revenues prompted Powell again to consider closing the Review. But a few weeks later, he dropped the idea, deciding instead to change the magazine to a monthly called The China Monthly Review. With the Korean War going on, Powell considered it necessary to preserve the magazine as a forum to challenge the United States' "adventuristic policy" in Korea.¹⁹

Powell subsidized the journal with operating a

¹⁷ Kutler, The American Inquisition, pp. 219-221.

¹⁸ Ibid., p. 220.

¹⁹ The China Weekly Review, August 5, 1950.

translation service and putting out two other publications. Every day, the Review would put together a ten-to-twelve-page translation of China's economic regulations and items of trade and commercial interest, and distribute it to the foreign business community in Shanghai. At the end of each month, Powell published a "Monthly Report" on the situation in China and an economic magazine, which turned out to be short-lived. He sold them to the head offices of large foreign firms. Another book periodically published by the Review was Who's Who in China. These efforts proved quite profitable and helped finance the Review's whole operation.

The Review was printed by Millingtons, a British-owned press in China; Powell bought his own newsprint on the open market. Foreign distribution was handled through the mail to places such the United States, Britain, Australia, Canada, India and Southeast Asia. The Review was also available on newsstands in China. Powell did not handle distribution, but instead concentrated on editorial tasks. A typical day for him was checking local press for news leads, sending staff to cover events and writing the editorial. Sometimes he would travel, covering important events himself.²⁰

The revamped Review reflected the concerns of revolutionary China. Articles described the building of new sewer lines in Shanghai, tax reform, the abolition of labor

²⁰ The China Weekly Review, August 5, 1950, and Powell interview, March 19-23, 1993.

corruption, government assumption of YMCA activities, and the new relationships between foreigners and Chinese. Most of the articles were written by the Review's editors, correspondents and independent contributors. It routinely used foreign and Chinese sources such as The New York Times, Time, the British news agency Reuters, the New China News Agency, and two Chinese newspapers, The Ta Kung Pao and The Wen Wei Pao. Opinions from the Chinese press went under the column titled "Chinese Press Opinion." Sometimes the Review would carry full texts of speeches made by Chinese leaders such as Liu Shao-chi, Chen Yun, Mao Tse-tung, Chou En-lai and others.

When the Review was criticized by Walter Simmons, then the Chicago Tribune's Tokyo correspondent, for being a Communist publication, Powell counterattacked by saying that the smearing had been a desire to cash in on the then-popular anti-red hysteria in America, an attempt to grab the headlines. He said that, because of the Review's "accurate and objective" reporting, new subscriptions from out of China had increased substantially.²¹

Following the outbreak of the Korean War in June of 1950, and especially after the Chinese intervention in November, the Review offered strident attacks on the American conduct of the war and its policy toward the People's Republic of China. It was this reporting of the Korean war, specifically his allegations concerning the use of germ warfare on the part of

²¹ The China Weekly Review, March 25, 1950.

the U.S. armies, that got Powell into his most serious trouble with the U.S. government. The trouble culminated in a sedition charge brought against him after he and his wife, Sylvia, returned to the United States in August 1953.

Chapter Four. The Review's Coverage of the Korean War

When the Korean War broke out in 1950, the Review criticized U.S. involvement. Its editorials charged that the UN sanction supporting intervention was unjustly adopted, because the U.S. government used its economic powers to sway the votes and because large countries like China and India were not fully represented in the UN. It published stories and photos of American POWs in North Korea, purportedly protesting the war. The Review also printed lists of alleged violations of the Korean-Chinese border by U.S. aircraft. Powell contended that the conflict was a Korean civil war, and that any extension of it would be criminal, as it would only bring more suffering and destruction to more people, including the American troops. After the Chinese troops joined North Korea in the war, Powell criticized the U.S. policy of bringing economic sanctions against China.

The Review's January 1951 issue charged that U.S. planes had carried out "systematic bombing, strafing and reconnaissance flights over China's northeastern provinces."¹ Then, in February, Powell quoted The Chicago Daily News, Newsweek, The Christian Science Monitor, The Nippon Times, and Guangming Daily to report that the United States was using Japanese troops in Korea. The Review also used The London Times, Reuters, The London Daily Mirror, and the British magazine Picture Post in reporting the atrocities allegedly

¹ The China Monthly Review, January 1951.

committed by the regime of South Korea's Syngman Rhee. In the editorial titled "Rearming of Japan," Powell said:

The Truman administration has cast all pretenses to the winds and is now openly rearming Japan, in spite of the fact that Japan is technically still an enemy nation and is governed by military occupation and in spite of the fact that this is a complete violation of all Allied wartime and postwar agreements governing Japan.... The old Japanese thought police have been restored, while freedom of the press is non-existent. More than 1,000 progressive publications have been suppressed by the reactionary Yoshida regime acting on the orders of MacArthur²

Meanwhile, the Review reported on the low morale of the American troops. It said:

Despite the tight censorship and the cooperation of most correspondents, reports of the low morale of US troops slip through in occasional letters and press dispatches. For example, a press agency dispatch from New York on March 23 reported that The Chicago Daily News correspondents in Korea as saying that nothing would boost the morale of the troops "more than evacuation home." Soldiers, the correspondent added, "see but one way home--on stretchers."³

After General MacArthur was dismissed on April 1951, Powell used figures from Hsinhua, the New China News Agency, and Reuters to report that the UN forces had suffered heavy losses in Korea. However, he also reported the U.S. Defense Department's own U.S. casualty figure.⁴

Starting in June 1951, the Review began its features on POWS, using the New China News Agency as the main source. Excerpts of Peking Radio (now Radio Beijing) broadcasts made

² The China Monthly Review, April 1951.

³ Ibid.

⁴ The China Monthly Review, May and June, 1951.

by POWs to their American families were reprinted. Photos of happy, well-fed and well-clothed U.S. POWs were published to counter the "officially-inspired reports in the American press that U.S. prisoners are being mistreated by their Korean and Chinese captors."⁵ This contrasted with the Review's reports that American captors maltreated Chinese and Korean POWs and tattooed their bodies with anti-Communist slogans. It carried names, serial numbers, ranks, units or addresses of U.S. POWs to notify relatives. Meanwhile, the magazine made clear that the names of the POWs were not official, but were compiled by the Review's own editors from the New China News Agency dispatches and local newspapers. It also noted that many of the prisoners had given their names and messages to correspondents of the New China News Agency during interviews so that their families at home might know they were safe.⁶

After the cease-fire talk started in July 1951 between the warring parties, the Review continued to criticize the U.S. government, charging the United States with stalling the negotiations and the exchange of POW lists. In August, after U.S. forces launched an offensive against the Chinese and the North Koreans, the Review commented that the action had backfired and was designed to prolong the Korean war. While censorship kept most of the Western press silent on the offensive, the Review used the New China News Agency figures

⁵ Ibid.

⁶ Ibid.

to allege that the United States lost nearly 20,000 soldiers in less than a month.

The coverage of the Korean War took a dramatic turn in early 1952 when North Korea and China charged that the United States was engaged in germ warfare against their troops and civilians. In February 1952, North Korean Foreign Minister Bak Hun Yung protested to the United Nations about the use of bacteriological weapons on the part of the U.S. forces in Korea. The China Monthly Review's editorial responded harshly, saying that the American invaders, "proceeding in a vein which surpassed the savagery of Hitler Germany and Hirohito Japan in the last war, by a systematic spreading of smallpox, cholera and plague germs over North Korea," have committed a "crime against humanity." The same editorial, citing Newsweek and North Korean officials, traced the record of American preparation and use of bacteriological weapons in Korea. The editorial concluded that the use of germ warfare was a trick by the Americans to obstruct the truce talks and to indiscriminately annihilate the Korean and Chinese people. Based on the report by the North Korean foreign minister, the Review recounted alleged instances of U.S. forces spreading large quantities of bacteria-carrying insects by planes over North Korea and the Chinese front-line positions.⁷

The Review also charged that the Americans had used

⁷ The China Monthly Review, November 1951, and March 1952.

prisoners of war for experimental purposes and had collaborated with Japanese bacteriological war criminals, who, through U.S. pressure, had been freed in 1950 of charges of conducting such warfare in China during World War II. "The true face of American imperialism has once more been bared," it said. "The men who are carrying out Wall Street's war in Korea are using the savage methods practiced by the German and Japanese criminals in the last war. Like their predecessors, they will be held accountable for their crimes against peace and humanity." ⁸

In April 1952, the Review reported the United States had extended its bacteriological warfare from Korea to China. Pictures, ostensibly of U.S. germ bombs, and of bacteria-carrying insects and flies dropped in China occupied several pages. It reported an announcement by Chinese Foreign Minister Chou En-lai that germ-laden insects had been released by U.S. planes over Northeast China. It quoted Chou En-lai as stating that American aviators who flew over China and used bacteriological weapons would, on capture, be dealt with as war criminals. The Review therefore commented:

Actually there is no way for (Secretary of State Dean) Acheson or the US government to evade responsibility for this attempt at wholesale extermination of civilians. The evidence gathered in Korea and China is overwhelming. The plain fact of the matter is that Washington, stopped short in its aggression in Korea and compelled to sit down and talk cease-fire terms, has now shown its real countenance to the whole world. This criminal action is the product of men bereft of their sanity

⁸ The China Monthly Review, March 1952.

and is the sequel to the no less horrible crimes carried out by the Nazis. The use of germ warfare is a clear-cut violation of international law--specifically of the Geneva Convention of June 17, 1952..... It is already late but there is still time for the American people to put a stop to these crimes against humanity which are being committed in their name. And there is still time for the individual soldier to make that 'moral choice' which the Allies so recently declared to be his personal responsibility.⁹

In the following months, germ warfare became an important subject and the Review carried a series of articles detailing America's research in bacteriological weapons. American sources included the New York Journal-American, Life, The New York Times, Newsweek, Science Illustrated, Saturday Evening Post, Atlantic Monthly, Reader's Digest, and some books published in America. Also used were the New China News Agency and the Central News Agency of Korea.¹⁰

In May 1952, the Review reported that the U.S. engagement in germ warfare had been fully proved by a group of lawyers, journalists, and doctors who visited areas where U.S. planes had allegedly dropped infected insects. Specifically, the group was made of lawyers from Austria, Belgium, Brazil, Britain, China, France, Italy, and Poland; a team of Korean, Chinese, and foreign correspondents; and Chinese medical and scientific workers. According to the Review, this international group had personally examined remains of germ bombs, infected insects and the material used to spread the lethal germs.

⁹ The China Monthly Review, April 1952.

¹⁰ The China Monthly, May and June 1952.

From July 1952 to the magazine's closing a year later in July 1953, almost every issue of the Review reported that U.S. POWs had been inoculated against infection in the U.S. Army and were involved in germ warfare, and that they wanted peace and an end to war. Names, ranks, and serial numbers of these POWs were also provided. The Review called these admissions by U.S. POWs "the final link in the chain of evidence before the world showing the U.S. government guilty of launching germ warfare."¹¹

As evidence of U.S. germ warfare in Korea and China, the Review compiled the following international sources which did on-the-spot investigation to prove the credibility of its reporting:¹²

1) A six-man group of journalists from Korea, China and Hong Kong, London, Paris, Budapest, and Warsaw.

2) A group of well-known jurists from Austria, Belgium, Brazil, Britain, China, France, Italy, and Poland. Five of the eight-man group were non-Communists.

3) A group of Chinese medical and scientific workers which included Dr. Mei Ju-ao, China's member of the International Military Tribunal for the Far East, which tried major Japanese war criminals after VJ day.

4) Dr. James Endicott, a Canadian missionary in China for

¹¹ The China Monthly Review, July 1952.

¹² The China Monthly Review, October 1952.

20 years. He visited China in spring 1952 and investigated areas purportedly affected by germ warfare.

5) Dr. Hewlett Johnson, England's Dean of Canterbury. He spent 40 days in China summer 1952 and inspected the evidence of germ warfare and interviewed Chinese Christian leaders who also investigated the charges.

6) The International Scientific Commission for Investigation of the Facts concerning Bacteriological Warfare in Korea and China, which, after more than two months of investigation, concluded that the peoples of Korea and China has indeed been the targets of U.S. bacteriological weapons.

7) Numerous captured U.S. POWs admitted dropping germ-laden bombs over Korea and POWs testifying the spreading of germ warfare against U.S. prisoners of war in Korea.

The International Scientific Commission included such well-know scientists as Dr. Joseph Needham, a Cambridge University bio-chemist and embryologist at that time. The commission put together a 300,000-word report with the following conclusion:

The peoples of Korea and China have indeed been the objectives of bacteriological weapons. These have been employed by units of the USA armed forces, using a great variety of different methods for the purpose, some of which seem to be developments of those applied by the Japanese army during the second world war.

The Commission reached these conclusions, passing from one logical step to another. It did so reluctantly because its members had not been disposed to believe that such an inhuman technique could have been put into execution in the face its universal condemnation by the peoples of the nations.¹³

¹³ The China Monthly Review, Nov.-Dec. 1952.

Besides covering the Korea War, the Review continued to report the domestic situation in China. Most of its editorials commented on the progress and success of the new republic. Headlines included "Food Problem Solved," "Production Miracle," "Victory on the Economic Front," "Peasants' Taxes Lowered," "Victory Over Famine," and "Science in New China."

The American media published the germ-warfare charges made by China and Korea, but readily dismissed them as typical Communist propaganda. Newsweek characterized the charges as "a world wide epidemic of Red propaganda," and it quoted U.S. Secretary of State Dean Acheson as saying that the charges reflected "the inability of the Communists to care for the health of the people."¹⁴ Newsweek also listed four reasons for the Communist propaganda: (1) to distract their people from some major concessions they were going to make at Panmunjom. (2) to build up a highly emotional pretext for breaking off the truce talks, and to rally their war-weary peoples. (3) to frighten their peoples into taking proper health precautions against the epidemics then prevalent in China and Korea.¹⁵ As for Dr. James Endicott, a Canadian missionary to China, who was reported to have found evidence of America being involved in germ warfare, Newsweek countered that he was Canada's best-known apologist for Russia and was

¹⁴ Newsweek, March 17, 1952, p. 43.

¹⁵ Newsweek, April 7, 1952, p. 40.

invited to China just to spout the germ-warfare propaganda.¹⁶

After the International Scientific Commission for the Investigation of the Facts Concerning Bacterial Warfare in Korea and China publicized its report, Time called the contents ridiculous and unscientific, and reported that the scientists all had strong pro-Communist leanings. The magazine quoted U.S. officials as saying that the germ-warfare charges were a "monstrous and incredible Big Lie."¹⁷ Time reported that the International Scientific Commission conducted no scientific tests and it also discredited the testimony of Dean Hewlett Johnson with regard to the germ warfare and called him "the Red Dean."¹⁸

The New York Times labeled the charges as propaganda too. Before publishing germ warfare photos of People's Daily of China, The New York Times asked military and scientific experts to verify their truthfulness. The experts concluded that the deadly bugs in the pictures were harmless insects incapable of carrying diseases; photos of bacteria were either fakes, photos of innocuous bacteria or meaningless blotches; and the "germ bomb" supposedly dropped by the United States was a picture of a nonexplosive bomb used to distribute

¹⁶ Newsweek, May 12, 1952, p. 54.

¹⁷ Time, May 19, 1952, pp. 23-24.

¹⁸ Time, May 25, 1952, p. 54; and July 21, 1952, p. 22.

propaganda leaflets.¹⁹

¹⁹ The New York Times, April 1, 1953.

Chapter Five. The Sedition Trial of John William Powell

During its eight years of publication after World War II, the Review suffered economic problems. In June 1953, the Powells decided that they could no longer absorb the journal's increasingly heavy losses. Powell complained that the Nationalist blockade of the China coast, the U.S. post office's periodic interference with the mail between China and America, Washington's trade embargo upon China and the open prohibition of the Review in some countries had forced its closure. Nevertheless, Powell expressed satisfaction that his magazine had survived as long as it did, and that it had served its readers well. He said that the Review had made a "worthwhile contribution in presenting the facts about the new China, in telling the exciting and important story of the new civilization" sprouting in the new land.¹

In the Review's farewell issue in July 1953, Powell wrote that China had made more progress in the past four years than ever before, and that the Chinese people had taken their destiny into their own hands. The Powells and their two sons left Shanghai for the United States in August 1953.

Washington was aware of the return of the Powells to the United States. The State Department, CIA, and FBI had kept track of Powell's movements, including his visits to friends in the United States. A CIA agent in Hong Kong warned his

¹ The China Monthly Review, June 1953.

superiors that Powell could become an effective propagandist for the Chinese regime in view of his "superficial, plausible way of putting things."² Upon yhr Powells' return, the Customs Service Office held the luggage, including nearly 2,000 books from the Review library, because the library contained publications and films of a "political nature," and because they had physically been to Communist China. Actually, the majority of the books were published in the United States and Britain. They included the New Testament and Thomas Hardy's Jude The Obscure. Finally, Powell had to hire a lawyer and managed to get the books released in 1961, eight years after their arrival in the United States, on the condition that he paid the storage fees.³

After he returned, Powell, not fully aware of the extent of the anti-Communist hysteria developing in his home country, continued to praise the improved living conditions in China. In an interview with the Portland Oregonian, Powell said the average Chinese was better off under the Communists than under the Nationalists. He said that America's policy of isolating China had not worked and that other countries such as Britain and France had benefitted much from increased trade with China. Powell also said his observations of conditions were not limited to the narrow confines of Shanghai and that he and

² Kutler, The American Inquisition, p. 223.

³ "A Journalist's Retrospective," by John W. Powell in The China Hands Legacy, pp. 147-148.

his wife, Sylvia, had travelled fairly widely in China.⁴

The FBI thought Powell's statements warranted prosecution and asked the Justice Department to take immediate action. Officials with the Justice Department's Criminal Division agreed that Powell's writings were "replete with half truths, distortions, and shadings of truth" and even absurdities. But they found that Powell's statements offered no basis for prosecution because it was impossible to demonstrate their falsity. The FBI's efforts to verify the truthfulness of Powell's statements about U.S. germ warfare operations were repeatedly rebuffed by various government agencies on grounds of confidentiality.⁵

Finally, in September 1954, thirteen months after he had returned home, Powell was summoned to Washington, D.C., to testify before the Senate Internal Security Subcommittee, chaired by Indiana Republican Senator William Jenner. Sen. Jenner said the subcommittee believed that certain American individuals had conspired to propagandize the American public on behalf of the "brainwashing, soul-killing Red Chinese." These Americans, according to Sen. Jenner, included John K. Fairbank, John Stewart Service and John Paton Davies, who "formed a little cluster in Shanghai around a once "honorable publication, The China Weekly, and later Monthly Review." Sen.

⁴ The Oregonian, Sept. 30, 1953.

⁵ Kutler, The American Inquisition, pp. 222-225.

Jenner called the Review an instrument by which the group "advertized and brazenly proclaimed devotion" to China.⁶

The subcommittee's hearings began with witnesses who had allegedly been adversely affected by the Review. Former POWs of the Korean War testified that they had been terribly maltreated in the hands of the Chinese and North Koreans, and that The China Monthly Review was one of the pro-Communist publications used by their captors for propaganda and compulsory ideological indoctrination. Other publications included The Shanghai News, The New York Daily Worker, The London Daily Worker, People's World, Masses and Main Stream, Political Affairs, The National Guardian, and dozens of other Chinese and Russian magazines and books. According to the witnesses, although the prisoners' camps were often short of food and medicine, truckloads of The China Monthly Review always arrived on time. Prisoners were forced to spend an average of six to eight hours every day studying articles in the Review and that failure to endorse its line had resulted in a number of severe punishments and even deaths of prisoners.

A prominent case was one involving Mrs. Dolores Gill, whose husband, Lt. Charles L. Gill, was captured by the Chinese and later died in the prison camps. Mrs. Gill

⁶ Hearings, Senate Judiciary Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, 83rd Congress, Second Session. (September 27, 1954), pp. 1819-1822.

testified that Powell had written her in January 1951, telling her that it was the policy of the Chinese to treat all prisoners with "greatest leniency and fairness."⁷ However, after the Korean War, Mrs. Gill learned from her husband's fellow prisoners that Lt. Charles L. Gill had died of malnutrition and dysentery.

When it was Powell's turn to testify, he freely answered questions about his father, J.B. Powell, and his own education and employment with the U.S. government. He admitted that as editor of the Review, he was fully responsible for the contents of the magazine. However, when he was asked about his associations, his writings, his belief and the other Americans whose names appeared in the magazine, he routinely refused to answer, invoking the First Amendment's guarantee of the freedom of expression or the Fifth Amendment's provisions protecting against self-incrimination.⁸

After the hearing, Powell held a press conference at the National Press Club in Washington, D.C. He said: "I am not a Communist, not now and never have been." He added that the Review "was not considered pro-Communist by the Communists in China." When he was questioned about the germ warfare charges, he answered: "Something must have happened there. Something

⁷ Ibid., p. 1832.

⁸ Hearings, Subcommittee to Investigate the Administration of the Internal Security Act and Other Security Laws of the Senate Judiciary Committee, 83rd Congress, Second Session. (September 27, 1954), pp. 1818-1912.

sure as heck must have happened up there." He also said that he saw no "evidence" of Americans dying of torture in Korean prison camps.⁹

Powell's press conference upset the subcommittee, and Sen. Jenner called Powell "this renegade American," who he said indirectly helped to torture American servicemen. Sen. Jenner charged that Powell was travelling freely in the country to spread the poison of confusion and defeatism. "It is reasonable to believe that John W. Powell is in this country to soften up the American people, as he tried to soften up our fighting men, so we will agree to trade with the Soviet bloc, and keep quiet if Red China is admitted to the United Nations," he said. Meanwhile, Sen. Jenner announced that he would submit the hearing transcripts to the Department of Justice and ask the Attorney General of the United States to immediately press treason charges against Powell.¹⁰

The Senate hearings continued in December in San Francisco, where the Powells maintained their residence. However, when Sen. Herman Welker (R-Idaho) of the subcommittee called Powell as the first witness, the editor decided not to appear, even though he technically was still under subpoena. Instead, he went to stay with a friend in San Francisco while

⁹ Report of the Senate Judiciary Committee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws, 83rd Congress, Second Session. (January 3, 1955), pp. 64-66.

¹⁰ Hearing, p. 2018.

the subcommittee was in the same city. He said he was tired of the hearings and same witnesses, and that he believed the subcommittee moved the hearings to San Francisco in order to embarrass him publicly and to make life difficult for him and his family.¹¹

His wife, Sylvia, was then called to testify. A native of Oregon and graduate of Reed College in Portland, Sylvia had worked as an administrative assistant for the United Nations Relief and Rehabilitation Administration (UNRRA) in Washington, D.C., and later in Shanghai, China in 1945 and 1946. After her marriage to Powell in 1947, she became a contributor and later associate editor of the Review. After supplying the committee with her personal history, Sylvia refused to answer questions about her role at The China Monthly Review or about her husband's whereabouts. She took her constitutional privilege under the Fifth Amendment and declined even to acknowledge the name of her husband.

Ex-POWs testified that, contrary to Powell's reports, they had been brutally treated in prison camps, and that the peace appeal signed by prisoners was the result of forced indoctrination under conditions of duress. Mrs. Gill, widow of Lt. Gill, again recounted her agony over her husband's imprisonment. One of the witnesses said he was with Lt. Gill and that Lt. Gill was starving and suffering from dysentery when Mrs. Gill got the letter from Powell.

¹¹ Powell interview, March 19-23, 1993.

After the hearings, the subcommittee came to the following conclusions: (1) Powell was in a position to know the falsity of much of the material he published about the American government and American soldiers at war. (2) His magazine was used extensively by the Chinese Communists to brainwash American POWs under inhuman conditions. (3) The Review was both controlled and supported by the Chinese government. (4) Powell had defied a subpoena of the U.S. Senate. Sen. Welker accused Powell of hiding from justice, and the subcommittee reiterated its pledge to press for a treason prosecution against him.¹²

The San Francisco hearing cost the Powells dearly. An hour and a half after Sylvia testified and revealed that she had been working for the National Foundation for Infantile Paralysis, she was fired. The foundation explained that Mrs. Sylvia Powell was an embarrassment to the national philanthropic organization, to its many volunteers and to its staff workers.¹³

After the subcommittee returned to Washington, D.C., Powell appeared at a China policy forum in Palo Alto. Asked about the germ warfare reporting in the Review, Powell said he saw evidence of germ warfare collected in Korea. He said he saw evidence just outside the town he lived in and that plague, cholera, and smallpox suddenly erupted in areas where

¹² Hearings, p. 70; pp. 2161-2276.

¹³ Powell interview, March 19-23, 1993.

such diseases had been completely wiped out.¹⁴

On April 25, 1956, Powell, his wife and the Review's associate editor Julian Schuman were indicted for sedition under Section 2388 of Title 18 of the United States Code. Schuman had returned to the United States at the end of 1953. A federal grand jury in San Francisco returned a total of thirteen counts of sedition against them. The indictment charged that Powell had published in his magazine statements, knowing them to be false, and with the intent of interfering with U.S. forces and to aid their enemies. These included assertions that: (a) U.S. forces in Korea were engaged in aggressive acts; (b) the United States used Korea as a testing ground for gas weapons and germ warfare; (c) United States casualties were of a certain number (higher than official figures); and (d) U.S. negotiators deliberately stalled and sabotaged the Korean truce talks. The indictment was that the Review published statements intended to "cause insubordination, disloyalty and mutiny" among U.S. soldiers and to obstruct recruiting and enlistment. These included criticism of the government of the United States and of Chiang Kai-shek, criticisms of U.S. foreign policy, defense of the government of China and North Korea, and the statement that the North Koreans were merely defending their homelands.¹⁵

Julian Schuman was the Review's associate editor in

¹⁴ Report of the Senate Judiciary Committee, pp. 68-69.

¹⁵ Report of the Senate Judiciary Committee, pp. 66-67.

Shanghai from spring 1950 until its closing. He was born in Boston in 1920, and had studied Chinese at Harvard and Yale through the Army's language training program. He worked as an army cryptanalyst until the end of 1947 when he decided to go to China on his own. While in China, he first landed a job with the China Press. He did freelance writing for the American Broadcasting Company, the Chicago Sun-Times, and the Denver Post before taking his job at The China Monthly Review.

When Schuman returned to the United States from China at the end of 1953, he also found himself, like the Powells, to be unpopular with the government. He was called in March 1956 to testify before the Senate Subcommittee on Internal Security. The subcommittee provided a long list of the places he visited in the United States and pro-China articles he wrote from China. At the hearing, he answered most of the questions about his education and employment record, but frequently refused to discuss his writings and his affiliation by invoking his constitutional rights.¹⁶

To prove their innocence, Powell and his co-defendants had several choices. They could demonstrate the absence of evil intent or that their reporting had presented no "clear or present danger" to national interest; or they could demonstrate the truth of their statements. The defendants pleaded not guilty in September 1956, and chose the second

¹⁶ Hearings, Internal Security Subcommittee, 84th Congress, 2nd Session (March 21, 1956,) pp. 515-549.

option. As the U.S. government was sensitive to the germ warfare accusation and the subject was related to classified documents which the government controlled, the defendants maintained that they were forced to obtain evidence from the People's Republic of China. However, the United States did not diplomatically recognize China and North Korea, and the State Department would not issue passports valid for travel to the two countries. After repeated requests to the court, the defendants' lawyers were permitted to travel to China, where they could take depositions. But, the U.S. government objected to the taking of depositions in Peking on the ground that government counsel would not have official access to the Chinese mainland inasmuch as the United States did not recognize the People's Republic of China.

Federal Judge Louis Goodman finally ordered that the depositions be taken in the British colony of Hong Kong. In December 1956, Powell's lawyers moved for an extension of the time fixed for the taking of depositions in Hong Kong and they advised the court that the Chinese witnesses were unwilling to travel to Hong Kong. One of the defendants' lawyers, A. L. Wirin, would have to travel to China to persuade those witnesses to go to Hong Kong. Wirin stated that the Chinese government would grant him a visa without requiring him to present a valid U.S. passport. However, about a month later, the Chinese government reversed itself and, in March 1957, Judge Goodman stated that he had no jurisdiction to order the

State Department to validate Wirin's passport for travel to China. Five months later, Wirin requested an order asking the Chinese government to provide judicial assistance as to the prospective witnesses' availability to give their depositions at some particular time and place. The Ministry of Justice of China replied that such request would not be honored, because there was no agreement between the two governments concerning judicial assistance. Finally, Wirin filed for a dismissal of the indictment, arguing that the government's refusal to validate his passport for travel to China and North Korea deprived the defendants' of an adequate opportunity to prepare for their defense.

Without questioning the U.S. foreign policy toward China and North Korea, Judge Goodman was concerned with whether the defendants were deprived of their constitutional rights of due process and of fair trial by the acts of the United States, which prevented their counsel from gathering evidence for their defense. He agreed that the evidence necessary for their defense was in China and North Korea; and without giving the defendants the opportunity to gather evidence, the rights granted by the Constitution would become meaningless. He was impressed with Wirin's list of more than one hundred prospective witnesses who could offer evidence to counter the charges that the defendants had falsely characterized the American war effort, truce negotiations, war casualties, and the use of germ warfare. "So the United States has its

choice," Judge Goodman stated. "It can choose to adhere to its policy of non-issuance of such passports. Or it can decide that it is more important to prosecute this criminal case. If the former be its choice, it will mean a discontinuance of the present prosecution."¹⁷

Three weeks later, the State Department reluctantly agreed to issue Wirin a passport for China and North Korea, believing that it was more important to try the Powell case than to maintain passport purity with China. Wirin entered China on January 7, 1958, and left at the end of February. While in China, Wirin talked to about fifty witnesses who said they saw American planes dropped containers of insects over Chinese towns and villagers and could testify that the insects carried germs. But the witnesses would not appear at a trial unless the United States and China had a judicial agreement. Just before the scheduled opening of the trial on July 14, 1958, Wirin moved for dismissal of the indictment on the grounds that the witnesses could not appear because of the hostility between the two nations. The Ninth Circuit Court of Appeals refused to issue a writ of mandamus directing a dismissal.

As part of the defense, Powell's lawyers subpoenaed various federal departments and congressional committees, directing for the release of documents related to American aggression, germ warfare, and the conduct of the truce

¹⁷ United States v. Powell, 156 F. Supp. 526-535 (1957).

negotiations. Officials soon became worried that classified records would have to be brought to the court and the trial could have propaganda value for unfriendly nations. Assistant U.S. Attorney James B. Schnake told the court that the government would not offer any evidence on these issues and said that the defense demand would threaten military security. Defense lawyer Doris Walker responded that she would not allow the government to define the boundary of proof for the defense.

Finally, after several postponements, Judge Goodman ordered the trial set for January 26, 1959. During the trial, the government offered the testimony of Private Page Baylor, a former POW in Korea, to show the distribution of The China Monthly Review, among the POWs and to show the effect the Review's articles had upon them. The court agreed with the defense objection that the testimony was inadmissible because a provision of the sedition laws limits its application to the United States and its admiralty and maritime jurisdiction, and ordered the argument on the objection to be held in the absence of the jury.¹⁸

During the objection argument, Schnake stated that in his opinion, the evidence in question had established actual

¹⁸ Section 2388 of Title 18 of the United States Code says that activities affecting armed forces during war shall be punished and it shall apply within the admiralty and maritime jurisdiction of the United States, and on the high seas, as well within the United States. (June 25, 1948, ch. 645, 62 Sta.811.)

treason on the part of the defendants. Judge Goodman also stated that the evidence presented so far would be "prima facie sufficient" (enough at first glance) to prove treason since treason law did not have the same jurisdiction limitations as sedition law. Reporters, after checking the official court transcript to insure accuracy, quoted the judge's comments. Some newspaper headlines stated that the judge declared "the Powells guilty of treason," and that "the judge had flayed the Powells." The next day, the defense lawyer, Doris Walker, tendered a motion for mistrial on the ground that the newspapers in the San Francisco area had published inflammatory articles and headlines indicating that the trial judge had declared the defendants guilty of treason.

Judge Goodman agreed to the motion for a mistrial on the ground of prejudicial publicity. He explained he had made the remarks about treason in response to prosecution arguments and during the absence of the jury, and criticized the media for thwarting the just administration of justice.¹⁹

However, the government immediately filed a new complaint of treason against the defendants and asked that they be held without bail. Defense counsels called the new charge a "miserable, filthy trick" and "dirty pool."²⁰ Defense attorney Charles Garry argued that there had been no prima facie

¹⁹ United States v. Powell, 171 F. Supp. 203-205.

²⁰ San Francisco Chronicle, Jan. 31, 1959.

showing of treason and that the government had not offered two witnesses to any overt act of treason. The court agreed again. The Justice Department never was able to offer witnesses for the treason charges; and in the end, when it sought to continue the treason charge again in July 1959, the U.S. Commissioner in San Francisco denied and dismissed the complaint.

Finally, in 1961, Attorney General Robert F. Kennedy ordered the sedition indictment dismissed and closed the investigation, saying that because of the existing conditions in mainland China, direct testimony of two witnesses to an overt act of treason could not be obtained.²¹

²¹ Report of the Attorney General, (1962), p. 257.

Chapter Six. The Conclusion

The sedition law had been in existence long before Powell's indictment. The first sedition law of the United States, the Alien and Sedition Acts, was passed by Congress in 1797 for the purpose of punishing opposition to the government. It was in fact aimed at editors who published or uttered false, scandalous and malicious criticism of the President, Congress, or others in government with the intent to defame them or bring them into disrepute. However, the law was short-lived and died in 1801 after Thomas Jefferson became president of the United States.

Later on, wartime emergencies in the Civil War and World War I brought new sedition statutes. The Espionage Act of 1917 and its amendments in 1918 made it unlawful for anybody to speak or publish anything with the intention of causing contempt, scorn, or disrepute of the form of government, the Constitution, the flag or the military cause of the United States. In the famous case of *Schenck v. U.S.*, Justice Oliver Wendell Holmes enunciated the "clear and present danger test." He wrote: "When a nation is at war many things that might be said in time of peace are such a hindrance to its effort that their utterance will not be endured."¹ The test was subsequently invoked in various cases, and was used to warrant government's prosecution of dissent. The sedition law was enlarged and updated several times, and was finally labeled

¹ *Schenck v. United States*, 249 U.S. 47 (1919).

Section 2388 of Title 18 of the United States Code in 1948.²

Although the sedition charges against Powell and his co-defendants were dropped, the Powells and Schuman paid a high price. To meet their \$40,000 legal bills, they had to borrow money from relatives and friends, and raised funds on their own. During the trial, the Powells had to send their children off to stay with friends and relatives. Sylvia lost her job. Powell, who was selling school supplies, had just received a big order from a community across the bay when the story of the trial hit the area newspapers. The order and the job were canceled. Even Powell's auto insurance company attempted to drop his coverage because of the fear that somebody might damage his car.

Still, many people supported the Powells. The American Civil Liberties Union (ACLU) stepped in to oppose the prosecution, claiming it constituted a serious threat to the press freedom guaranteed under the First Amendment. At the children's center where their two boys were being cared for, the teachers took every precaution to protect the children from any adverse publicity. Powell also recalled that when he took his Volkswagen to be serviced, the garage owner said he had read about their case in the paper and suggested that Powell bring the car in regularly, regardless of whether he had the money to pay for the service.

² Harold L. Nelson and Dwight L. Teeter, Jr., Law of Mass Communication (New York: The Foundation Press, Inc., 1982), pp. 35-45.

While the trial was still going on, an artist friend suggested that they fix and enlarge their tiny house. Powell, who had read some books on carpentry, added another room to the house and sold the expanded house. Soon the Powells started their own business, buying old houses, fixing them and then selling them. From this, they branched into the buying and selling of antiques. They ran an antique shop on Church Street in San Francisco until their retirement a few years ago. Their oldest son, John, took over the business.

Julian Schuman went back to China in 1964 to work as a English language expert for a foreign language press in Beijing and in 1981 helped China launch its first English language newspaper, China Daily. He continues to work for that paper today.³

The Powells do not regret what they wrote in the Review forty years ago. They remain as convinced as they were in the 1950s that the United States had been engaged in germ warfare against the North Koreans and the Chinese. Although he had not personally talked to any victims of the alleged germ warfare, Powell had regularly interviewed Chinese and foreign friends who had been to areas affected by air-dropped germs. "This is not a rehearsed story," Powell said. "If they (the Chinese) want to fake something, you will assume that the government would have a great deal of control over the villagers. But

³ Powell interview, March 19-23, 1993; Sun Francisco Sunday Examiner & Chronicle, March 13, 1977.

villagers did not tell the same thing, and they argued among themselves."⁴ According to the Powells, the list of scientists and journalists who investigated the evidence is impressive, and so was the exhibit that China held at the Asian Pacific Peace Conference held in Beijing in October 1952.

Although Powell had heard about the Red hysteria in the United States when he was in China, he never realized that it was going to affect him and his family the way it did when they returned to the United States. He did not know whether his journal had ever been used to indoctrinate Americans in prison camps, since, he said, he did not handle circulation himself and the Review was available on any newsstand at that time.

He emphasized that he is a "cause journalist" and that his magazine was an opinion journal. He wanted to use the magazine to fairly explain China to the West. He tried to balance everything he wrote, but it was hard. "I was very sympathetic with China because I thought China always got the short end of the deal with the West from the days of the Opium War on," he said. "If you read the American papers during the same period, you could not find anything good about China in them. They were not the textbook journalism."⁵

When the Justice Department pressed sedition charges against the Powells, it maintained that Powell's writings were

⁴ Powell interview, March 19-23, 1993.

⁵ Powell interview, March 19-23, 1993.

presented as facts instead of mere opinions. Powell disagreed and said his writings only represented his opinions. This argument between Powell and the government was never resolved. In retrospect, Powell said that if he had anticipated his subsequent ordeal, he would have written the same thing, but in a legally more cautious way. For example, in reporting the germ warfare charges, he would make it clearer that the charges had been reported in China, and that he was offering his opinions on their validity, based on the examination of the evidence.

The lapse of time has not dried up Powell's interest in germ warfare. In 1977, he retired to his study above his antique shop to resume his writing about Asia and germ warfare. Today, to further prove the truthfulness of what he had written during the Korean War, he has been trying to obtain previously classified documents from the government through the Freedom of Information Act.⁶

The sedition indictment charged Powell with wrongfully accusing the United States of employing Japanese biological warfare experts in the Korean War. However, recent evidence tends to support Powell's contention. After years of research and efforts to obtain classified government documents, Powell found that during World War II, the Japanese had flown over Chinese cities, dropping plague-laden insects and grains in order to trigger an epidemic. What is more important is that

⁶ Powell interview, March 19-23, 1993.

the Japanese honed their germ warfare weapons on captive human subjects including many American prisoners of war. However, the American government had deliberately concealed these crimes to use the fruits of the research for its own biological weapons program. Powell's findings were confirmed by various other sources.⁷

Japan's BW experiments were directed by Lieutenant General Ishii Shiro. At the end of World War II, the American military agreed that Shiro and others in his Unit 731 would not be tried as war criminals. In return, Shiro turned over the records of his experiments. Powell found a memorandum dated Dec. 12, 1947, addressed to the head of the U.S. Army Chemical Corps, which supplied a partial inventory of some of the human experiments conducted by the Japanese.⁸

Powell's finding made international headlines when it was published in the Bulletin of the Atomic Scientists and the Bulletin of Concerned Asian Scholars in 1980 and 1981. A Dutch jurist, Bert V.A. Rolling, who served on the Tokyo war crimes tribunal after World War II, said of Powell's

⁷ Discussions of Japan's experiment with germ warfare and the U.S. subsequent use of Japanese BW personnel can be found in at least two sources: Peter William and David Wallace, Unit 731: Japan's Secret Biological Warfare in World War II. (New York: The Free Press, 1988); and Mark Ryan, Chinese Attitudes Toward Nuclear Weapons, China and the United States During the Korean War. (Armonk, New York: M.E. Sharpe, 1989.)

⁸ John W. Powell, "A Hidden Chapter in History," Bulletin of the Atomic Scientists, October 1981, pp. 37-44; and "Japan's Germ Warfare: The U.S. Cover-up of a War Crime," Bulletin of Concerned Asian Scholars. October-December 1980, pp. 12-16.

discovery: "It is a bitter experience for me to be informed now that centrally-ordered Japanese criminality of the most disgusting kind was kept secret from the court by the U.S. government."⁹ This supports Powell's early reports about the U.S. germ warfare program, but it is by no means evidence of the alleged U.S. use of germ warfare techniques in the Korean War.

Powell saw The China Monthly Review as his opinion magazine. His statements in the Review that the United States was an aggressor in Korea and that U.S. negotiators stalled the negotiations were clearly opinions. What about other charges that America used gas and germ warfare in Korea, and that casualties were of a certain number? At the first glance, it would seem that these items have been presented as matters of fact. But on closer examination they too can be seen as an editor's opinions. After reading Powell's articles, no one would seriously believe that the writer had actually been to the battle field and had personally counted the dead and the injured. In the germ warfare case, no reader would necessarily assume that Powell had himself been present in a gas or germ warfare attack.

In fact, Powell's statements on germ warfare took this form: (a) charges of germ warfare have been made against the United States; (b) he has examined published evidence which is said to prove the truth of these charges; (c) in his opinion,

⁹ San Francisco Chronicle, Dec. 14, 1981.

the evidence is sufficient to prove the charges true. Powell was charged with attempting to influence public opinions and to cause disloyalty; but only a few hundred copies of the journal were circulated in the United States.¹⁰

Powell's defense of the Communists in China and his laudatory reports about the new-born republic were a product of history. He ran the Review during a unique period of China -- during the last three years of the Nationalists and the first three years of the Communist rule. The corruption and hopelessness of the Nationalists during their final days contrasted with the great progress and improvements that the Communists made after they took over the mainland. The first three years of Communist rule were a period of euphoria. It was difficult to balance the reporting, Powell acknowledged. The Communists made a lot of mistakes, Powell said, but they were nothing in comparison with those of the Nationalists. Powell was not alone in holding this view at that time; most Westerners who had been in China during the same period wrote the same impressions about China. It must be noted, however, that Powell did not stay in China long enough to see the development of more serious problems, which culminated in the Cultural Revolution and Tiananmen Square.

The U.S. government had its reasons for prosecuting Powell and his co-defendants. The BW issue was, of course, a sensitive issue, made more so by the fact that the United

¹⁰ The Nation, Feb. 16, 1957. pp. 136-137.

States had never signed the Geneva Protocol of 1925 outlawing chemical and BW warfare. The subject became particularly delicate because the United States had just dropped the atomic bomb on another Asian country, and some people viewed that as an racist action.

As the sedition case dragged on, the government was caught in a dilemma. To prove the falsity of Powell's claims, the government would have to reveal classified documents. Yet to further tolerate Powell would be tantamount to admitting that he was correct in his charges. Therefore, a mistrial based on some technical mistakes may have seemed an appropriate solution for the government. The defendants' careers and lives were devastated because of the publicity of their case, yet the government's denial of the germ warfare charges remained intact.

The U.S. government obviously had something to hide when it sought to punish the defendants. Powell recalled that the Justice Department tried to work out a deal with him--that is, if Powell would plead guilty to any of the counts he had been charged with, Sylvia and Schuman would be pardoned, and the government would make the punishment for Powell very light.¹¹

Powell's germ warfare charges remain unproved. Western historiography of the Korean War has largely treated Chinese charges of germ warfare as an isolated and transparent propaganda ploy, whereas Chinese history books still treat it

¹¹ Powell interview, March 19-23, 1993.

as a matter of fact that the United States committed germ warfare during the Korean War.¹²

Powell was simply the victim of the Red fear to the extreme. When U.S. foreign service officers and other China beat journalists returned to the United States after the Chinese civil war, they were accused of losing China to the Communists. Powell would have run into the same trouble had he come home with them. Instead he stayed for three or four more years. His charges against the U.S. government were more serious and that inevitably brought him more trouble with the government.

An advocate of China, Powell took the side of the Chinese Communists and was not very objective or thorough in his reporting. Yet, an examination of his writing does not suggest that he knowingly falsified anything. He did the best he could to check out facts in the kind of environment he had in Shanghai. He certainly lost his balance in using Chinese sources almost exclusively. Still, his behavior did not warrant the suffering that he and his family went through.

Powell's ordeal shows present journalists how difficult it can be to cover a foreign, especially an unfriendly, country during time of war. When tension is high between

¹² Detailed discussions of the alleged germ warfare by Chinese scholars can be found in: Shen Zonghong and Meng Zhaohui, History of the War to Resist Americans and Aid Korea (Beijing: The Military Science Press, 1988); and Deng Liqun, Ma Hong, and Wu Heng, China Today: War to Resist U.S. Aggression and Aid Korea (Beijing: Press of Chinese Academy of Social Science, 1990).

nations, official newsmakers tend to manipulate the news media to their own advantage. Journalists should always be skeptical of official news sources. Otherwise the best-trained reporter could easily lose his balance. On the other hand, foreign correspondents are often accused of being unpatriotic if they report things that people back home do not want to hear. What happened to Powell and old China Hand journalists should give pause to present-day journalists.

Today, when it comes to reporting on U.S. policies toward China, U.S. news media tend to protect U.S. policies and interests from public scrutiny. In comparison with the 1930s and 1940s, there is a lack of diverse opinions in China policy reporting today. The media have come to identify more and more with policy-makers and have unwillingly become their surrogate voice. The result of this is that today's reporting about China tends to show a uniform pattern. If there is to be a clear public understanding of China and U.S.-China relations, journalists must be free to report diverse and sometimes unpopular opinions.¹³

¹³ Chang, Tsan-Kuo. "Reporting U.S. China Policy, 1950-1985: Presumptions of Legitimacy and Hierarchy." The article is included in Chin-Chuan Lee's book: Voices of China.

Appendix I

A Chronology of John William Powell

1919 July 3rd	born in Shanghai.
1920	went to the United States and stayed until 1926.
1926	went to China for a year, and attended the American School in Shanghai for about a year.
1927	returned to United States and went to school in Hannibal and Columbia, Missouri until May 1938.
1938 September to 1940 May	went to University of Missouri to study journalism and history.
1940 October to 1941 July	worked for <u>China Press</u> in Shanghai as a reporter and staff writer.
1941 September to 1942 April	returned to University of Missouri to study journalism.
1942 April to December	worked for Federal Communication Commission in Washington, D.C. till December 1942.
1942 December to 1945 October	worked for the Office of War Information in New York, Chungking, Kweilin, and Kunming.
1945 October	<u>The China Weekly Review</u> was restarted by Powell.
1947 December	married Sylvia Campbell.
1953 August	returned to United States after closing the Review.
1954 September	testified before U.S. Senate Internal Security Subcommittee.
1956 April	indicted for sedition.
1959 January	mistrial of sedition case after 5 days of court hearings.
1961	sedition charge against Powell and his co-defendants dismissed by U.S. Attorney-General Robert F. Kennedy.

- 1963 opened antique shop. Also rehabilitated houses and apartment houses for resale.
- 1972 November first return trip to China since 1953.
- 1977 retired from antique shop to do research and writing.
- 1980 published first article, in academic journal, on Japanese germ warfare against China. This and subsequent articles, based on formerly secret materials found in U.S. Government archives, detailed Japanese atrocities and revealed U.S. government's cover-up and protection of Japanese war criminals. These articles were widely reprinted in United States and abroad.

Appendix II

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