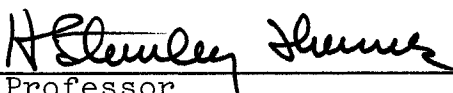
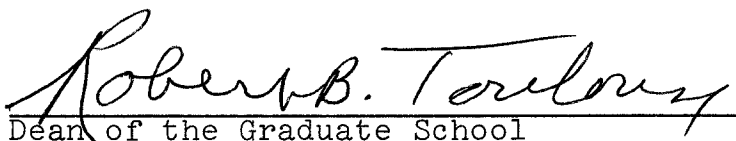


THE QUESTION OF RESTRICTIONS ON TRAVEL TO CHINA:
A CASE STUDY IN UNITED STATES-CHINA RELATIONS
(1948-1971)

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This study is concerned with the United States policy on restriction of travel to China and its effects on national and international politics. The sources of data include government documents, journal articles and newspapers, and books. The study is organized into four major divisions and a section presenting conclusions.

Chapter I discusses the significance of the issue and the purpose of the thesis. Chapter II is a chronology of the question of travel to China. Chapter III discusses the effects of the travel issue on the American political system. Chapter IV discusses the effects of the travel issue on the international political system.

This study indicates that the travel issue has had effects upon both the national and international political systems. The travel restrictions levied upon United States citizens by the State Department created considerable controversy within the American political system. The travel policy raised questions of constitutionality and affected both personal and financial interests of American citizens. Internationally, the travel policy was clearly subordinate to overall policy toward China, but an important part of it. The twenty-odd-year experience shows that when we cut China off, we also cut ourselves

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THESIS

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PREFACE

During the past twenty-three years the United States government and the government of The People's Republic of China have been hostile toward and suspicious of each other, and both governments have maintained a posture of minimum communication. Both Americans and Chinese have been generally ignorant of each other as a result of this mutual isolation. The ignorance and hostility of the two countries has been perpetuated through a number of governmental policy decisions. One of the policies which contributed to this stand-off situation was the restriction on travel between the United States and China. These travel restrictions and their implications have been a long-standing concern of many people. This investigator has been interested in this policy issue from a personal and academic point of view. The personal view is based on the fact that this investigator traveled in the Soviet Union and other Communist countries, but was denied the possibility of travel to China. The academic interest resulted from professional training in communications and the current implications of such training for international affairs.

The issue of travel between these two countries has been extensively reviewed in journals, books, and other literature. It has been reviewed from the standpoint of human interest,

importance to the United States in world politics, and the questions of political theory and constitutionality.

This thesis represents an effort to study the United States-China travel policies and report accurately and objectively developments in this area from 1948 through 1971. This is a policy study, and a descriptive study; its object is not to prove or disprove a hypothesis, but to investigate a policy area of wide interest and unquestionable importance to the United States and in world politics. The travel policy issue has been a forerunner to improved relations between China and the United States. Beginning in 1969 there was some relaxation of the restrictions of travel between the two countries, an event which was followed by the subsequent meeting between the heads of the two governments. In April, 1972, President Richard Nixon's visit to China was an official step toward lessening tensions between the two countries and establishing better means of communication. His invitation to visit China was issued soon after he announced that the United States government would no longer restrict travel of its citizens to China. There are, of course, still complexities related to traveling to China, but there have been significant changes concerning this policy issue.

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CHAPTER I

INTRODUCTION

Historically, China has been a great empire with a cultivated and proud civilization. In times of great power the Chinese empire dominated the Asian continent. Today China has many of the elements essential to being a great power, even a super power. She is one of the greatest food producing areas in the world and has extensive natural resources. Geographically, China is a tremendous area and has a population of about 759 million.¹ In fact, a quarter of the population of the globe is Chinese. China and its border areas are larger than the United States, including Alaska and Hawaii. The armed forces of China are well-organized, and they have nuclear weapons. In recent years China has been recognized diplomatically by many nations of the world and has recently become a member of the United Nations.

The United States has not recognized China during the past twenty-three years and has attempted to isolate her from world affairs and to influence other nations to do likewise. The breakdown of American-Chinese relations began in the late 1940's. Civil war had been a part of Chinese life for many

¹United Nations Demographic Yearbook (New York, 1971), p. 109.

years. During the 1940's the United States tried to influence the outcome of this civil war, but could not. On October 1, 1949, the People's Republic of China was proclaimed. Since this date mainland China has been a Communist state. The Nationalist forces were defeated and withdrew from the mainland to the island of Taiwan, where they established themselves, claiming to be the legitimate government of China. The United States had supported the Nationalist forces, and after the civil war ended, the United States continued to recognize the Nationalist government of Generalissimo Chiang Kai-shek as the only legitimate government of China. Relations between Communist China and the United States were never friendly. In fact, the breakdown of American-Communist Chinese relations began before V-J Day.

Pronouncements by the Chinese Communist leaders, though mostly theoretical and abstract, indicated that the chances for friendly relations between the United States and a Communist China would be poor. American efforts to bring internal peace to China in the immediate postwar period were met by the Communists with suspicion first, then with outright opposition. The basic cause of this attitude was a difference between the Communists and Americans in their approach to the peace efforts. The Americans regarded the Nationalist Government of Chiang K'ai-shek as the government with which international relations were properly to be conducted. The Communists demanded recognition as more than just an opposition party and refused to separate American peace efforts from the official conduct of American-Chinese relations. They felt therefore greatly antagonized by the military, economic, and technical aid extended by the United States government to the government of China. The feelings resulting from this situation reinforced the distrust and hatred the Communists harbored on general,

ideological grounds and affected the relations which developed between the United States and the Communists in areas under their control.²

Beginning in 1948, relations between China and the United States began to change drastically. One of the first changes affecting Americans was restriction on movement within China. Travel in China gradually became more and more difficult. Within a very short period the United States and China were at a stand-off on the issue of travel.

Examination of the issue of travel policy between the United States and China reveals that the issue cuts deeply into politics at the level of two systems: the domestic system of the United States first, and secondly, the international political system. The chapters that follow are based on this pattern. Chapter II is a history of the origin and development of the question of travel policy between the two countries. In Chapter III the ramifications of the travel policy in domestic American politics is explored. Some scholars in the field of international relations, particularly those interested in communications as a tool of analysis, include travel as one relevant factor in the process of international integration. Chapter IV, accordingly, explores some questions of travel policy as it relates to the international political system.

²Werner Levi, Modern China's Foreign Policy (Minneapolis, 1953), p. 285.

CHAPTER II

A CHRONOLOGY OF THE QUESTION OF TRAVEL TO CHINA

The civil war in China had not quite ended when the problems of travel within the country began. In 1948 The United States Consulate protested to the Shanghai Bureau of the Foreign Ministry that China was not giving Americans the same freedom of travel that Chinese had in the United States. The United States claimed that the Chinese were violating the 1943 Sino-American treaty on the abolition of extraterritoriality. This treaty required that China give Americans the same freedom of travel here that Chinese had in the United States and equal treatment in China for Americans and Chinese. The Chinese responded by stating that the civil war emergency had made it necessary to impose limitations on the travel of foreigners. Thus began the long series of restrictions on travel for Americans and Chinese.¹

The civil war began to come to a close in January, 1949 with the Communist take-over of Peking. During this time tensions between the United States and the Communists worsened. Travel to and from China became more complicated and difficult.

¹"Curbs on Travel Extreme in China," New York Times, July 18, 1948, p. 34.

It was, however, still possible at this time to enter China. The first American to get permission to enter China under Communist rule was Margaret Gene Felton. She represented the Methodist Board of Foreign Missions and also was married to an American professor teaching in Peking. She received her visa in September, 1949, some eight months after the Communists seized Peking.²

Gradually it became more and more difficult to get a visa grant into the country, and it also became more complicated to leave. In early January, 1950, a new regulation provided that a foreigner had to live in a port city for three months prior to being eligible for an exit visa from China. A new regulation was established which required foreigners to leave from the port where they had lived prior to the visa grant.³

During 1950 relations between China and the United States worsened. On January 14, 1950, the State Department recalled all official personnel from China, following seizure of the United States consulate in Peking. Within one year relatively peaceful relations between the United States and the Chinese mainland ended.⁴

²"Red China Grants Visa to Missionary," New York Times, September 19, 1949, p. 20.

³"China's Reds Act on Visas," New York Times, January 4, 1950, p. 24.

⁴Congressional Quarterly Service, China and US Far East Policy 1945-1967 (Washington, 1967), p. 48.

Severe restrictions were imposed upon American (and other) citizens, especially diplomats and newspaper reporters. Many American citizens were held incommunicado in prisons. Others were denied exit permits except upon extortionary payment of large sums of money.⁵

American property in Peking was seized on very flimsy or no grounds. The result of this treatment was that the United States withdrew her last diplomatic and consular officials from the mainland in April 1950.⁶

Relations grew even worse when war began in Korea in June, 1950. What peaceful, direct contacts remained between the United States and China were broken off when the Chinese joined in the Korean conflict.

The United States declared an embargo on any materials whatever to Communist China, and none were shipped there after December 1950. At the same time all Chinese assets in the United States were put under the control of the American government, while the Chinese Communist government applied the same measure to American assets in China. After October 1950 Chinese and American soldiers faced each other on the battlefield.⁷

With the decline in peaceful relations between China and the United States came increased anti-American propaganda from the Chinese. According to news reports, American officials and American citizens were badly treated in Communist territory, and many attempted to leave China.

⁵Department of State Bulletin, XXIV (1951), 947.

⁶Department of State Bulletin, XXIII (1950), 238.

⁷Werner Levi, Modern China's Foreign Policy (Minneapolis, 1953), p. 286.

Reports from Communist-held Canton today said that seventeen United States citizens had applied for exit permits, mainly as a result of the current anti-United States propaganda campaign. This was the largest single number of applicants since the Communists took over Canton fourteen months ago. Most of those seeking to leave were said to be missionary doctors, teachers and clergymen.⁸

Citizens in the United States became alarmed at the treatment of Americans in China, and The United States Department of State took steps to warn American citizens of the risks of travel in Communist countries. After more than sixty Americans were arrested and imprisoned in Communist China, the Department of State issued new restrictions on travel. Beginning April 28, 1952, all United States passports were amended with a stamp reading as follows:

This passport is NOT valid for travel to Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Rumania or the Union of Soviet Socialist Republics unless specifically endorsed under authority of the Department of State as being valid for such travel.⁹

Over a period of almost four years, travel between the United States and China, more or less, came to an end. Travel within and to China was controlled already by military restrictions when the Communists took over the mainland. Conflicts of interest between China and the United States finally made travel to China almost impossible for Americans.

⁸"17 Americans Seek Canton Exit," New York Times, December 29, 1950, p. 4.

⁹"U.S. Forbids Travel To All Soviet Bloc Without Consent," New York Times, May 2, 1952, p. 1.

There was a general feeling of fear for the security of the United States which helped further promote the issue of restricted travel. Senator Joseph R. McCarthy of Wisconsin used the legislative investigatory power to accuse and investigate public employees, scientists, teachers, and others of disloyalty to the United States. As a result of these investigations, fear was engendered over the security of the nation. McCarthyism fostered suspicion among friends and neighbors, promoted distrust of public officials, caused the imposition of loyalty oaths, and was responsible for passage of anti-Communist legislation.

In 1952, amendments to the passport regulations appeared in the Federal Register. One of these amendments concerned limitations on issuance of passports to persons supporting the Communist movement.

In order to promote the national interest by assuring that persons who support the world Communist movement of which the Communist Party is an integral unit may not, through use of United States passports, further the purposes of that movement, no passport, except one limited for direct and immediate return to the United States, shall be issued to: (a) Persons who are members of the Communist Party or who have recently terminated such membership under such circumstances as to warrant the conclusion--not otherwise rebutted by the evidence--that they continue to act in furtherance of the interests and under the discipline of the Communist Party. (b) Persons, regardless of the formal state of their affiliation with the Communist Party, who engage in activities which support the Communist movement under such circumstances as to warrant the conclusion--not otherwise rebutted by the evidence--that they have engaged in such activities as a result of direction, domination, or control exercised over them by the Communist movement.

(c) Persons, regardless of the formal state of their affiliation with the Communist Party, as to whom there is reason to believe, on the balance of all the evidence, that they are going abroad to engage in activities which will advance the Communist movement for the purpose knowingly and willfully of advancing the movement.¹⁰

Another amendment to the passport regulations appeared at the same time in the Federal Register which further promoted the development of travel restrictions. This amendment referred to limitations on issuance of passports to persons likely to violate laws of the United States.

In order to promote the national interest by assuring that the conduct of foreign relations shall be free from unlawful interference, no passport, except one limited for direct and immediate return to the United States, shall be issued to persons as to whom there is reason to believe, on the balance of all the evidence, that they are going abroad to engage in activities while abroad which would violate the laws of the United States, or which if carried on in the United States would violate such laws designed to protect the security of the United States.¹¹

The year 1952 ushered in legislation which also helped to promote developments in travel restrictions. Congress passed the Immigration and Nationality Act of 1952 (McCarran-Walter Act). This act was a major revision and restatement of the immigration and citizenship policies of the United States. The McCarran-Walter Act placed restrictions upon the immigration and naturalization of Communists and other totalitarians and solidified the quota system for immigration. The act eliminated racial barriers, but Asians, Africans, and

¹⁰Federal Register (September 4, 1952), 8013.

¹¹Ibid.

eastern and southern Europeans were assigned very small quotas. The act placed certain restrictions on Communists. For example, Communists were denied admission to the United States, and Communists residing in this country could not be naturalized. Further, citizenship could be taken from naturalized persons who joined the Communist Party or refused to testify before a congressional committee investigating subversive activities.¹²

During this early period of relations with Communist China, there were proponents as well as opponents of our restrictive travel policies. John King Fairbank, one of the supporters for increased American participation in Asia, suggested the value of studying, on the spot, economic and social reforms of the Chinese Communists. Fairbank had spent many years in China with his missionary parents, later doing a variety of United States government services. He felt that the United States should maintain contact with the Chinese Communists so as to avoid a build-up of ignorance and self-righteousness.¹³ Senator Tom Connally, Democrat from Texas, tried to control excessive anti-Communist legislation while he served as chairman of the Foreign Relations Committee

¹²U.S. Statutes at Large, LXVI (June 27, 1952), 184-185.

¹³John King Fairbank, "U.S. Reviews China Policy in Light of White Paper," Foreign Policy Bulletin (August 12, 1949), 2.

under President Truman.¹⁴ Senator Pat McCarran, Democrat from Nevada, and Senator William Knowland, Republican from California, were both staunch and persistent advocates of militant American policies against communism in Asia.¹⁵

The New York Times supported international interchange of persons and ideas but spoke out against certain practices of Communist countries toward foreigners.

The latest State Department regulation regarding visits by American citizens to the Soviet Union or the countries it controls sets up a uniform procedure for all, extending provisions formerly applicable only to some. With regard to all these nations, citizens of this country must now obtain specific permission from the Department before going to them. In all probability the Communist press the world over will hail this move as 'proving' that this country is responsible for the 'Iron Curtain' and is 'afraid' of letting its citizens see the 'glories of socialist construction! This newspaper and this country have both frequently expressed their belief in the desirability of the freest possible international interchange of persons and ideas. The limitations on such interchange are unfortunate, but they can only be done away with if there is a revolution in the practices of the Soviet bloc countries which will permit normal relationships with them.¹⁶

This early period in United States-China relations was an unclear one in the minds of Americans, as well as of Chinese. There was a considerable amount of propaganda from both sides, and restrictions on travel were imposed by both countries. The initial travel limitations imposed by the United States

¹⁴William S. White, Citadel: The Story of the U.S. Senate (New York, 1957), p. 242.

¹⁵Ibid., p. 142.

¹⁶"Iron Curtain Passports," New York Times, May 5, 1952, p. 22.

appeared during the Truman Administration, which ended in 1952. During this period the United States attempted to halt the spread of communism through a policy of containment. Following the control of China by the Communists came the Internal Security Act; McCarthyism, Passport Amendments, the McCarran-Walter Act, and the Korean War.

When President Eisenhower took the oath of office in January, 1953, there were strong anti-Communist Chinese sentiments in the United States. Gradually, however, President Eisenhower began to take steps to normalize relations with China. The Eisenhower Administration was willing to move toward diplomatic relations with Peking, if the Korean differences could be resolved. China began to show an increased independence from the Soviet Union, and the United States government hoped to take advantage of this situation.

The Administration is necessarily moving cautiously in implementing a China policy. But as far as the Eisenhower Administration is concerned the dust has settled in China. The imprint of its new policy, however, will appear only cautiously and casually as events support the correctness of its conclusions.¹⁷

During the Eisenhower years it became apparent to many that the Communist regime in China would not fall. As a result of this realization, certain negotiations were possible between the two countries. Articles began to appear in the

¹⁷"Eisenhower's Emerging China Policy," Foreign Policy Bulletin (December 1, 1953), 4.

literature as to what policies we should adopt toward China, considering the prospects before us.

The political response of the Chinese masses, carefully considered, must always remain the principal desideratum of any successful American policy toward the mainland--just as our past difficulties must be ascribed to our failure to appreciate that the Chinese people, in the mass, were capable of a significant political response. The effective use of the political weapon, which is all that is left as we abandon preventive war concepts, will tax our patience and strain our minds; we will need to abandon, also, a treasured body of ill-grounded folklore about China, and substitute the sharpest kind of thinking about the political, administrative, economic, social, and psychological temper of the mainland regime and its people. The first hard fact is that the Communist regime in China is more securely established than most people imagined possible only five years ago; Mao Tse-tung and his fellows are manipulating most intelligently every means for maintaining their iron power. Another hard fact is that our own general ignorance of what China is like, of what the Chinese people like and dislike, and of what has been going on within China in the last century gives us no substantial basis for estimating the ideological currents that have developed in China within recent decades.¹⁸

In spite of suggestions that the United States learn more about China, our travel restrictions and the cold war continued. The United States government also continued to restrict Chinese movement within this country. A number of Chinese physicians and scientists were forbidden to leave the United States for fear their expert knowledge might fall into Communist hands.

The immigration service said today the question whether to grant departure permits for some

H. Arthur Steiner, "The United States and China: The Prospect Before Us," The Yale Review, 43 (December, 1954), 167.

100 Chinese scientists, doctors and technicians who want to return to the mainland of their native country will go to the State Department for final decision. Officials said that each application would be examined individually before an immigration hearing officer, who will submit findings and recommendations for consideration by the State Department.¹⁹

United States and Chinese representatives met about three months later to discuss the possibility of exit permits to Chinese who were being prevented from leaving the United States. The United States representative suggested it might be possible for the Chinese to receive exit permits if Americans imprisoned or otherwise detained in China would be freed. At this time, in 1954, there were some 122 American civilians and military personnel being held in China. Sixty-one of these Americans were in Chinese prisons. Following this meeting, both Americans and Chinese began to prepare to release nationals.²⁰

Communist China has promised to free six detained Americans. The Chinese Communist representatives have stated further that the cases of other detained Americans are still under review. United States officials on their side have notified Peiping that fifteen Chinese students who have been detained in the United States now may leave. The cases of other Chinese students in the United States are being considered.²¹

¹⁹"China Permits To Be Studied," New York Times, March 26, 1954, p. 3.

²⁰"Peiping May Free Some Americans," New York Times, June 16, 1954, p. 5.

²¹"Red China to Free Six U.S. Civilians," New York Times, July 22, 1954, p. 1.

There were a number of Chinese students in the United States at the time the Chinese civil war ended. When the Chinese became involved in the Korean War, many of these students wanted to leave the United States. In 1951, when China entered the Korean War, there were some 5,000 Chinese students in this country. Almost immediately 337 of these asked and received permission to return to China. During the latter part of 1954 there were a number of exit requests still being considered by the United States government.²²

From 1954 to 1957 there was a coexistence period in United States-China relations. There were proposals for relaxing tensions, and the Geneva talks were initiated. There were several developments on the travel issue during this period. However, the Eisenhower Administration continued to prohibit travel by newsmen and other citizens to China. The result was that Americans were required to depend upon second and third-hand accounts for their information about developments and attitudes of the Chinese.

In 1955 the Chinese did propose an exchange of newsmen and increased contacts which might possibly lead to an eventual meeting of foreign ministers. The United States rejected these suggestions because it tended to see them as little more than tactical devices designed to gain international

²²"Exchange Sentiment Mounts," New York Times, December 17, 1954, p. 2.

recognition for China. Finally the American position regarding an exchange of newsmen did change, but by this time the Chinese had changed their minds. Thus, one opportunity to establish limited contacts was lost.²³

During 1956 China offered visas to fifteen United States newsmen who had requested them. However, the State Department reiterated its prohibition of all travel to China by American citizens and refused to validate passports for the journalists. The State Department said it would continue to bar travel to China as long as Americans were held there as political hostages. After considerable public criticism this stand was modified. On August 22, 1957, the Department validated a limited number of passports for American newsmen to travel to China. However, at this same time, it stated that the United States government would not make any agreement with the Chinese to assure reciprocity for their newsmen. The State Department did say, however, that it would examine the credentials of Chinese journalists on the basis of individual applications. The Chinese rejected this proposal and retracted the invitations they had issued. No application from a Chinese newsman was ever received, and the Chinese government continued to bar the American journalists on the State Department's list.²⁴

²³Robert Blum, The United States and China in World Affairs (New York, 1966), p. 98.

²⁴Ibid., p. 126.

A firm policy on China continued during 1957. Several statements were issued by the State Department. Deputy Under-Secretary Murphy spoke before the Senate Foreign Relations Committee on April 2, 1957, at which time he said

Generally speaking, the United States will not validate passports for travel to countries with which we do not have diplomatic relations. Americans traveling to such countries cannot be extended the usual protection offered American citizens and property abroad by our embassies and consulates abroad. In addition to not validating passports for countries with which we have no diplomatic relations, the Secretary of State may, from time to time, decide that the Safety of American citizens cannot be fully protected in certain countries. Groups often excepted in such cases are Red Cross and relief workers, priests and missionaries, and the press. One reason for not allowing citizens to travel to certain countries, in addition to the safety of the individuals involved, is the psychological pressure which can be brought to bear on a country by not allowing Americans to enter it.²⁵

During a speech in San Francisco on June 28, 1957, Secretary of State Dulles said

Internationally, the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.²⁶

There was at this period in our Chinese relations no major political force to challenge our firm policy toward China.

²⁵Department of State Bulletin, XXXVI (1957), 664.

²⁶Department of State Bulletin, XXXVII (1957), 94-95.

The votes in Congress for the treaty and Congressional resolution binding us to Formosa are nearly unanimous. And Congress similarly, with almost clocklike regularity, votes overwhelmingly to oppose Peiping's representation in the U.N. Our China Policy is effectively a projection of the Korean War and the earlier domestic controversy regarding the China question. There has been solid bipartisanship in an 'anti-Chinese' Communists Stance.²⁷

During 1957 the State Department authorized twenty-four news organizations to send correspondents to China. Even though correspondents were not exchanged, the offer to authorize the travel represented a weakening of a long-standing policy. The State Department had been refusing to validate passports for five years, and had threatened punitive action against those going to China without authorization.

During August, 1957, some fifty young Americans attended an international youth festival in Moscow. During their visit, The All-China Youth Federation issued an invitation to the youths to tour China for three weeks. Thirty-five of the young people said they planned to go in spite of the State Department ban on travel to China. Forty-two of the youths finally did decide to make the trip.²⁸

The youths were asked by the Chinese to turn in their passports to the Chinese Embassy as proof of United States

²⁷O. Edmund Clubb, "Our China Policy Reaches Dead End," Progressive, 22 (November, 1958), 9.

²⁸"U.S. Youths Drop China Trip; Others Reconsider Peiping Offer," New York Times, August 11, 1957, p. 2.

citizenship. Visas for China were issued to them on separate pieces of paper so that no record of the trip would remain in their passports.²⁹

The State Department immediately declared that travel to China was not only contrary to passport regulations in force, but was subversive of the well-known foreign policy on which these passport regulations are based. The State Department declined to say what action, if any, would be taken against Americans who violated the regulations. They did warn, however, that those going to China might lose their passports and be liable to prosecution.³⁰

The New York Times published an editorial on the issue and stated that there was no doubt that the government could pick up the passports and fine or imprison the youths. The fine could be up to \$2,000 and the imprisonment up to five years. The Times agreed that the State Department had the right to issue a statement on the matter but suggested, on the other hand, that

No free man can give up his right to protest, in the ballot box or otherwise. He must, however, be prepared to accept the consequences, and these youths from the Moscow Youth Festival should remember that. Theirs is not the way to break the Iron Curtain. Of infinitely greater importance would be the issuance of visas to American newspaper men

²⁹"U.S. Youths Ready For Trip To China," New York Times, August 12, 1957, p. 1.

³⁰"U.S. Fears Harm in Visits to China," New York Times, August 13, 1957, p. 1.

which would permit them to travel in and report from Communist China. A mature newspaper man is certainly a better interpreter than are these free-riding young people.³¹

Christian A. Herter, Under-Secretary of State, issued a letter to the American youths in Moscow:

The Department of State has been informed that a number of United States citizens presently in Moscow have been invited to visit Communist China and that some of them have indicated an intention to accept the invitation. This letter is addressed only to those citizens of the United States who are contemplating such travel to or in Communist China.

The policy of the United States with respect to communism in China, nonrecognition of the Chinese Communist regime, and related matters has been recently restated by the Secretary of State in his address of June 28, 1957, at San Francisco. Generally speaking, it is not consistent with the policy of the United States, as approved by the President, that citizens of the United States travel to the areas of China under Communist control.

There are many reasons for this, and they are cumulative. They include the nonrecognition of the regime; the existence of a quasi state of war and the continued application of the Trading with the Enemy Act; the refusal of Communist China to renounce the use of force; and the illegal jailing of Americans already in China despite promises to let them out.

Suffice to say that those officials of your Government who are charged with responsibility in this matter have soberly and definitely come to the conclusion here expressed. Most of your fellow citizens--even those who may desire a change in some aspects of this policy--have accepted it. The Department of State has already received requests from parents requesting that their children be informed of their strong disapproval of any travel to Communist China.

³¹"Problem In Diplomacy," New York Times, August 14, 1957, p. 24.

For you to determine to travel to Communist China in violation of the declared policy of your Government is a serious matter, not to be undertaken lightly. By so doing, you will be violating the restriction plainly stamped in your passport. If you persist in violating this restriction, at the first possible opportunity your passport will be marked valid only for travel for direct return to the United States and your passport will be taken up when you do so return. In the event that you make application for a passport at a later date, your wilful violation of passport restrictions will be duly considered in connection with such application.

Your attention is further called to the fact that travel to and in Communist China at this time may well involve violation of regulations issued and enforced under the Trading with the Enemy Act, which constitutes a criminal offense under our law.

There may be some of you who feel that going to Communist China and debating the position of democracy as against communism you may be doing a service in offsetting the propaganda efforts of others less well intentioned. If you believe this, you are in error. By traveling to Communist China at this time you will, in the considered view of your Government, be acting as a willing tool of Communist propaganda intended. Wherever possible, to subvert the foreign policy and the best interests of the United States, of which you are a citizen.

I request that you reconsider any intention or thought you may have had of going to Communist China at this time.³²

President Eisenhower issued a statement on the youth visit:

"I think that they are badly advised, and they are doing their country a disservice."³³

³²"Herter's Warning to U. S. Students on Trip to China," New York Times, August 14, 1957, p. 4.

³³"Transcript of the President's News Conference on Foreign and Domestic Affairs," New York Times, August 22, 1957, p. 14.

Former President Truman later commented, "The American students who went to Communist China recently were entirely wrong in violating this country's passport regulations."³⁴

This was not the first time Americans had entered China against regulations. Three American newsmen did it in 1956. After the youth visit the State Department decided to soften passport policy. The Department stated they would give offenders a second chance. Passports would not be denied automatically simply because the applicant had violated regulations. A new passport could be issued if the offender could satisfy the State Department of an intention not to commit a new violation. The State Department gave the youths sixty days to appeal their cases to the Department.³⁵

Some of the youth group returned home after their visit to China, while others continued to travel abroad. Eighteen returned home before the end of the sixty-day limit for appeal. Only one appealed, while the seventeen others surrendered their passports without appealing their cases. The twenty-four youths who remained abroad had their passports canceled in December, 1957.³⁶

³⁴"Truman Plays A Joke on Friend Here," New York Times, September 11, 1957, p. 35.

³⁵"U.S. is Softening Passport Policy," New York Times, September 26, 1957, p. 3.

³⁶"24 China Visitors Losing Passports," New York Times, December 19, 1957, p. 9.

In January, 1958, one of the forty-two Americans who visited China appeared in Washington to appeal his passport cancellation. The man appealing his case was a Mr. Morris Block of Brooklyn. During the course of the hearing Mr. Block was shown his passport for identification. He grabbed the passport, put it in his pocket, and would not return it to the hearing officer. The hearing officer informed him that if he did not return the passport, he would be declared in contempt, and the hearing would be adjourned. Since he would not return the passport, the hearing was adjourned. Mr. Block also refused to testify before the House Committee on Un-American Activities after his return from China.³⁷

During January, 1958, Abraham Lincoln Wirin, a defense attorney for a former editor charged with sedition, expressed his views to the press on his way to China to gather evidence in defense of his client, John M. Powell. Mr. Wirin said that the State Department's ruling to keep Americans out of China was narrow, unreasonable, and arbitrary. He called the passport ban indefensible.³⁸

The State Department had consented in August of 1957 to allow a number of news organizations to send one man each to China on a seven-month trial period. China failed to admit

³⁷"Brooklynite Grabs Seized Passport," New York Times, January 30, 1958, p. 25.

³⁸"Travel Curb Assailed," New York Times, January 2, 1958, p. 12.

the newsmen. In March, 1958, the State Department reminded the news organizations that their correspondents should have their passports for Communist China renewed before expiration on March 22, 1958. The Department said, however, that it had not received any indication that China planned to admit any United States newsmen. The Department would have allowed the newsmen to go if China changed its policy.³⁹

Following this announcement by the State Department, an article appeared in the Communist Chinese newspaper, Peiping People's Daily, accusing the United States of placing 'obstinate obstructions' in the way of a mutual exchange of foreign correspondents.⁴⁰

During January, 1958, regulations imposing stringent new limitations on movement of persons within Communist China were adopted by the National People's Congress and promulgated by Mao Tse-tung.

The regulations fix new controls on travel that prevent anyone from moving from one place to another without permission. The rulings require every citizen to register his place of residence. They establish a system of identity books that amount to domestic passports.⁴¹

The Chinese continued to tighten restrictions on the movement of foreigners in Peking. They arrested a number of

³⁹"China Visas Expiring," New York Times, March 18, 1958, p. 4.

⁴⁰"Peiping Talks of an Exchange," New York Times, March 23, 1958, p. 20.

⁴¹"Peiping Restricts Travel in China," New York Times, January 11, 1958, p. 2.

Chinese servants employed by foreign diplomats. Foreign diplomats were instructed that they would not be allowed to travel more than twelve miles from Peking without special permission. This move indicated that the Chinese government was embarking on a tough policy.

It was recalled here that the Yugoslav newspapers Borba and Politika have been carrying stories almost daily about harsh, repressive measures taken by the Chinese Communists against students, intellectuals and people of 'bourgeois origin'.⁴²

In 1953 The Committee of One Million Against the Admission of Communist China to the United Nations was organized. This committee was a bipartisan lobby group who continuously urged economic and diplomatic isolation of mainland China. Paul Douglas, Senator from Illinois, and a member of The Committee of One Million, spoke out for the continuation and strengthening of U.S. policy to oppose any political, diplomatic, economic or moral assistance to China. He stated that easing of trade and travel restrictions would increase the prestige of the Peking regime in Asia.

Expansion of trade would act as a rescue operation. The power of Communist China would be considerably enhanced. Then, American newspapermen and businessmen will go into Red China and begin dealing with Communist Government officials. Pressures will increase for U.S. Government officials to be stationed in Red China to assist our citizens. The next step would inevitably lead to recognition of the Mao regime. Somewhere along the line will come admission of Red China to the

⁴²"Red China Tightens Curbs on Diplomats," New York Times, July 21, 1958, p. 6.

United Nations. The moment that our Government recognized Peking the key will be turned on the prison that is mainland China. We will have told our present allies in Asia that they would have been better off as neutrals, and indirectly told the neutrals that they might as well give in to the Reds now as later.⁴³

In spite of tightening restrictions by the Chinese and some U.S. citizen opposition, other Americans continued to press for unrestricted travel between the United States and China. In November, 1958, the twenty-eighth annual World Travel Congress met in New York City. During the meeting, an end to restrictions on travel by Communist nationals in this country was proposed by Clifton Daniel, then assistant to the managing editor of The New York Times. Mr. Daniel said it was important also for American travelers to be able to visit Communist countries.

We need to know what's happening in the countries of the Soviet orbit. We are already suffering from our lack of information about Soviet accomplishments and Soviet intentions. Now, with China, we may be repeating our mistake. As a newspaper man, I am distressed by the shortsightedness, the fumbblings and the failures--on both sides--that have kept the American press out of China for so many years. And, for that matter, have kept Chinese Communist newsmen out of the United States. I say, let the Communists come and see us. Let's remove all restrictions on travel in the United States. We have nothing to hide but our military secrets. If the Communists of Russia and China come here in large numbers, I am sure they will be infected to some degree by our atmosphere of freedom and well-being.⁴⁴

⁴³Paul H. Douglas, "Should We Recognize Red China?," The New Leader, 41 (July 21-28, 1958), 8.

⁴⁴"Boom in Travel Seen For 1960's," New York Times, November 8, 1958, p. 42.

During 1960 the United States once again asked China to admit American reporters. The request was made in Warsaw, where United States Ambassador Jacob D. Beam met with his counterpart from Peking, Wang Ping-nan. These diplomatic talks began in 1955. The question of admitting United States reporters to Communist China was raised several times during meetings between Mr. Beam and Wang Ping-nan from 1958 until 1960. The Chinese answer to the question was the same in February 1960 as it had been before--a firm no.⁴⁵

In April, 1960, Senator Mike Mansfield, a member of the Foreign Relations Committee, urged the State Department to press for the admission of United States newsmen into Communist China. Senator Mansfield suggested:

. . . a sincere and determined effort to reach some agreement with the Peiping Government for the reciprocal exchange of American and Communist Chinese reporters. An exchange of newsmen has little if anything to do with the question of formal diplomatic relations with China.⁴⁶

During a visit to Katmandu, Nepal, during May, 1960, Chinese Premier Chou En-lai was asked whether United States correspondents would be permitted to visit China. The Premier made it unmistakably clear that Peking wanted to use

⁴⁵"Peiping Said to Bar U.S. Reporters Again," New York Times, February 26, 1960, p. 13.

⁴⁶"China News Pact Urged," New York Times, April 20, 1960, p. 11.

the issue of the newsmen to force the United States into de facto recognition of the Communist regime. "According to a broadcast from Peiping, Mr. Chou answered, 'The two Governments must sign an agreement on the mutual exchange of news correspondents' before any exchange of reporters could take place."⁴⁷

The State Department responded to this announcement by saying that it would continue efforts to obtain entry into China for American news correspondents. It also renewed its offer to permit Chinese newsmen to enter the U.S. by individual applications. The State Department further stated that no formal agreement need be signed since ample provisions existed under the law to permit equal and reciprocal travel of newsmen to each country.⁴⁸

The Warsaw talks continued between the United States and China, and by September, 1960, there had been 100 meetings. During a meeting in September, 1960, the Chinese proposed that there would be an exchange of newsmen if the United States would agree to pull United States troops out of Taiwan. The United States promptly turned down the proposal. The Department of State made public a statement on the Warsaw discussions. The Department said it was

⁴⁷"Chou Said to Block Reporter Exchange," New York Times, May 3, 1960, p. 5.

⁴⁸"U.S. Answers Red China," New York Times, May 17, 1960, p. 5.

. . . reluctantly compelled to conclude that Communist China whatever its reason may be has no serious interest either in reporting by its own newsmen from the United States or reporting by American newsmen from the China mainland. The United States proposal made three months ago, was for a simple understanding in which the two governments would agree to accept each other's newsmen on a basis of 'equality and reciprocity'.⁴⁹

Following this discussion between the two countries came a new announcement from the State Department concerning alien trips overseas. The new regulation was ordered by Secretary of State Christian A. Herter and Attorney General William P. Rogers. The new regulation banned aliens who lived in the United States on a permanent basis from traveling to certain Communist areas of the world. The Department order said "The regulations extend to resident aliens the same ban now in effect for United States citizens on travel to Albania, Communist China, North Korea and North Vietnam."⁵⁰

The safety issue of foreigners in China had been a major point of the State Department in its reluctance to allow travel to China. In 1960 this point was made clearer by the jailing of an overseas newsman. On February 6, 1960, Bill Yim, a United States International newsman accused of

⁴⁹"Deal With Peiping Rejected by U.S.," New York Times, September 9, 1960, p. 7.

⁵⁰"U.S. Curbs Alien Trips," New York Times, December 2, 1960, p. 58.

"spy activities" in China, was reported to have been sentenced to one year in prison. Yim was arrested while visiting Canton in 1959.⁵¹

In March, 1961, Ambassador Jacob D. Beam approached again the matter of exchange of newsmen during Warsaw talks. The envoy from Peking refused to negotiate on this point. He contended that the United States should end its occupation of Taiwan as a precondition for consideration of the matter of exchanging newsmen. The Chinese government contended that United States military assistance to Nationalist China was interference in Chinese internal affairs.

Reacting to this new manifestation of Peiping's attitude, President Kennedy said at his news conference today that hopes for an easing of tension in relations with Communist China had dimmed. He said that he would like to see better relations develop, but that we are not prepared to surrender to achieve that end. Both President Kennedy and Secretary of State Dean Rusk have said the Government has no intention of withdrawing from its commitment to the Republic of China. The sharply conflicting views of Washington and Peiping caused Mr. Rusk to say last week that he saw little prospect for a sharp improvement in relations with Communist China.⁵²

In spite of the Chinese refusal, The New York Times Sunday editor, Lester Markel, stated that newsmen should continue to pressure the State Department to facilitate an exchange of journalists with China. He suggested that the

⁵¹Congressional Quarterly Service, China and U.S. Far East Policy 1945-1967 (Washington, 1967), 86.

⁵²"Red China Spurns Overture By U.S.; Kennedy Critical," New York Times, March 9, 1961, p. 1.

American Society of Newspaper Editors promote such journalistic exchanges.⁵³

In July, 1961, an American religious organization asked the State Department to validate passports of its representatives for travel to China. The religious organization stated that it was interested in the food situation in China and would like to send representatives there. The State Department replied that there were no plans to change the Department's policy in connection with travel to China. It further stated that even if it did allow such a visit, there was no assurance that the Chinese would grant entry visas.⁵⁴

During 1961 the Chinese government continued to advise their citizens that Sino-American relations should continue to be hostile. The secret army Work Bulletin advised military and political cadres that,

It is better to keep Sino-American relations frozen and stalemated for many years. All differences must be settled at the same time, if a settlement is expected; that is, the US withdrawal from Taiwan, formal recognition of New China, the exchange of reporters, and so on must be settled together.⁵⁵

⁵³"Peiping Says U.S. Prevents Accord," New York Times, March 14, 1961, p. 14.

⁵⁴"Group in U.S. Seeks to Enter Red China," New York Times, July 4, 1961, p. 2.

⁵⁵John W. Lewis, Chinese Communist Party Leadership on the Succession to Mao Tse-tung: An Appraisal of Tensions (Washington, 1964), p. 27, citing Kung Tso tung Hsun, Work Bulletin, p. 17.

The issue of travel exchanges did not receive much attention again until 1964. In May, 1964, the Canadian newspaper The Toronto Globe and Mail announced the opening of an office in Peking. This incident re-opened the question of the exchange of United States newsmen with China. On May 12, 1964, the State Department announced that the United States had a continuing interest in getting American newsmen into China for either short or long-term visits.⁵⁶

During the middle of 1964 the Chinese announced that they intended to encourage tourism and published new regulations governing the movement of foreigners in the country. About 600 foreigners traveled to Canton from Hong Kong during the first three months of 1964. This number represented a 35 per cent increase over 1963. The Chinese adopted this new policy to encourage and cultivate the overseas Chinese communities and to earn foreign exchange. United States citizens, however, continued to be barred from travel to China under State Department regulations.⁵⁷

Reports from correspondents in Peking in the 1960's indicated that the view of foreign correspondents there was limited due to excessive government control. It was reported that no press conferences and no interviews were allowed

⁵⁶"U.S. Says It Still Wishes to Get Newsmen Into China," New York Times, May 13, 1964, p. 47.

⁵⁷"Red China Seeks to Spur Tourism," New York Times, May 17, 1964, p. 1.

with Chinese officials. Reports from newsmen indicated that restrictions by the government made it difficult to write objectively about China. However, some foreign correspondents were in China upon authorization by the Chinese government.

There are in Peking 33 permanent correspondents, including only two from the Western world. The American press, of course, is not represented, with the exception of The National Guardian, whose correspondent, Israel Epstein, a stateless former United Press man, has now acquired Chinese nationality. Western European Communist papers no longer have correspondents here.⁵⁸

The State Department's ban on travel to China prevented most people from traveling in the Asian country, but some few Americans did go there in spite of the restriction. William Worthy, of the Baltimore Afro-American, traveled to China several times in defiance of the State Department. Mr. Worthy also traveled to Cuba without a passport. The State Department did take away Mr. Worthy's passport on these occasions. However, the Fifth United States Court of Appeals in New Orleans upset the eventual conviction and sentence. In April, 1965, Mr. Worthy again went to China, saying the State Department ban was a violation of Americans' right to know the truth about current events in Asia.⁵⁹

⁵⁸"Report (Limited) From Communist China," New York Times, May 24, 1964, p. 107.

⁵⁹"Freedom to Travel," New York Times, April 6, 1965, p. 38.

The Chinese Communist government promoted verbal attacks on the United States and allowed their guides to voice this anti-Americanism to people visiting the mainland from other countries. During 1965 China expanded its tourism and allowed visits to any combination of nine major cities. Most tourists stayed for about three weeks. While visiting, the tourists received tours of communes and factories and heard political lectures from guides. During the course of the lectures, the United States was referred to in a negative manner.⁶⁰

The continuous accusations that Americans were unfriendly to China brought responses from the State Department during the latter part of 1965 and early 1966. The State Department issued statements which attempted to convince Americans and the rest of the world that China itself had prevented any movement toward bilateral contacts. The Department suggested that the United States had for several years promoted a variety of contacts, but the Chinese had kept the door tightly barred. The Department stated it wished to further attempt to establish contacts between the two countries and would amend travel regulations to permit doctors and scientists in the fields of public health and medicine to travel to China.

⁶⁰"China Expanding Tourism Slowly," New York Times, April 18, 1965, p. 10.

Secretary of State Dean Rusk made a public statement before a House Committee on Foreign Affairs concerning our contacts with China:

When it can be done without jeopardizing other U. S. interests, we should continue to enlarge the possibilities for unofficial contacts between Communist China and ourselves--contacts which may gradually assist in altering Peiping's picture of the United States. In this connection, we have gradually expanded the categories of American citizens who may travel to Communist China. American libraries may freely purchase Chinese Communist publications. American citizens may send and receive mail from the mainland. We have in the past indicated that if the Chinese themselves were interested in purchasing grain we would consider such sales. We have indicated our willingness to allow Chinese Communist newspapermen to come to the United States. We are prepared to permit American universities to invite Chinese Communist scientists to visit their institutions. We do not expect that for the time being the Chinese Communists will seize upon these avenues of contact or exchange. All the evidence suggests Peiping wishes to remain isolated from the United States. But we believe it is in our interests that such channels be opened and kept open. We believe contact and communication are not incompatible with a firm policy of containment.⁶¹

Private citizens and government officials continued to press for release of the restriction on travel to Communist countries. The Senate Democratic leader, Mike Mansfield of Montana, urged a new perspective concerning the relations between the United States and China. Mr. Mansfield suggested that it would be necessary to come to some accommodation if peace in Vietnam was to be a reality:

⁶¹"United States Policy Toward Communist China," Department of State Bulletin, LIV (May 2, 1966), 694.

The United States should encourage Americans to travel to China, if they can gain entry, and should admit Chinese travelers to this country 'under the same conditions that pertain to visitors from other Communist countries'. The Senator also recommended an end to the 'closed-door' policy on trade with China, and a move toward equal treatment of all Communist nations in trade matters.⁶²

In 1968 the State Department announced that it would no longer punish persons who violated the travel restrictions by going to Communist countries that had been declared off-limits to Americans. It did state, however, that it would continue to stamp passports as invalid for travel into certain countries. Those people who wished to travel in restricted countries should not take their passport with them upon entry. Americans would have to obtain a visa from the country they would be attempting to enter. Without the enforcement power of penalties, restrictions became virtually meaningless.⁶³

In May, 1968, Leonard H. Marks, director of the United States Information Agency, invited China to send journalists to the United States to cover the 1968 Presidential elections.

I do hope this offer will be seriously considered by Peking and that it will be accepted. If people can know the facts, if they can exchange ideas, if they can use words so that there is a communication of thought--then the peoples of the

⁶²"Mansfield Assails 'Two China' Policy; Calls for Contacts," New York Times, March 30, 1968, p. 16.

⁶³"Now You Can Travel Anywhere," New York Times, March 31, 1968, p. 6.

world may find understanding. That is our best hope in this very troubled world.⁶⁴

Five senators, including J. W. Fulbright, chairman of the Foreign Relations Committee, called on the Nixon Administration to use the first Warsaw meeting in 1969 to begin the start of a new China policy. Senator Hatfield of Oregon urged a new government stand on travel between the two countries.

Whether or not anything major is accomplished at this meeting, I would hope our minimal response would be to abolish the remaining restrictions on travel to China. Regardless of whether Peking would actually grant visas to American travelers, we would have at least reciprocated on their gesture of good will and would have demonstrated our desire for greater contact with their people.⁶⁵

Six months after these requests from United States senators, the travel restrictions were relaxed. On July 21, 1969, the Nixon Administration announced the relaxation of the long-standing United States policy of isolating China.

Restrictions against travel to the Chinese mainland imposed by the United States in 1950 will be lifted for scholars, students, scientists, physicians and newsmen. A general travel ban for citizens at large remains in effect, at least until mid-September when that regulation, too, will come up for review.⁶⁶

⁶⁴"U.S. Invites China to Send Newsmen," New York Times, May 3, 1968, p. 1.

⁶⁵"5 Senators Urge a New China Policy," New York Times, January 25, 1969, p. 12.

⁶⁶"U.S. Acts to Relax Curbs on China Travel and Trade," New York Times, July 22, 1969, p. 1.

The Federal Register contained an amended notice on passport restrictions in July, 1969.

Pursuant to the authority of Executive Order 11295 and in accordance with 22CFR 51.73 (c) (2) and (3), applications for special validation of passports for travel to, in, or through Mainland China will be determined to be in the national interest of the United States if the applicant falls within at least one of the following categories of persons:

- (1) Members of the Congress of the United States;
- (2) Journalists;
- (3) Members of the teaching profession;
- (4) Scholars with postgraduate degrees;
- (5) Students currently enrolled in colleges and universities;
- (6) Scientists;
- (7) Medical doctors; or
- (8) Representatives of the American Red Cross.

In accordance with 22CFR 51.78 (d) applications for special validation of passport under this Public Notice should be accompanied by documentary or other evidence sufficient to permit a determination that the applicant falls within at least one of the eight categories of persons listed above. Any application for such validation of a passport that is to be issued, or for such validation of a passport already issued for a period of validity that has not expired, may be made either to the Passport Office of the Department of State, Washington, D.C. 20524, to any Passport Agency in the United States, or to any U.S. diplomatic or consular post outside the United States.

This Public Notice remains in effect until revoked or amended by public notice.

Effective date: This Notice becomes effective on July 23, 1969.⁶⁷

The United States submitted a proposal for trade and travel exchanges to the Chinese at a Warsaw conference in January, 1970. The Chinese did not respond to the American proposal at that meeting, but both diplomats agreed to

⁶⁷The Federal Register, XXXIV (July 29, 1969), 12401.

correspond on future meetings on the subject. They met again in late February, 1970, and the Chinese expressed a desire for trade to stimulate their economy. Observers of the February meeting suggested that "Trade appears to be the most promising way for China to broaden its relations with the United States because it is not so visible as exchanges of newsmen, scholars, doctors and other people would be."⁶⁸

Shortly after the Warsaw conference the United States announced further relaxing of the travel restriction to China. The State Department announced March 16, 1970, that the United States Government would allow travel to China for any legitimate purpose. The State Department announcement indicated a more liberal policy and was a gesture toward better relations with Communist China.

The gesture toward China was largely symbolic as the Chinese have given no indication that they are ready to admit American travelers. In the past, the Chinese have permitted occasional visits by relatives of Americans imprisoned there and by a few persons sympathetic with the Communist regime."⁶⁹

Nine months later an article appeared in an Italian magazine Epoca which indicated that the Chinese might permit Americans to travel in China. Edgar Snow wrote the article after an interview with Chinese Premier Chou En-lai.

⁶⁸"U.S. Ties to China Expected to Grow," New York Times, February 27, 1970, p. 11.

⁶⁹"U.S. Eases Curbs on China Travel," New York Times, March 17, 1970, p. 1.

Premier Chou was quoted as having expressed friendly feelings toward the American people, and said he was ready to give permission to true friends of China to visit.⁷⁰

During the early part of 1971 the National Security Council made an extensive policy review of relations with China. The review was ordered by President Richard Nixon in November, 1970. The policy study was prompted by President Nixon's stated desire to do what he could to open new channels of communication with China. Mr. Nixon outlined his philosophy on China and opened the way to new steps in his State of the World Message to Congress in February, 1971.

The question of improving relations appears to be one that interests Mr. Nixon personally as well as from a policy standpoint. White House staff members report that he frequently discusses it with foreign and American visitors. In private he has spoken of his own desire to visit China or, if that is not possible, to set in motion the diplomatic initiatives that might make it possible for his children to do so.⁷¹

President Nixon made his statements a reality in March, 1971. He told Congress in February, 1971, that he wanted to create broad opportunities for contacts between the Chinese and American people. On March 16, 1971, the State Department announced that it would no longer require American passports be especially validated for China.

⁷⁰"Interview by Snow with Chou Appears," New York Times, December 11, 1970, p. 11.

⁷¹"U.S. Appears Near New Bids to Peking," New York Times, March 10, 1971, p. 2.

Officials noted that Peking was known to have granted only three entry visas to Americans in the last 18 months, even though a thousand persons have had their passports validated for travel to China for purposes the United States Government has termed 'legitimate.' Thus it was considered doubtful that the Chinese would throw their doors open to United States citizens as a result of today's State Department action.⁷²

The announcement from the State Department that Americans could travel to China without special permission brought forth various responses:

Quoting officials of the Chinese General Chamber of Commerce, a Hong Kong organization with close links to Communist China, The South China Morning Post said Peking would 'cold-shoulder' the United States move to ease travel. Chamber officials said there was little likelihood that China would establish normal relations with the United States before the Americans recognize Taiwan as a province of China and pull out of Indochina.⁷³

Nationalist China said today that it 'deeply regrets' the lifting of the ban on travel by American citizens to Communist China.⁷⁴

The Soviet Union expressed concern today over President Nixon's latest efforts to improve United States relations with Communist China. An article in Novoye Vremya, a leading foreign affairs weekly, suggested that the United States was conducting 'a diplomacy of smiles' toward Peking in the hope that this might further aggravate Soviet-Chinese relations. The Novoye Vremya article, written by R. Moskvitin, which is possibly a pseudonym for a ranking foreign ministry official, discussed recent

⁷²"U.S. Lifts Ban on China Travel," New York Times, March 16, 1971, p. 2.

⁷³"The China Travel Office in Hong Kong Remains Pessimistic," New York Times, March 17, 1971, p. 15.

⁷⁴"Taipei Regrets U.S. Action," New York Times, March 17, 1971, p. 20.

American steps to ease tensions with China. It mentioned the March 15 lifting of travel restrictions to China and the liberalized trade regulations with China. It said these were 'demonstrative steps' by Washington to show its desire for better relations with China.⁷⁵

The Chinese responded to the State Department relaxation of the travel restriction by inviting the United States Table Tennis Team to China. Graham B. Steenhoven, president of the United States Table Tennis Association, received the invitation on April 6, 1971.

The State Department today described the Chinese invitation to an American table tennis team to visit Communist China as an 'encouraging development' and said it would welcome reciprocal visits by Chinese athletic teams to this country.⁷⁶

Members of the United States Table Tennis Team entered China on April 10, 1971. They received a cordial welcome from Chinese officials, and United States officials suggested the visit indicated a slight relaxation of Chinese attitudes toward the United States. The Chinese also granted American newsmen permission to enter China.

Three American correspondents received permission today to visit Communist China. The Chinese Foreign Ministry, stipulated they were being allowed in only to cover the tour of the United States table tennis team. The correspondents are John Roderick of the Associated Press and John Rich and Jack Reynolds of the National Broadcasting Co.⁷⁷

⁷⁵"Moscow Criticizes Nixon on His 'Smiles' for Peking," New York Times, March 27, 1971, p. 3.

⁷⁶"U.S. Table Tennis Team to Visit China for Week," New York Times, April 8, 1971, p. 1.

⁷⁷"China to Admit 3 Newsmen," New York Times, April 10, 1971, p. 4.

Five days later another American newsman received papers to enter China. Tillman Durdin, a New York Times correspondent, crossed into Chinese territory from Hong Kong on April 15, 1971.

Mr. Durdin had made repeated unsuccessful requests over the last 20 years for a visa to visit China, which he had covered as a newsman before the Communists came to power. Mr. Durdin applied for permission to enter China to cover the visit of the American table tennis team but expressed the hope that he would be able to make a more extended tour.⁷⁸

Two months after China allowed Americans to visit, President Nixon ended the legal barriers which had prevented significant Sino-American trade, and announced his intentions to visit China.

President Nixon said tonight that he would visit China before next May at the invitation of Premier Chou En-lai to seek the normalization of relations between the two countries and also to exchange views on questions of concern to the two sides. Mr. Nixon disclosed that the arrangements had been made by Henry A. Kissinger, the chief White House adviser on national security, who secretly visited Peking during his recent worldwide tour.⁷⁹

During the latter part of 1971 a limited number of Americans and overseas Chinese were allowed to visit China.

John Stewart Service, a State Department specialist on Chinese affairs who ran afoul of McCarthyism after the war with Japan, returned to China today after an absence of 27 years. Mr. Service, who was born in China 62 years ago and speaks excellent Chinese, spent a good part of 1944 and 1945 as the

⁷⁸"A Times Reporter Enters China After Seeking Visa for 20 Years," New York Times, April 15, 1971, p. 17.

⁷⁹"Move A Surprise," New York Times, July 16, 1971, p. 1.

liaison officer with the Chinese Communists in Yen-an for the State Department and the United States Army when Yen-an was the headquarters of the Communist movement. Mr. Service was named in Peking last month by Premier Chou in an interview with James Reston of The New York Times as an American who would be welcome to visit China. Mr. Service retired from the Foreign Service in 1962 and since then has been at the University of California at Berkeley.⁸⁰

Dozens of Chinese in the United States have visited China since the dramatic change in relationship between Washington and Peking. There is no precise estimate of the number of Chinese from this country who have gone to China in recent months, but it is known to be at least 50 and believed to be many more.⁸¹

Many Americans are now applying for visas to visit China, and communication between the two countries has slightly improved since the initial relaxing of the travel restrictions. The travel issue, though limited in scope, led the way to an improvement in United States-China relations.

⁸⁰"For John Service, A Return to China," New York Times, September 27, 1971, p. 17.

⁸¹"Chinese in U.S. Tell of Mainland's Welcome," New York Times, December 20, 1971, p. 20.

CHAPTER III

THE CHINA TRAVEL ISSUE AND THE AMERICAN POLITICAL SYSTEM

The United States found itself facing a very turbulent period in foreign relations following World War II, with the Far East presenting many new and different diplomatic challenges. During this period the United States was compelled to formulate foreign policies with little time for working out intelligent decisions. Guidelines from earlier diplomatic experiences in Asia offered minimum help to American policy-makers. Both the American public and policy-makers looked upon communism in Asia with hostility and fear. Many Americans were convinced that Communist China might become the most dangerous country within the Communist orbit. Americans tended to think that intervention in Chinese affairs was justified as part of its global response to "international communism." Thus, the American policy toward China served as a visible symbol of the profoundly anti-Communist impulses of the American society, and stood as a classic example of a foreign policy supported almost exclusively by popular emotions and domestic political considerations. As the years passed, America's China policy came to possess a high inertia of its own, preventing foreign policy

officials from even discussing publicly its advantages and disadvantages or suggesting that it might no longer achieve American diplomatic objectives. However, time and changing circumstances in the global community finally overtook America's foreign policy toward China and caused public debate on the issue in the United States.

The purpose of this chapter is to explore the problems raised by the China travel issue for the domestic political system of the United States. This study does not aim to be a definitive exploration of this subject. Rather, two aspects are selected for treatment. In the first place, the prohibition on travel to China kept successive administrations in Washington in a state of conflict with important elements of the domestic political system, such as a number of leaders of the Congress, influential newspaper editors and journalists, and certain intellectuals, including those in the academic community who had been leading specialists in Asian affairs. Another problem of domestic politics generated by the issue was a small-scale but intermittent series of deliberate violations of the policy by persons visiting China in defiance of the government. The first part of this chapter presents major instances of this aspect of the problem. The second aspect selected for analysis is the constitutional issue of government restrictions on the freedom of movement of American citizens, imposed for reasons of government policy. The second major division of this chapter is a discussion of this aspect.

Internal Resistance to the Policy

During the first term of the Eisenhower Administration, articles began to appear in the literature as to what policies we should adopt toward China, considering the prospect that the Communist regime in China would not fall. From 1954 to 1957 there were proposals for relaxing tensions, and the diplomatic talks between China and the United States began. In 1956 the Chinese proposed an exchange of newsmen and increased contacts, but the United States rejected the offer.

Senate Majority Leader Lyndon B. Johnson, Democrat from Texas, led off a round of calls for reappraisal of China policy in May, 1957. He said: "This country will have to take a new look, and that new look will be one of our most pressing foreign policy problems in the months ahead."¹

In June of the same year Chairman of the Senate Commerce Committee, Warren G. Magnuson, Democrat from Washington, opened hearings to attempt to find out why the United States was out of step with its allies on the China question. Magnuson said that although the administration opposed trade with mainland China, the United States must be realistic. "The rest of the world is going to trade with China, and we can't keep 400 million people behind an economic bamboo curtain forever just because we don't like their government." Magnuson then

¹"China Policy," Editorial Research Reports, 2 (July 24, 1957), 546.

proposed that American air lines be allowed to fly passengers and mail to Red China as a preliminary to modifying the complete trade embargo maintained by the United States since 1950.²

Senator J. William Fulbright, Democrat from Arkansas, suggested during a television interview in June, 1957, that recognition of the Peking regime by the United States was inevitable in course of time. He said the only question was when and how to do it. Fulbright favored negotiations on recognition and on modification of the embargo in return for such concessions as a Peking pledge to stay out of Formosa.³

Robert J. Donovan, who had access to cabinet minutes and White House documents in writing his account of the first three years of the Eisenhower Administration, reported that the President felt early in his first term that it was "unfortunate that a climate had developed in which it was looked upon almost as un-American even to debate the merits of recognition." Donovan went on to say that "The President was not convinced that the vital interests of the United States were best served by prolonged non-recognition of China."⁴

²Ibid.

³Ibid.

⁴Robert J. Donovan, Eisenhower: The Inside Story (New York, 1956), p. 132.

A break in the American policy of trying to hold China virtually in quarantine showed up for the first time July 18, 1957, when Secretary of State Dulles offered to validate the passports of a limited number of American newsmen for travel in China for a limited period. This break came after considerable pressure from American journalists to visit China.⁵

The journalistic community wrote frequent articles about their desire to visit China, and some of them actually went there in spite of the restriction. Mr. Wilbur H. Baldinger, a free-lance writer in Washington, published an article in 1956 suggesting that the State Department restriction was unconstitutional and should be substantially reviewed by the courts in order to assure passports for China.⁶ Another writer, Scott Nearing, traveled to China in 1957 in spite of the travel restriction. He returned to the United States and published a book about his visit. The State Department asked Nearing to surrender his passport as a result of this visit. Nearing asked for and received a hearing on the matter, though in the end his passport was cancelled.⁷ Cases such as these ultimately were appealed to the United States

⁵"China Policy," Editorial Research Reports, 2 (July 24, 1957), 545.

⁶Wilbur H. Baldinger, "Faceless Talebearers and The Right to Travel," Progressive, 20 (April, 1956), 17-20.

⁷Scott Nearing, "The Right To Go and Come," Mainstream, 12 (September, 1959), 44-53.

Supreme Court, and the State Department was forced through court decisions to change and alter its restrictive policies.

Scholars in the field of political science wrote many articles concerning the United States-China policy. Nathaniel Peffer of Columbia University said

The time has come for the United States to restore perspective and examine calmly what is involved in relations with China and act in accordance with the analysis. For the United States, too, and not only for China, is there need for recovery of poise and balance, for calm and rational deliberation and decision based on facts and forces and not out of overwrought emotion.⁸

Kenneth Young, a former State Department official, suggested that both China and the United States had attempted to negotiate during the 1950's but had been unable to reach any agreement because of the stubbornness of Secretary of State Dulles. Young wrote about China's proposal to initiate travel and contacts in 1956, and suggested that this move was probably designed to help improve China's chances of obtaining a ministerial conference with Dulles and bring about a relaxation of the economic restrictions imposed by the United States. China may also have assumed that reporters filing favorable reports from China would help persuade the American public to take a friendlier attitude toward China. Young concluded that the travel issue was an important one in the

⁸Nathaniel Peffer, "China in Reappraisal: Menace to American Security?," Political Science Quarterly, LXXI (December, 1956), 507.

beginning stages of attempted negotiations between the two countries, and criticized the unmoveable American position during this period. He maintained that negotiations on travel could have led to effective long-run negotiations between the two countries.⁹

John S. Toll, professor of physics at Maryland University, spoke in behalf of The Federation of American Scientists at a Senate committee on Foreign Relations in 1958. Toll said that he believed travel control, as dictated by the State Department during the 1950's had done more harm than good. He further stated

The restriction of liberty to travel works a stifling effect upon scientific advance and the growth of knowledge. Restrictions of liberty to travel in general tend to have an adverse impact upon the interchange of ideas in medical, cultural, sociological, and other professional and scholarly fields, as well as upon international understanding. The value to increased international understanding in these critical times which the Secretary of State himself places upon the relaxation of travel restrictions is dramatically underlined by the recently announced agreement between the United States and the Soviet Union for the reciprocal dropping of travel restrictions and encouragement of wider interchange of tourists, newsmen, and technical and other visitors between our two countries. The effect in a single case is serious enough, but the cumulative effect of these restrictions imposed by the Secretary is even more serious--and, by restricting the advance of knowledge and international understanding, may in the end, we submit, inflict untold harm upon the very interest in whose name they are invoked, our national security. Unless it is clear

⁹Kenneth T. Young, Negotiating With The Chinese Communists: The United States Experience, 1953-1967 (New York, 1967), 116-134.

beyond dispute that such restrictions of personal liberty can only help and not hurt the larger national interest used to justify them, they cannot stand.¹⁰

Professor Felix Greene expressed his disappointment in the inadequate reporting of China by the American press. He compared American news reports and foreign news reports, and determined that most American reports were inadequate and slanted. He concluded after his study that the American public had been shielded from the truth about China. He commented that the American press had abandoned all attempts at any serious analysis of what was actually happening in China because they were not able to travel there. He further stated

The present phase of reporting about China is strongly reminiscent of what happened after the Russian Revolution in 1917. For the first four years there were no competent American correspondents in Moscow or anywhere else in the USSR. Nearly all Russian news came from violently anti-Russian sources at Riga (then not under Russian control). The result was a mass of material very similar to what we are getting today about China; mostly from Hong Kong. Families in Russia also were reported as being deliberately 'broken up'; Lenin and Trotsky had quarreled; Lenin had Trotsky shot; Trotsky had shot Lenin; both had killed themselves in a suicide pact; women had been nationalized (which meant that all women were public prostitutes (operating without fees), etc., etc. The public believed these stories because they had nothing else to go on. And that, I believe, goes for our reporting on China today.¹¹

¹⁰John S. Toll, "Scientists Urge Lifting Travel Restrictions," Bulletin of the Atomic Scientist, 14 (October, 1958), 327.

¹¹Felix Greene, Awakened China: The Country Americans Don't Know (New York, 1961), p. 153.

Professor Robert Newman suggested that the United States should recognize China and seek maximum facilities for communication and negotiation. He criticized the State Department for restricting travel and said that a reliable poll indicated that over 50 per cent of Americans wanted better relations and communication with China. He contended that a general exchange of information about each country would be beneficial to both.

I hold the argument for recognition of Communist China based upon improving the channels of communication between the two countries to be valid and significant. The more hostile our enemy, the more vital that we be well informed about her, through every possible agency.¹²

Professor Robert Scalapino, of the University of California at Berkeley, suggested that we needed to change our attitudes and policies toward China. He suggested one approach to China would be to offer the mutual exchange of journalists, scholars, and commercial representatives. He said:

Normalization of relations, if successful, would give us greater access to the Chinese people, from whom we are now almost completely cut off. It would thus make possible some kind of informational and cultural relations program in which we could not possibly lose, and which might provide certain pressures upon the Communist leaders to deemphasize hate and fear of the United States. Moreover, it

¹²Robert P. Newman, Recognition of Communist China? A Study in Argument (New York, 1961), p. 133.

would provide us with direct communications in terms of official channels, thereby reducing the threat of miscalculation on both sides.¹³

During the early 1960's Professor Hans Morgenthau suggested that the United States had an opportunity for a new China policy in the Kennedy Administration. Morgenthau suggested that the United States had maintained a half-hearted and inconsistent policy toward China since the end of the Chinese civil war. He wrote that the United States policy had lost the support of public opinion throughout the world and that the time had come for change. He maintained that one of the most important stays in the United States-China policy was the conditioning of American public opinion to support a negative policy toward China. He suggested that the policy could only be reversed through Presidential initiative or world opinion.

Wise policy would anticipate these alternatives and try to avoid them by creating conditions opening up different and more favourable alternatives. To do nothing and wait for something to happen and then react by improvisation is the very opposite of rational policy; it is tantamount to its abdication. It sacrifices reason and interest upon the altar of a domestic political peace, which in the nature of things is bound to be precarious and temporary.¹⁴

Professor Edmund Clubb called for a public debate on the China policy in 1963. Clubb said that our China policy

¹³Robert A. Scalapino, "Communist China and U.S. Policy," as cited in Leonard Freedman, Issues of the Sixties (San Francisco, 1961), 313.

¹⁴Hans J. Morgenthau, "America and China: Opportunity For New Policies?," China Quarterly, 12 (April-June, 1962), 50.

was not adequate to meet the challenges of the political and economic realities in East Asia. He said it was high time to develop a new policy and suggested that

A defrosting must begin somewhere. The sale of grain to China, if it desires to buy, whether this year or next, offers the opportunity to make a start. Washington could readily go further by unilaterally lifting--since unilaterally imposed--its prohibition of travel of Americans to China.¹⁵

In 1966 the Senate Foreign Relations Committee held extensive hearings on the China issue. Many well-known people testified at these hearings. Professor Doak Barnett of Columbia University and Professor John Fairbank of Harvard strongly urged that the United States abandon its policy of containment and isolation of China and substitute a policy of military containment without isolation. The two, both leading authorities on Asian affairs, suggested that the United States encourage Chinese participation in international conferences and mutual travel exchanges.¹⁶

Robert Blum, a scholar on Asian affairs, expressed the opinion that myth, prejudice, half-truth, and ignorance had distorted American opinion and policy toward China. Professor Blum suggested in 1966 that there was an urgent need for accurate information about China. The American public

¹⁵O. Edmund Clubb, "Toward An Affirmative Approach To China," Progressive, 11 (November, 1963), 14.

¹⁶"U.S. Policy with Respect to Mainland China," U.S. Congress, Senate, Committee on Foreign Relations, Hearings, 89th Congress, 2d Session (Washington, 1966), pp. 1-80.

would accept changes in China policy, he said, if Washington would make new moves. Blum advocated more contact with the Chinese, and said we should work for the exchange of newsmen or other forms of unofficial contact to better relations with China.¹⁷

Professor A. T. Steele wrote in 1966 that our factual information on China was not as full or as clear as it should be. Steele pointed out that Americans were caught in a web of circumstance which made it difficult for them to view the issue with objectivity. He noted that

There are no pat solutions for the dilemmas; however, there are two important aspects of the problem which deserve spotlighting. The first is the matter of improving the quantity and quality of information on China reaching the American public. The second is the need for rational public discussion and reappraisal of our China policy.¹⁸

During the late 1960's Congressmen began to speak to the American public concerning our attitudes and policies toward China. Senator Robert Kennedy delivered a speech at the University of Chicago Law School in 1967, at which time he urged a reappraisal of American efforts regarding China and the formulation of a new policy devoid of emotionalism. He said

¹⁷Robert Blum, The U.S. and China in World Affairs (New York, 1966), pp. 133-134.

¹⁸Archibald Trojan Steele, The American People and China (New York, 1966), p. 236.

China policy must be formed against the probability that when present convulsions subside we will still face a hostile China. We will still have to refuse the temptation of assuming that any acts or gestures on our part will significantly improve relations. Yet hostile words and proclamations are not wars. They do not prevent us from having contact, or from reaching agreements on matters of mutual interest. They do not prevent us from having contacts which could lead us to know more about China and they about us, and thus prevent the miscalculations of intentions which could lead to a world-wide holocaust. We should not discourage contact of any kind, by ourselves or other nations whether economic or diplomatic--even tourism--for a rational or informed China will be far easier to deal with than an irrational and ignorant one.¹⁹

Senator Mike Mansfield spoke on China policy at the University of Montana in 1968, at which time he called for immediate new American initiatives toward Communist China and a long-term strategy based on a one-China concept. He suggested new initiatives should include unrestricted travel.

In any event, it seems to me that it is in the positive interest of this nation to encourage Americans, if they can gain entry, to travel to China. May I add, I refer not merely to the travel of selected journalists, doctors and other specialists, as is now the policy, but to the travel of any responsible American. In the same fashion, it seems to me most appropriate to admit Chinese travelers to the United States under the same conditions that pertain to visitors from other Communist countries.²⁰

Senator Edward Kennedy addressed the National Committee on U.S.-China Relations in New York in early 1969, at which

¹⁹Robert F. Kennedy, "China: Search for Sound Policy," Chicago Today, 4 (Spring, 1967), 11.

²⁰Mike Mansfield, "China: Retrospect and Prospect," War-Peace Report, 8 (April, 1968), 10.

time he proposed that the United States give up its unyielding policy of military containment and diplomatic isolation of China. He said that however valid our policy may have seemed for the Cold War of the Fifties, it was demonstrably false for the Sixties, and must not be carried into the Seventies. Kennedy suggested some possible actions the United States should initiate. One of his proposals concerned travel to China.

We should unilaterally do away with restrictions on travel and non-strategic trade. We should do all we can to promote exchanges of people and ideas, through scientific and cultural programmes and access by news media representatives.²¹

During 1969 President Nixon did modify China policy to some degree. In July he announced a slight easing of travel and trade restrictions. American tourists and residents abroad were allowed to bring into the United States \$100 worth of goods of Chinese origin for noncommercial purposes. In addition, scholars, professors, journalists, university students, Members of Congress, scientists, physicians, and Red Cross representatives were entitled to have their passports validated for travel to China. In December President Nixon announced that subsidiaries and affiliates of United States firms abroad would be permitted to sell non-strategic goods to China and buy Chinese products for resale in foreign

²¹Edward M. Kennedy, "Recognising Reality," Far Eastern Economic Review, 64 (April 3, 1969), 26.

markets. The administration's policy of seeking to expand contacts with Peking represented the continuation of a trend which began during the Johnson Administration.²²

Senator George McGovern addressed a group at the University of the Pacific in February, 1971, at which time he said if we would recognize China we would end our own isolation too.

Fog and myths for the past twenty years have befuddled our attitudes and our actions toward mainland China. These myths and fears may be the most costly and dangerous untruths in all of American public policy. They have isolated a population of 800 million, more than one-fourth of the world's people. They have isolated the United States position from a large and growing body of world opinion and practice; from trade, from diplomatic recognition, and from other forms of contact which should characterize relations between mature societies. They have pushed Chinese leadership into belligerence and suspicion toward the United States, creating enormous obstacles to the normalized relations which even the Nixon Administration, led by an architect of our distorted vision, seems now to recognize must ultimately come. They have placed us on the wrong side of nationalistic aspirations throughout Asia, and have forced our alliance with governments which degrade the very principles of democracy, liberty and independence upon which our own nation is founded. And they have brought us twice into major wars, with a toll of 100,000 Americans dead in Korea and Vietnam--and the total still rising in seemingly endless devastation. We must begin immediately to escape the tyranny of the untruths which have shackled our thinking for so long and to such ill effect. Let me suggest, then several fundamental elements of a new posture toward China . . . as an effort to initiate travel and cultural contacts, an invitation should be made at the

²²"China Policy: Nixon Moves Cautiously to Modify China Policy," Congressional Quarterly Weekly Report, 28 (February 20, 1970), 578.

Warsaw talks, and eventually in open dialogue with the Peking Government, for visitations to the United States by Chinese scientists, Government officials, newspapermen and similar groups.²³

These comments by journalists, scholars, and public leaders, plus initiatives by President Nixon, were taken well by the general public and Congress.

Since the President announced the relaxation in restrictions on travel and trade with China on April 14, there has been scarcely a complaint or criticism from Congress. Rather, the reaction has been overwhelmingly favorable, from conservatives as well as liberals. The Administration regards this as a sign of encouragement that it can proceed further toward what Mr. Nixon at his news conference Thursday described as his goal of normalization of our relations with mainland China.²⁴

The Constitutional Issue

During recent years several constitutional questions related to freedom to travel have been asked by Americans. Does every American citizen have a right to travel? Does the federal government have the power to restrict such right? Does the Secretary of State have the power to deny citizens the right to travel to other nations? Is the question of the right to travel truly a constitutional issue? This section will deal with these questions on passport and travel restrictions and hopefully clarify this controversial policy issue.

²³"An Opening to the Far East," New York Times, February 5, 1971, p. 31.

²⁴"Congress is Calm on China Moves," New York Times, May 2, 1971, p. 8.

The right to travel in a foreign country is an old problem and can be viewed as part of the continuing struggle for the rights of the individual against the powers of the government. In periods when human rights generally have been under restrictions, the right of travel has also been restricted. The English kings relied on the writ, Ne Exeat Regnum, to restrict a citizen's travel abroad,²⁵ and had its counterpart in Chapter 42 of the Magna Charta, which gave every free man the right to leave the realm in times of peace.²⁶ The United States thus inherited the tradition of travel restrictions along with the concept of a right to travel.

Authorities of international law have spoken of a right to travel guaranteed by the laws of nations.²⁷ However, the upheavals after World War I have almost universally established a passport control over the movement of persons into and out of the nations of the world. Following World War II the right to leave one's country was substantially controlled and limited. The exigencies of the cold war have made further restraints on travel seem necessary to certain governments.

²⁵William Searle Holdsworth, A History of English Law (London, 1956), 1230.

²⁶A. E. Dick Howard, Magna Charta (Charlottesville, 1964), Chapter 42.

²⁷Emmerich de Vattel, The Law of Nations (Washington, 1916), Chapter XIX.

The place of civilian travel in international relations is left up to national governments to control. Most governments tend to view the question of travel from both a political and an economic viewpoint. They may promote travel, discourage it, or limit it by legal means.²⁸

The Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations, includes among its provisions the right to travel.²⁹ This declaration has not been implemented by the national legislatures of member states, nor has it found practical acceptance in the policies of member states. If the draft covenant on travel were internationally adopted, it might afford the legal basis for the enforcement of the right to travel.

Certain jurists have suggested that the right to travel is a necessary attribute of a democratic society, and that such a society would not permit physical detention except for past crime, suspected or proven. They argue further that limitations on the right to travel interfere with the individual's freedom of expression. These jurists have maintained that freedom of speech includes the right of Americans to exercise it anywhere without the interference of their government, and that there are no geographical

²⁸Marjorie M. Whiteman, Digest of International Law, IX (Washington, 1968), 1163-1207.

²⁹Universal Declaration of Human Rights, Article 12, paragraph 2.

limitations to the Bill of Rights. These jurists raise questions as to the Constitutionality of travel restrictions.³⁰

During the early days of the American republic, there were no controls over foreign travel. Freedom of movement appears to have been regarded as an inherent right. Governors, mayors, and the Department of State did issue passports which served primarily as papers of identification and proof of citizenship. These first passports were concerned with the nationality status of the passport applicant rather than with his political conduct or security considerations. Only in recent years has it become necessary to question judicially the regulation of passports. These recent legal questions have been concerned first with passport restrictions on individuals considered to be political subversives, and second, travel restrictions to geographical areas considered "off-limits" by the United States government.³¹

Since 1856, the authority to issue American passports has been vested exclusively in the Secretary of State. Congress enacted this statute for the purpose of centralization and uniformity of passport issuance. The original act provided

³⁰Leonard B. Boudin, "The Constitutional Right to Travel," Columbia Law Review, LVI (January, 1956), 47-75.

³¹"The Future of American Passports as Restrictions on Travel," Northwestern University Law Review, LX (September-October, 1965), 511.

That the Secretary of State shall be authorized to grant and issue passports, and cause passports to be granted, issued, and verified in foreign countries by such diplomatic or consular officers of the United States, and under such rules as the President shall designate and prescribe for and on behalf of the United States, and no other person shall grant, issue or verify any such passport; nor shall any passport be granted or issued to, or verified for, any other persons than citizens of the United States.³²

In 1856 passports were not necessary for lawful travel abroad, and the Act was not intended to, and did not, affect the right to travel. Its original purpose was to facilitate travel, not to delegate to the State Department the power to control travel.

It can hardly be contended that the Act of August 18, 1856, which might be referred to as the first general passport law, intended to delegate authority to the Secretary of State and have him determine who, among citizens, should have the right to travel to foreign countries. There is nothing in the legislative history to show that in passing the Act of 1856 and the subsequent acts, until World War II, Congress intended to authorize the executive power to formulate substantive conditions in the issuance of passports but rather to enable the executive to prescribe the required procedural rules. The Secretary of State through his Passport Office has assumed the role of the supreme arbiter and determined whether a person should be permitted to travel abroad in the pursuit of his business or happiness. Because of the position adopted by the Secretary of State that the issuing of a passport is within the exercise of foreign policy, he has taken the position that it is incumbent upon him to determine in his sole judgment and discretion whether the travel of a particular citizen is consonant with the best interests of a nation as interpreted by him. Be that as it may,

³²11 Stat. 60 (1856), codified at 22 U.S.C., 211A (1952).

the refusal of the Secretary of State to issue a passport to a citizen or restrict it against use in certain countries creates a conflict between a function claimed to be in the discretionary exercise of foreign policy and the right of international locomotion of the citizen claimed to be a constitutional right.³³

The Department of State has claimed its power on the grounds that the Constitution gives the President the power to regulate foreign relations. The Under-Secretary of State testified at a Senate Foreign Relations Committee hearing in 1958, at which time he said

United States passports have traditionally been issued by the Secretary of State, essentially because the passport is addressed to foreign officials and is, therefore, a part of the conduct of the official relations of the United States with a foreign government.³⁴

This discretion was seldom challenged until recent years.

Travel control was introduced on a general scale during World War I. In 1918, Congress made wartime travel unlawful without a passport. The Act of May 22, 1918³⁵ was made operative by President Wilson's Proclamation.³⁶

³³Nicholas Doman, "A Comparative Analysis: Do Citizens Have the Right to Travel?," American Bar Association Journal, XLIII (April, 1957), 308.

³⁴U. S. Congress, Senate, Committee on Foreign Relations, "Passport Legislation," Hearings, 85th Congress, 2d Session (Washington, 1958), p. 25.

³⁵40 Stat. 559 (1918).

³⁶Proclamation No. 1473, Foreign Relations, 809, Supp. 2, (1918).

This statute marked a change in the nature of the passport; henceforth, the passport was not to be considered an informative document, but in the eyes of the State Department became an actual license allowing citizens to travel overseas. The Act restricted travel to the foreign theaters of war, because it required a passport for such travel. The State Department refused to grant passports to these destinations except where extreme necessity was demonstrated. The wartime travel restrictions were rendered inoperative by the Act of March 3, 1921, but travel to Europe was still limited to persons having a defined purpose such as relief and reconstruction work. Their passports were clearly marked as valid for those purposes only. The post-World War I period saw the beginning of what was to later become two specialized areas of passport regulation: restrictions on political subversives and area control.³⁷

In 1926 Congress enacted the Passport Act. The Act specifically provides for the issuance of passports by the Secretary of State under regulations which the President will formulate from time to time. The Act is basically a continuation of the original Passport Act of 1856.³⁸

Before World War II refusal to grant passports to individuals was made on the basis of several different reasons. For example, persons likely to become public charges, fugitives from justice, mentally unsound persons, and persons under court restraint were denied passports. For reasons of security in the cold-war years, other categories were added,

³⁷"The Future of American Passports as Restrictions on Travel," Northwestern University Law Review, 60 (September-October, 1965), 512-513.

³⁸44 Stat. 887 (1926).

were added, such as Communists, Communist sympathizers and fellow travelers.³⁹

On June 21, 1941, the provisions of the World War I passport statute were re-enacted and made operative by Presidential Proclamation.⁴⁰ This Act made it illegal to depart or enter the United States without a passport until the end of the war. During this time travel outside the Western Hemisphere was limited to journeys necessary to the war effort, except travel by newsmen. The termination of the war did not render the Act inoperative, and it thus became a crime to travel in peacetime without a passport.⁴¹

A significant piece of legislation was enacted in 1950, known as the Internal Security Act. This law directed the Secretary of State to withhold passports from members of Communist organizations.⁴² The Korean war caused the President to proclaim a state of national emergency in 1950, which further limited travel.⁴³

³⁹"The Right to Travel," U. S. Congress, Senate, Committee on the Judiciary, Subcommittee on Constitutional Rights, Hearings, 85th Congress, 1st Session (Washington, 1958), pp. 263-267.

⁴⁰Federal Register, VI, No. 2523, 5821 (1941).

⁴¹"The Future of American Passports as Restrictions on Travel," Northwestern University Law Review, 60 (September-October, 1965), 513.

⁴²50 U.S.C. 781 (1950).

⁴³Federal Register, XV (June, 1950), 9029.

The Immigration and Nationality Act of 1952 (McCarran-Walter Act) created further restrictions on the international movement of United States citizens. This act placed restrictions upon the immigration and naturalization of Communists and other totalitarians. This act also made it possible for citizenship to be taken from naturalized persons who joined the Communist Party or refused to testify before a congressional committee investigating subversive activities. The act makes a citizen guilty of a crime punishable by such penalties as prescribed by law if he departs, or attempts to depart from the United States without a valid passport at a time of war or during the existence of a national emergency. This act eliminated the issuance of passports to persons with Communist Party membership, persons under the discipline of the Communist Party, persons who engage in activities which support the Communist movement, and persons who are believed to go overseas to engage in activities which will help the Communist movement, knowingly and willingly.⁴⁴

In the early days of the Cold-War period the State Department issued temporary bans on travel to particular countries.

⁴⁴66 Stat. 190 (1952).

Passports were stamped invalid for travel to Yugoslavia in 1947, to Hungary in 1949 and 1951, to Bulgaria in 1950, and to Czechoslovakia in 1951. In May 1952, various old and new travel restrictions were consolidated and passports were stamped not valid for travel to eight Communist nations: Albania, Bulgaria, China, Czechoslovakia, Hungary, Poland, Rumania, and Soviet Russia. Exceptions were made by specific endorsement; passports for news correspondents were endorsed for travel to the Soviet Union and to some of the Soviet satellite countries. Five nations--Czechoslovakia, Hungary, Poland, Rumania, and Soviet Russia--were opened to travel of American citizens on Oct. 31, 1955. Passports issued after that date were stamped 'This passport is not valid for travel to the following areas under control of authorities with which the United States does not have diplomatic relations: Albania, Bulgaria, and those portions of China, Korea, and Viet Nam under Communist control. It thus became official policy to forbid travel to countries not recognized by the United States.⁴⁵

In the 1950's challenges to the State Department's power began to appear in the courts. A series of cases were tried in the lower courts, culminating in the Kent and Dayton cases, which were decided by the United States Supreme Court in 1958.

The discretion exercised by the State Department in refusing passport applications on the basis of political beliefs was brought to an end in 1958 by the Supreme Court's decision in the case of Kent v. Dulles.⁴⁶ Rockwell Kent, an American artist, applied for a passport to visit Finland and England. The Passport Office denied his request and informed Kent that

⁴⁵"Freedom to Travel," Editorial Research Reports, I. (February 16, 1966), 130-131.

⁴⁶Kent v. Dulles, 357 U.S. 116 (1958).

he could have an informal hearing on the reasons for denial but that, in any case, he would not be issued a passport unless he signed a statement that he was not a Communist. It was asserted by government spokesmen that in their view, Kent was a Communist with a consistent record of adherence to the party line. Kent sued for declaratory relief, asserting that his political beliefs were not relevant to the question of whether or not he could receive a passport.

When the Supreme Court ruled on this case in 1958, it agreed with Kent. The Court ruled that the Secretary of State was without authority to refuse Kent a passport and that the passport had been denied on the basis of an inoperative section of the Internal Security Act. For the next three years passports were issued as freely to Communists as to non-Communists. About 500 Communists received passports during that period.⁴⁷

The Dayton case,⁴⁸ decided in 1958 by the United States Supreme Court, was also decided in favor of the appellant. Weldon Bruce Dayton had applied for and been denied a passport on confidential information received by the State Department. The court ruled that a passport could not be refused a United States citizen on the grounds that it was

⁴⁷Congressional Quarterly Almanac, XVIII, 1962, 287-288.

⁴⁸Dayton v. Dulles, 357 (U.S.) 1958.

believed he was going abroad to engage in activities advancing the Communist movement.

The question of whether Communists could constitutionally be denied passports was reopened in June, 1961. The Supreme Court was asked to review a provision of the Internal Security Act requiring Communist organizations, and in some cases individual Communists, to register with the State Department. A passport had been denied Milton Mayer because he would not sign a statement saying he had not been active in the Communist Party for the previous twelve months. This regulation was contested by the Communist Party of the United States.⁴⁹ The Supreme Court upheld this provision in 1961. Many people were opposed to this decision, and another case was filed in 1964 to question the constitutionality of a similar provision of the Internal Security Act. Herbert Aptheker, a noted Communist theoretician, brought the suit against the State Department.⁵⁰ This case was decided in favor of the appellant, and the provision making it a crime for a registered subversive to apply for a passport was ruled unconstitutional. As a result of Aptheker's case, there is no longer any existing regulation prohibiting foreign travel by Communists other than area restrictions which apply indiscriminately to all passport applicants.

⁴⁹Communist Party of the United States v. Subversive Activities Control Board, 367 U.S. 1 (1961).

⁵⁰Aptheker v. Rusk, 378 U.S. 500 (1964).

The Aptheker decision forced the State Department to alter a restrictive policy on travel.

These court decisions were not taken well by the State Department. These court cases were the first direct challenge to the power of the Secretary of State regarding passports. Following the Kent and Dayton cases in 1958, President Eisenhower sent a special message to Congress, urging the adoption of passport legislation which would correct the oversight found by the Supreme Court in existing laws. He told Congress that it was essential that the Government have power to deny passports where their possession would seriously impair the conduct of the foreign relations of the United States. The President also asked that statutory authority be given the Secretary of State to enable him to prevent travel to certain areas of the world. He was referring to those areas where there is no means of protecting American citizens and where the presence of Americans would conflict with United States foreign policy objectives.⁵¹

Following the President's message there were extensive congressional hearings on various passport legislative proposals, but no new legislation was adopted. The Supreme Court had made it clear in the Kent case that if and when new

⁵¹"Denial of Passports to Persons Knowingly Engaged in Activities to Further International Communist Movement," U.S. Congress, House, Committee on Foreign Affairs, Hearing, 85th Congress, 2d Session. (Washington, 1958), p. 107.

passport legislation was adopted, constitutional questions would be raised. Thus, the Court forced the adoption of more liberal travel policies.

Although area controls continue to be claimed as a right by the State Department, they too have been challenged in the courts. The use of area controls has a short history, dating primarily from the end of World War I. The original purpose of the State Department's area controls was to avoid any type of international disturbance caused by Americans traveling in countries which were considered relatively unsafe. These controls were especially strict when a foreign country became involved in open warfare. The first cold-war uses of area travel controls were temporary measures taken when the State Department desired to obtain the release of a traveler held by a foreign power. Once the release was obtained, the travel ban was usually lifted. In 1952 travel restrictions were imposed on all Iron Curtain countries.

Several attempts in 1959 and 1960 to penetrate judicially the area of travel bans ended in failure. In Worthy v. Herter,⁵² a newsman was refused passport renewal for travel to restricted areas. The court found that a newsman's right of travel does not mean that he can go anywhere he desires. The Court upheld the State Department's restrictions by concluding

⁵²Worthy v. Herter, 270 F2d 905 (1959).

that the plaintiff's intent was to look for news stories, and his activities would involve the risk of war. In Frank v. Herter,⁵³ the State Department refused to allow the plaintiff, a newsman and lecturer, to travel to the University of Peking. The Court upheld the State Department's decision, reasoning that the selection of newsmen to be allowed to travel to China should be left to the discretion of the State Department. In 1960, in Porter v. Herter,⁵⁴ the State Department refused to allow the plaintiff, a congressman, to travel to China. The Court decided that a Congressman's status did not entitle him to be exempt from the area travel bans imposed by the State Department.

It was not until 1965 that area controls were examined by the Supreme Court. In Zemel v. Rusk,⁵⁵ the plaintiff, Zemel, was refused a validation of his passport for travel to Cuba and therefore brought suit to enjoin the Secretary of State and the Attorney General from interfering with his travel. Zemel had informed the State Department that the purpose of his trip to Cuba was to satisfy his curiosity about the state of affairs there in order to make him a better-informed citizen. During this case the Supreme Court extensively examined the administration's foreign policy

⁵³Frank v. Herter, 270 F2d 905 (D.C. Cir. 1959).

⁵⁴Porter v. Herter, 278 F2d 280 (D.C. Cir. 1960).

⁵⁵Zemel v. Rusk, 380 U.S. 1 (1965).

concerning travel restrictions. The Court stated that the right to travel is a part of that liberty which cannot be deprived without the due process guarantees of the 5th Amendment. The Court agreed with Zemel's contention that travel restrictions denied him his first amendment right to acquaint himself firsthand with the effects abroad of government policies, foreign and domestic, and with conditions abroad which might affect such policies. But the Court also stated that such restriction of Zemel's action was necessary as a protective measure. The Supreme Court defended its position by stating that the standards of the 1926 Act were broad and therefore upheld the State Department regulation of area restriction.

Presently there remains the question as to whether or not the standards of the 1926 Act are as broad as the Court has suggested. In the Zemel case all nine justices agreed that the right to travel could be restricted under certain circumstances, but they disagreed over what the circumstances should be. The three dissenting justices contended that the grant of powers in 1926, as interpreted by the State Department, amounted to an unconstitutional delegation of powers and that the restriction on the right to travel was too broad. At this point, it remains the responsibility of Congress to determine the future course of State Department passport policies as to area controls. The fact that the passport system has been reviewed by the judiciary is a substantial

advance in the understanding and protection of the right to travel. The right to travel seems to lie in that no-man's land between individual rights and the powers of government. The United States political system demands a continuing search for the proper balance between the rights of the individual and the needs of the government to maintain its stability and security in the interests of all citizens. Given the present climate in international affairs, the interests of security and stability will probably weigh heavier than the interests of the individual. The federal government will no doubt continue to use its power to restrict travel, and the issue will remain one for the courts to interpret in the light of our Constitution.

CHAPTER IV

THE TRAVEL ISSUE AND THE INTERNATIONAL POLITICAL SYSTEM

The effects of national travel policies on the international system are not as evident to the observer as are the effects of such policies on domestic political systems, as discussed in the previous chapter. It is clear that governments regard the question of the travel of their nationals abroad as a question subordinate to their general foreign policy. National policies vary from the quite restrictive policies of a state such as the Soviet Union to the generally open and liberal policies of most of the Western democracies. One instance of the influence of the international system on national policy is the development, as shown in Chapter III, in which the United States Department of State gradually modified a traditionally open travel policy towards a restrictive policy subordinate to immediate objectives. This trend was without doubt influenced by the so-called Cold War environment then characteristic of the international system.

In this chapter the influence of national travel policies on the international system will be discussed with reference to the connection between communications and

international integration. International travel can be viewed as a part of the larger issue of the communication approach in international affairs. The international system can be thought of as a very large and complicated communication network. The nation-states are communication sources, and their demand-and-response-actions generate the messages flowing between states. The units of international relations are the thousands of discrete messages that nation-states exchange. The study of international relations is enlarged when nation-states are regarded as complex organizations that process incoming information through networks of communication and transmit abroad their reactions in the form of demands and responses. Communication theories modify the traditional model of power politics in international relations and reorient understanding in terms of reference of communication system.

Perhaps the most notable work in which communications theory has been brought to bear on the study of international politics has been that of Karl Deutsch. Here we follow the thesis of his Political Community and the North Atlantic Area.¹ In this book Deutsch and his associates are concerned with the possibilities of political integration in the North Atlantic area. Their approach is an empirical study of

¹Karl W. Deutsch, Political Community and the North Atlantic Area (Princeton University Press, 1957), p. 130.

conditions which have coincided with past instances of both integration and disintegration. Their empirical studies used various types of communications as objects of investigation. In this work the authors employ the now familiar concept of the security community. This is defined as a relationship between two or more political entities which is characterized by an absence of any expectation of the possibility of war.² The study distinguishes two variants of the security community, the pluralistic and the amalgamated communities. By definition the first of these denotes two or more independent nation-states which have relations, but which relations do not envisage war as a possibility. The United States-Canada relationship would be an example. The amalgamated security community is understood to be a group of formerly separate political entities which have formed a union of some type.³ In the relations of the United States and China, there is no question of the formation of an amalgamated security community. However, in the absence of serious intent by either to subdue and occupy the other country, the question of the formation of a pluralistic security community does arise. Here the broad scope of the Deutsch notion of integration, to encompass regularized peaceful change without the necessity of political union, shows its utility. In

²Ibid., p. 5.

³Ibid., p. 6.

summarizing the results of their investigations, the authors of the Deutsch volume list nine sure and three probable essential conditions for an amalgamated security community.⁴ They indicate that the same essential conditions apply to the formation of pluralistic security communities, though the latter have "sometimes succeeded, however, under far less favorable conditions than the success of an amalgamated government would have required."⁵ The twelve more or less essential conditions for the formation of a security community include three which incorporate the issue of freedom of travel; their sixth point was "unbroken links of social communication, both geographically between territories and sociologically between different social strata;" the eighth point was "mobility of persons, at least among the politically relevant strata;" and ninth was "a multiplicity of ranges of communication and transaction."⁶ Elsewhere Deutsch explicitly mentions the empirical linkage between travel policy and peaceful change:

Peaceful change does not seem assured without a continuous learning process, together with a continuous process of keeping in touch to prevent unlearning. This means the transmission of messages,

⁴Ibid., p. 58.

⁵Ibid., p. 65.

⁶Ibid., p. 58.

personal contact through travel and foreign residence, and the exchange of ideas, goods, and services.⁷

If one follows the ideas of Deutsch, then one could expect that there has been a situation of unlearning between the United States and China in the past twenty-three years. Travel restrictions between the two countries have not promoted peaceful change in the relations of the two countries.

Bruce L. Smith has suggested that international stability is dependent upon international communication, and that contacts between nations should not be limited to official relations. He gives some examples of the types of contacts he feels are necessary to the establishment of international security and stability.

. . . the relatively disinterested activities of international newsgathering agencies; the creation of impressions abroad by tourists and other migrants; the probably massive but generally unplanned impact of books, art works, and movies distributed in foreign countries; the international contacts of students, educators, scientists and technical assistance experts; the negotiations and correspondence of international business interests; the activities of international missionaries and religious movements; the work of international pressure groups, such as trade unions, chambers of commerce, and political parties; international philanthropic activities, like the Ford Foundation's 'private Point Four' program in India; the 'propaganda of the deed' implicit even in the unpublicized

⁷Ibid., p. 130.

activities of leaders and collectivities, as perceived by various audiences; and a great many other processes by which information and persuasion are consciously or unconsciously disseminated across national and cultural boundaries.⁸

These kinds of contacts have not been available to Americans or Chinese for over twenty years. Both countries began to realize in the 1960's that international stability could depend upon better relations between themselves. France announced its recognition of China in 1964 as part of its move to reduce American influence in the North Atlantic Treaty Alliance. Other events such as this occurred in the 1960's which threatened to isolate the United States from its principal allies and friends and threaten its interests. For example, developments within the United Nations tended to call the adequacy of American policy into question in the light of world security and stability. These events rapidly eroded America's bargaining position in international politics and threatened its influence in international life. Also during 1960 the quarrels between the Russians and Chinese moved more clearly into world view. Russia became China's number one enemy instead of the United States. Gradually it became impossible for the United States, or the Soviet Union, or China to think of each other without thinking of all three, and world security seemed to depend upon a

⁸Bruce L. Smith, "Trends in Research on International Communication and Opinion: 1945-55," Public Opinion Quarterly, 20 (Spring 1956), 183-184.

triangular relationship. The initiation of trade and travel between China and the United States was a beginning step toward improving international stability.⁹

Some researchers in the area of international communication have suggested that public attitudes and images of foreign peoples and governments are dependent upon leaders in the communication process. Katz and Lazarsfeld suggested that there are two steps in the flow of information. The first step in the communication flow is by way of the mass media, and the second step operates through face-to-face communicating and personal influence. They hypothesize that mass publics have very little factual knowledge about foreign affairs and international politics and are insensitive to world affairs because of the lack of leadership in this flow of information between nations.¹⁰ The consequences of this hypothesis for the question of travel between the United States and China is that the publics of the two countries have been partly the prisoners of attitudes based on old realities of the 1940's and 1950's, and partly dependent on guidance from their governments. It has meant that opinion leaders such as journalists, scholars, merchants, churchmen,

⁹Cecil V. Crabb, American Foreign Policy in the Nuclear Age, (New York, 1965), pp. 299-337.

¹⁰Elihu Katz and Paul F. Lazarsfeld, Personal Influence: The Part Played by People in the Flow of Mass Communications (Glencoe, Illinois, 1955).

and others have not been in position to inject any other factor into the public's thinking than the two mentioned above.

CHAPTER V

CONCLUSIONS

It has been the intent of this writer to examine the origin and developments of the travel issue in order to determine if the issue has had any effect upon the United States political system and the international political system. It can be concluded, on the basis of this research, that the travel issue has had effects upon both of these political systems.

Public images and attitudes held by Americans and Chinese have been affected by the lack of communication between the two countries. The political leaders, as well as the opinion leaders, have kept the two nations from factual knowledge of each other.

The travel restrictions levied upon United States citizens by the State Department created considerable controversy within our system. The travel restriction caused the press, the intellectuals, and some government officials themselves to raise serious questions of constitutionality in the area of personal rights. This particular issue caused problems for incumbent administrations during the course of the last twenty-three years. The successive administrations found it impossible to please both the opponents of conciliation with

China and the critics of the travel ban. Thus, a foreign policy decision became frozen because of domestic politics and locked the government into a more inflexible position than it would otherwise have taken. This inflexibility in turn produced problems from other sectors of the domestic political scene.

Internationally, the travel policy was clearly subordinate to over-all policy toward China, but an important part of it. The twenty-odd year experience shows that when we cut China off, we also cut ourselves off from China and other nations within the international system. We blurred our own vision, alienated our allies, and stimulated the paranoia of the Chinese.

It was recounted in Chapter II of this thesis that in the aftermath of the take-over of mainland China by the Chinese Communists, travel within China by United States nationals and travel between the United States and China gradually ceased. By the end of 1971, however, changes in both the domestic and the international system had occurred which made possible a new degree of flexibility in foreign affairs. One of the first policy initiatives undertaken by President Nixon in 1969 was to try to penetrate the communication barrier separating the United States and China. Secretary Rogers expressed the logic behind the Administration moves in a speech in August, 1969, when he said

We know that mainland China will eventually play an important role in Asian and Pacific affairs. Communist China has long been too isolated. This is one of the reasons we have been seeking to open up channels of communication.¹¹

After public leaders and the press began to encourage better relations with China, the public images and ideas of China began to change. Senators and Representatives who spoke out in favor of improving relations with China found little adverse reaction from their constituents. Senator Mark O. Hatfield, Republican from Oregon, said:

The American people have come to accept Communist China as a reality. We still feel some restraint in talking about China, but I have had very little reaction to my speeches about the need to end China's isolation and remove all trade restrictions on non-strategic goods.¹²

Representative Findley from Illinois said

I have had little adverse reaction to calls for improving relations. At first some of my conservative Republican friends and backers were surprised and some of them expressed their unhappiness, but on balance I don't think I have lost support.¹³

President Nixon continued to work for improved relations between the two countries, and in March, 1971, the United States lifted its ban on travel by Americans to China. By April, 1971, a United States table tennis team and three American

¹¹"U.S. Is Meeting No Success in Improving Its Relations with China," New York Times, November 13, 1970, p. 4.

¹²"China Lobby, Once Powerful Factor in U.S. Politics, Appears Victim of Lack of Interest," New York Times, April 26, 1970, p. 14.

¹³Ibid.

correspondents visited China. In July, 1971, President Nixon announced that he had been invited to visit Chinese leaders in February, 1972. The American people, as well as leaders from many nations, responded positively to this announcement. Better communication between the two nations seemed likely with public leaders initiating a change in attitude toward each other.

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