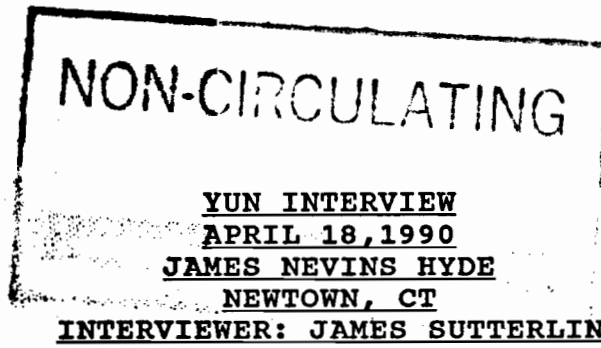


United Nations Oral History Project

**James Nevins Hyde
18 April 1990**

(02)
H19



UN LIBRARY

NOV 4 1993

UN/SA COLLECTION

Table of Contents

I.	The Founding of Israel	
	US Position on Partition	2-7
II.	Korea	
	Initiation of Hostilities and Reaction of the Secretary-General	8-10
	Uniting for Peace Resolution	11-12; 14-15; 38-40
	Double Veto	12-14
	Peace Efforts	16, 33
	Impressions of Dean Acheson	17-18
	McCarthyism and the UN	19-22
	UN Flag in Korea	31
	Attitudes in New York toward the conduct of the war	32-34
	Allegations of Germ Warfare	37-38
III.	Election of Dag Hammarskjöld	22
IV.	US Policy on recognition of the Peoples Republic of China	28-30

YUN INTERVIEW
APRIL 18, 1990
JAMES NEVINS HYDE
NEWTOWN, CT
INTERVIEWER: JAMES SUTTERLIN

JSS Mr. Hyde , I want to first express appreciation for your participation in this oral history project. I would like you first to identify your association with U.S. Mission in New York at the time when you joined it in 1948.

HYDE That is correct, I joined the mission in January 1948 at the request of Philip C. Jessup as an advisor on the Interim Committee of the General Assembly. And in 1949 I was advanced to deputy U.S. representative to the Interim Committee. I became shortly thereafter a senior political advisor to the United States Mission and I was on the the Assembly delegations at the time as well.

JSS And you had joined the Mission from outside the U.S. government I believe.

HYDE I was assistant to the general counsel of U.S. Steel Corporation after my return from World War II where I served in the US Naval reserve for four years or thereabouts .

JSS So when you joined the US Mission the question of the future of Palestine was already on the agenda of United Nations and the United States, I believe, had initially, in accordance with the recommendation with the Special UN Committee on Palestine accepted and pursued the concept

of a separation of Palestine into two states. But the U.S. position changed on that rather suddenly in the spring of 1949 I wonder if you could describe the atmosphere and attitudes in the US Mission at that time with regard to the future of Palestine and to the policies emanating from Washington.

HYDE

In the fall of 1948 and, indeed, until after Christmas, I was in Paris for the meetings of the UN General Assembly I was not concerned with the Palestine issue although naturally attending delegation meetings I knew the proposals under consideration. Count Bernadotte had been murdered while we were at sea going to Paris to the General Assembly. I may say in December of 1948, the question of Israel was under consideration by the General Assembly and then when we returned there was a special session on Palestine in New York in May of 1949. During the course of that special session while my colleagues were working on the question of partition and the problem of Jerusalem there was a dramatic day in which the General Assembly was meeting at that former sight of the Worlds Fair, There were press announcements that President Truman had recognized the state of Israel.

JSS

That would have been in May, I believe.

HYDE

That was in May. At once the galleries exploded and there were people in the galleries who then wore Israeli army

caps. The US mission and, indeed, our British colleagues were pretty appalled by this, and Philip Jessup fished out of the wastebasket a press release indicating this which he read to the General Assembly. And that was the first indication we had of this change of policy. Ambassador Warren Austin left the hall saying nothing to anyone and left it to Jessup to read this press announcement to the Assembly. It was close to the weekend and at my working level and certainly at Jessup's level we felt that a new policy had been announced without any indication to us and therefore for the necessary preparation of our colleagues whether they agreed or disagreed with this in the General Assembly. Dean Rusk afterwards told me that the Secretary of State had sent him to New York right away to keep us all from resigning. I would have resigned, not on the issue of Israel but on the issue that I was working at something where I did not have the facts, but for the fact that my senior colleagues decided to stay.

JSS So, even Ambassador Jessup and Ambassador Austin had no prior knowledge of the President's intentions.

HYDE Absolutely none, and this you can see documented in Jessup's book which I think is called The Birth of Nations and also in material I wrote for the Carnegie Endowment covering that period.

JSS Because it is now known that actually President Truman

had a conversation with Judge Rosenman which had been conveyed to the Jewish side of his intention to recognize the new state if in fact the authorities wished to pursue and declare the independence of the state .

HYDE I had no idea of it. And we were trying to sell the idea of a divided state to other delegations.

JSS Yes, at that point as a matter of fact the United States was still pursuing the idea of a trusteeship.

HYDE That's correct.

JSS For an interim period .

HYDE Yes.

JSS While you were not directly involved in the negotiations was it your impression that in the U.S. Mission on the American side and from the State Department that the US was actually serious and sincere (if you can use that word) in pursuing this idea of a trusteeship.

HYDE Absolutely, at my level that's entirely true.

JSS Because it's been portrayed as totally unreal by people on the Israeli side and others as having had no chance for success.

HYDE I remember that the working level British delegation to the General Assembly being quite surprised and upset by it and one of them saw that I was wearing a Trinity College, Cambridge tie and asked me how, if I had Cambridge background, I had misled him.

JSS Yes, at that point I believe Mr. Bevin was the British

Foreign Secretary and was quite negative on the idea of an independent state. You mentioned Ambassador Jessup. What was his role at this point in the Mission in dealing with problems such as Palestine.

HYDE He had overall responsibility as a deputy US Representative to the Security Council.

JSS Now, Ambassador Gross came from Washington about this time. How did Ambassador Austin, Ambassador Jessup, and Ambassador Gross work together?

HYDE They were very close. Gross came as a former Assistant Secretary of State for Congressional Relations.. Jessup came with wide international organization experience and a professor of international law at Columbia. Austin of course was a distinguished former Republican senator from Vermont. Gross and Jessup overlapped somewhat, but Jessup went to Washington and was concerned with the creation of NATO and became ambassador at large but he and I worked together later on during Assembly sessions.

JSS For which he returned?

HYDE That's right.

JSS Because of course he was in New York long enough to participate in the conversations with Mr. Malik with regard to Berlin.

HYDE Yes, I'm not sure whether he was technically in New York or Washington coming up to see Malik but that's all spelled out in his article on Park Avenue Diplomacy.

JSS Yes, well just to complete these brief questions with regard to the founding of Israel is there any other detail which you recall relative to the actions taken on the US side after the rather precipitate announcement by President Truman of the recognition of Israel.

HYDE No, that faded out of my immediate area of concern.

JSS Right. We will move on to a different subject. If we could move ahead now to the question of Korea - at the time of the North Korean invasion of the South you were already at the US Mission if I'm not mistaken, in New York.

HYDE That is correct I was indeed in the summer of 1950. I was sort of in charge of keeping an eye on the problem of Korea.

JSS There had been some incursions by the irregular North Korean forces to the South before the actual outbreak of hostilities. Was the full scale invasion in June a complete surprise to you?

HYDE No, no it wasn't. Niles Bond, who is still around, was the Korean affairs officer in the State Department. And I began seeing these rumors in press accounts and wondered how serious it was and whether this particular issue could be put to bed, put the lid on that summer weekend. And, of course, it turned out that it was really the beginning.

JSS The reaction in the United Nations, particularly on the

part of the Secretary- General, was very quick and in the case of Trygve Lie very positive. What was the first contact that the Mission had with the Secretary- General after the news of the invasion reached New York.

HYDE

That is all spelled out in Trygve Lie's memoirs. And the events of the night before the first Security Council meeting I knew nothing about. But I was summoned to the United States Mission by a telephone call between 7 & 8 in the morning. And I went to New York and then Ernie Gross and I drove ourselves out together to Lake Success. Again this is fully spelled out in Trygve's book.

JSS

The point I wanted to get to was that Trygve Lie in his book does explain in some detail his reaction which was that this was an attack really on the credibility of the United Nations and that if it were not resisted the United Nations would suffer a similar fate to that of the League of Nations. My question really is did the US side have any part in bringing Trygve Lie to this conclusion so rapidly or was this entirely on his own as far as you know, because of his own convictions?

HYDE

I can't add to what he said in his book about a night of telephone calls with Hickerson and Gross. Also, I don't know what happened in Washington but I do know that Jessup was summoned to Blair House where President Truman was living. But whether all this occurred before the first Security Council meeting, I do not know.

JSS But Jessup was involved in Washington in conversations with the President.

HYDE Indeed he was. And in the memoirs written by his son this is all spelled out (which I can give you).

JSS Now in your work from June 1950 did you have contact with other members of the secretariat besides Trygve Lie at this point?

HYDE Yes, I knew Cordier very well. And I also had contacts with the legal advisor, Abe Feller. At other levels there were people that I knew well.

JSS Was Mr. Feller to your knowledge directly involved with the Secretary-General in dealing with the Korean question?

HYDE I don't know.

JSS He was I believe a very close advisor to the Secretary.

HYDE Yes, he was.

JSS Now at this point the Soviet Union was not participating in the Security Council.

HYDE That's true and when Gross and I were driving to Lake Success on that Sunday, the press was speculating about what we were going to do. And we were not sure, ourselves. And naturally it crossed our minds that on that famous morning Malik might come in and like the Quaker Oats lady say "I's in town, honey." And if he had done that we both thought that at our level that we would then have to start shopping for a special session of the

General Assembly. In the speech I wrote for Austin a year later or a year or two later which he gave at Harvard commencement address Austin said that the decision would have been made to go to the General Assembly. But Malik did not appear.

JSS But already at that time you were thinking of a procedure which was ultimately followed in the Uniting for Peace Resolution.

HYDE That is true.

JSS And was that advice given to Washington at the time that this would be a possible procedure to move to the General Assembly?

HYDE I think it was they giving it to us rather than we giving it to them. Because if you will remember Dean Rusk and Jessup were involved in this in Washington. They were knowledgeable about these matters. And Jessup's son said that when he went to the first meeting at Blair House he forgot and they brought him a small pocket edition of the Charter of the UN.

JSS Going to the Charter, I'm getting a little bit ahead here, but you were both a legal and political advisor in the Mission. The Uniting for Peace Resolution which was ultimately adopted by the General Assembly seeks to give the General Assembly a function when the Security Council is blocked by veto. As a legal advisor, did you feel at the time that this approach could in fact be successful

and was entirely in accordance with the Charter.

HYDE

I wasn't worried as much about whether it was in accordance with the Charter as I was with the political wisdom of it. My responsibility in the US Mission was to protect the veto. And I did a great deal of work on a technical subject called the double veto which might have made it possible to override a veto by a permanent member. And I thought, and my superiors thought that this was an important subject. Therefore I was concerned at the possibility of going to the General Assembly on a serious security issue of this sort where the availability and effectiveness of the veto might have been doubtful. And certainly my British and French working level colleagues were well aware of that. When I had to go to diplomatic luncheons with them to discuss this new proposal they put it to me very directly. More in these political terms than in legal terms.

JSS

Could you explain just a little bit this concept of the double veto because it has recurred repeatedly in the history of the United Nations. And it's interesting that it came up at that particular point also.

HYDE

The notion of the double veto I have written about extensively. The Russians made a little error one time in agreeing that a decision of the President of the Security Council on the question of the admission of a member or credentials could be overruled by an ordinary

vote. Its a very technical question but the implications are very serious indeed. And it was my job to see that that did not happen.

JSS I see.

HYDE Again, It would take me a little while to spell it out and I have written about it at some length.

JSS It's interesting that it came up in the context of Korea. Going back a lttle bit before the Uniting for Peace resolution was adopted, we had a situation where the Soviet Union was not represented in Security Council. But I believe that in Washington almost immediatly after the North Korean invasion the US sent a note to the Soviet Union requesting it's assistance in bringing an end to the hostilities. Did you have at the working level in New York any contacts at this point with the Soviet side?

HYDE I myself had only social contacts. Before the death of Stalin we had one Russian speaking member of the Delegation.

JSS So we can continue now with this question of the implications for the Charter of the Uniting for Peace Resolution.

HYDE Yes, you asked me if I felt that this was expanding by construction the role of the General Assembly in the light of specific language of the Charter as to the role

of the Security Council and I agreed that was true. But my own interests and concerns in what I was thinking then and what I wrote in the following year after I left the Mission was the real role of the United Nations. While this was a blue print for collective action of a military nature, the real role at that time was to provide methods for peaceful change, which is what the peace-keeping operations later have become.

JSS After the resolution was passed in the General Assembly there was a subsequent action to impose, perhaps impose is the wrong word but to gain sanctions against communist China for it's role in Korea. Was it your impression that this was effective or no?

HYDE I thought that was an unhappy initiative. Again I was there and I was following my instructions; and I remember that the objections to those sanctions were so strong that the term had to be limited to what Rusk called a strategic embargo. Because broader sanctions were not politically possible.

JSS And the word "sanctions" was not used.

HYDE That's right.

Jss So that, in effect, the Uniting for Peace resolution, at least within the timeframe of the Korean War, did not have very noticeable results. Would you say that?

HYDE I would say that is correct. On the other hand it was a conceptual approach that I think has had an effect

later.

JSS In what sense?

HYDE In the sense of seeing a role for the Assembly in peace-keeping operations.

JSS Which also, however, remained controversial.

HYDE True. Well that's a matter of opinion. But you asked me what I thought at the time and what I think now and that's it.

JSS At one point Secretary Acheson has suggested (he came to New York, I believe, to participate in the General Assembly) that he felt there were two people in New York about whom he had to be particularly careful because of their interest in a separate peace arrangement. One was Krishna Menon and the other Lester Pearson. Did you have knowledge of the efforts of them or others to arrange some kind of ceasefire or an armistice or end of the war separate from the efforts that were being made by the United Nations itself or the United States?

HYDE No, I did not know about that. But again I did know Pearson well his entire life and I never had any reservations about the fact that his view of the world and our view was very much the same. I do remember when President Johnson sent for Mike Pearson and asked his help on what could be done about ending the Vietnam War but I have no recollection about Korea. As to Krishna Menon, he was a very hostile person in his relations

with the United States and, indeed, was during his entire life until he was relieved as Minister of Defense after the war in India. And as you know Galbraith has got some very bitter comments about him. I never found him an easy person to deal with either on business or social occasions.

JSS And there was a distinct difference between Benegal Rau and Krishna Menon.

HYDE Indeed there was. I heard a lot of Benegal Rau because I was in charge of the problem of Kashmir and he and the Pakistani, Zafrullah Kahn, were distinguished products of the Indian civil service, and intelligent and pleasant men.

JSS Rau maintained rather close contact with the US Mission in connection with Korea and passed on certain information that had come through the Indian ambassador in Peking.

HYDE Panikkar.

JSS Right.

HYDE I don't know about that of my own knowledge. My dealings with him were so much on another subject.

JSS The subject of Kashmir.

HYDE Yes.

JSS As I mentioned Dean Acheson did come to New York for the General Assembly meeting I believe in 1951, in the fall of 1951. Do you have any recollection of the impression

that Acheson made on his colleagues in New York at that point. That's, as I say, when he indicated he had to watch pretty carefully what Pearson and Menon were doing. And At this point I also believe the prisoner of war question was very much before the Assembly.

HYDE Now in 1951 the Assembly was meeting in Paris.

JSS Well it must be 1952, I think I'm wrong on that date let me just check that. Yes '52, I'm sorry. It was the last General Assembly during the Truman administration.

My question was what impression did Dean Acheson as Secretary of State leave with his colleagues and for that matter with the US Mission in New York during his stay there. He indicates in his memoirs that he was very happy to leave New York. He apparently did not feel totally at ease in dealing in the multilateral atmosphere of New York.

HYDE There are two themes that we have not mentioned that were very important at that time. The first theme was McCarthyism where the entire State Department including the US Mission and certainly Dean Acheson were under continuing attack. The other theme was this matter of the Chinese nationalists and the Peoples Republic of China and the Republican Right. Acheson took a great deal of pressure on both of those matters and indeed Jessup was at that time under attack from McCarthy. I consider Dean Acheson a friend of mine and I had great admiration for

him. I had no feeling of doubtfulness about his surviving a very difficult time from these local American themes . As he got older, and I had him as a friend and indeed as an opponent in litigation, we always had close personal friendship which prejudices me in favor of him. And of course you remember what he said about Alger Hiss and that was part of his trouble.

JSS Going back to what you said, it is true at this particular point, precisely at this period in New York, the McCarthyism and McCarran problem had reached the UN Secretariat. There were accusations of communism and some Americans had pleaded the 5th amendment. Were you involved from the US Mission side in this problem?

HYDE I was involved in it as soon as I left the Mission. To some extent, yes. In working out the loyalty procedures for Americans who were going into Secretariat positions and indeed in the specialized agencies. But as soon as I left the Mission Ernest Gross and I both became legal advisors to Trygve Lie dealing with these dreadful security matters. And undoubtedly Gross has told you about his defense of Ralph Bunche.

JSS No, we have not discussed that on tape.

HYDE There was a grand jury meeting in New York on these various issues and Ralph Bunche was accused by an unnamed informer of the Department of Justice of being a communist. Gross, and to a limited extent I, were able to

destroy the attack on Ralph Bunche. I never knew until later, that during this very period the President had privately asked Bunche to lunch at the White House. During these attacks everybody drifted away from supporting Bunche, and then when he was exonerated he went on for the rest of his life. And the person who really defended him was Brian Urquhart for the whole rest of his life. I felt very strongly about that and I thought it was a dreadful situation. I arranged for Bunche to make a speech at a women's club in New York - the Cosmopolitan Club in which my wife was the Vice President. I wrote her introduction for his speech.

JSS

Going back to what you said on the loyalty oaths that were required for Americans who were joining the Secretariat. Could you give a little more background on that? There was at that time a requirement for a security clearance on the American side of persons joining the Secretariat with which I believe the Secretary-General agreed.

HYDE

He did. That's true. He's been very much criticized for that and, I think applying hindsight not without reason. But given the temper of the times, I think it's quite understandable. I thought it was shocking that Americans who pleaded the 5th amendment were discharged both by the UN and also by UNESCO where Luther Evans was furious about it. I still think it was outrageous.

JSS What was the role of the US Mission at this point? What did the US Ambassador do at this point?

HYDE He did nothing, this was not his area.

JSS So he stayed out of it?

HYDE That's right.

JSS And eventually the FBI even established an office in the Secretariat building. There was no objection to this from the US Mission?

HYDE I believe not, not by me at any rate. It was to the point where all of our telephones were tapped. Having been in the Navy dealing with such matters, I was well aware of what the FBI was doing as far as telephones and my files were concerned. But I remember when Jessup was having a cocktail party and one or two people in the State Department went to outside pay telephones to accept.

JSS And at this period also there was the suicide of Mr. Feller.

HYDE Well I don't know anything more about that than what Trygve Lie says in his autobiography. I didn't know Feller particularly well. I knew Stavropoulos very well, indeed.

JSS Stavropoulos was an important man on the legal side during the Korean War. Do you have anything else to add in terms of your contact, or the Mission's contact with Secretariat people other than the Secretary-General in connection with the Korean war?

HYDE I have nothing to add, but I had a good deal to do with Secretariat people when Trygve Lie's successor was appointed. In fact Cabot Lodge and I were the two Americans in the Security Council meeting to discuss that.

JSS Really, could you give me a little bit of background about what happened?

HYDE Trygve Lie tells about how he became persona non grata to the Russians. A whole series of names were tried out and at last there was a glimmer as to Dag Hammarskjold. It was kept very quiet, indeed. At the key meeting there were ballots, and Protitch would burn the ballots in a metal waste basket in a small consulting room. And as I left one of the meetings when we were pretty far along, Frank Carpenter, of the Associated Press, said Jim, I know you can't tell me anything but how does this man Hammarskjold spell his name as if I would fall for that. So it was kept very quiet and when Malik got his instructions that went through. And then I saw a good deal of Hammarskjold because Gross and I continued to be his advisors on these security matters of that period after we left the US Mission.

JSS On a private basis, I believe.

HYDE On a private basis. I saw Trygvie a great deal after that. He was not happy about his time in New York when he was no longer Secretary-General. And I remember he had

to get an IRS clearance of his income tax return before he could go home to Norway. He was outraged at that and I said I'll bring the IRS man to you to give you the clearance. He and Trygve spent an afternoon having a few highballs and I had to take the IRS man home in a taxi.

JSS Did you find that the attitude of Dag Hammarskjold was different than that of Trygve Lie ?

HYDE Oh yes, very different sort of person. He was quick- very quick and, well, I found him a very complicated person. I thought it was interesting to see a mind that worked so fast and again I was particularly concerned up to the period when he was killed. But I remember his saying he couldn't understand some of the personnel relations in the Secretariat, such as the fact that he had to keep Kleenex in his drawer to give women to wipe their eyes when he fired them. I said I really didn't think the Secretary-General should have to deal with personnel matters that had that human element, to that extent.

JSS Now on this question on the security clearances of the American employees. Was his attitude notably different from that of Trygve Lie?

HYDE I think the problem was disappearing, after Dulles came in.

JSS Moving to the first Sinai war and the question of what agreement Hammarskjold had reached with Nasser on the status of the UN forces in the Sinai. At that point Ernie

Gross was serving as a private consultant to the Secretary-General. Were you also involved in that?

HYDE Ernie and I were together for one year, 1954. And after that he went elsewhere and I did other things, too. So after '54 I only knew what he told me.

JSS Why did the Secretary-General at that point feel the need of an outside legal counsel on essentially UN matters?

HYDE I really don't know, it surprised me, also. But again Ernie, as he, undoubtedly has told you, felt himself very close to the Secretariat on all these matters. And continued a very lively interest which went on to those dramatic events of that Soviet official Shevchenko.

JSS That's true. He served as his counsel. Are there any other points you would like to bring up about your experiences at the US Mission during this rather critical period in the UN's history that I haven't asked you about.

HYDE The only other two things that I wanted to mention is the role of the US Mission officers in writing speeches about the United Nations of which I wrote a great many. And one of the speeches to which I refer was Austin's commencement address at Harvard. And another speech which was never given because Stalin died before it was made was a speech that I wrote attacking Vishinsky entirely in his own words on the grounds that he made it impossible for a decent, respectable, person to be in the same room

with him. It was a speech for Austin to deliver and I still have the text of it, because Walter Lippmann came to a meeting of the US delegation and he said that the time had come to do this. I was appointed to write it, which I did. And I still think it's a pretty good speech, although it has never been published because when Stalin died it looked as if it might be to some extent a new era. But I think that Vishinsky was the man in whom I could see no redeeming characteristic. I am surprised that Gladwyn Jebb is quoted by Sidney Bailey as saying Vishinsky was rather entertaining I'll admit that he was able to make the General Assembly delegates laugh. But I never could forgive him what I knew of the Moscow trials. On the other hand there were other Russians - lawyers - that I knew where we got on very well. Not that I agreed with them. But at least it was possible to have a dialogue.

JSS Now the statements that Ambassador Austin made in the Security Council during the Korean War, they were drafted in the Mission or in Washington?

HYDE It's hard to say. The general lines were pursuant to our instructions, but a great deal of the drafting was done in the US Mission.

JSS Were there any policy differences on Korea that you were aware of between the Mission and Washington?

HYDE Not very substantial ones, but as I have explained

earlier the military advisors reported directly to the Joint Chiefs of Staff. So our relations were personal friendship.

JSS Now aside from the speech writing question you said there was another point you wanted to put on tape.

HYDE Yes, the other thing I wanted to point out is the point that Jessup has made. I have written at some length for the Carnegie Foundation on this entire period and felt that one should emphasize the personal relations at the working level between delegates who knew each other and we were friends quite apart from our work. I suppose 6 or 8 of the people we have been talking about have been right here and ridden a tractor in our meadows and things of that sort.

JSS So you were able to have that kind of relationship?

HYDE Yes, and indeed the legal advisor of the UK delegation was on a vacation during the period when Malik was boycotting the Security Council. And for three weeks Gladwyn [Jebb] felt it wasn't necessary to call him back. So for three weeks I acted as the U. K. legal advisor in addition to the US legal advisor.

JSS Relations were very close at that time.

HYDE Yes they were, and still are Francis Vallat, the U.K. legal advisor is still a good friend of mine.

JSS There is one question I did not ask you going back if I may just for a moment to the Korean period. One of the

complicating factors was the differences between the US and UK with regard to the Peoples Republic of China.

HYDE

Well that's true. Truman and Atlee made this agreement that we would keep the Peoples Republic of China out of the UN. And there was this dramatic meeting of General Wu who did nothing to move his cause ahead. And again we felt that those were our instructions and I was made an advisor to every sort of committee including the Committee on the Status of Women to be sure that the women didn't let the Chinese communists replace the Nationalists. Lasky and I did not have our heart in this deal particularly but we did what we were told. And at the same time the Nationalist were all personally good friends of mine - interesting men, good minds. But they realized in 1948 that from a political point of view their future was highly uncertain. And, indeed, in one of those early election campaigns of Adlai Stevenson they came to me with a proposal that they stay as a sort of Sweden, a secondary power, the two China policy which was, of course, entirely rejected. But again the Chinese Nationalists still remain friends of mine. But yet the people that I later advised took some of the early steps to see to it that the Peoples Republic of China should be brought in.

JSS

It's your feeling then that the US side was totally committed to preventing the Peoples Republic of China

from gaining entry to the United Nations. Some of the proposals that were made, I believe, by the British and Indians foresaw a kind of exchange. That is, US readiness to accept the Peoples Republic and at the same time achievement of a cease-fire in Korea. Your impression was that this was never a feasibility in terms of US policy.

HYDE I think that is true in terms of the politics. Of course those were the days of Senator Knowland who said that the United States would leave the UN - he would see to it -if the Chinese communists would be permitted to come in.

JSS Ernie Gross has indicated that his interpretation of at least one important telegram from Washington was that the United States would be neutral on the subject if there should be a majority in the Security Council in favor of acceptance of the Peoples Republic.

HYDE In terms of my service at the US Mission I know nothing of that.

JSS Because in his memoirs Mr. Acheson has said he opposed acceptance of the People's Republic of China completely because this would be rewarding the aggressor.

HYDE Certainly that was Dean Rusk's point.

JSS Very good, I think that's all I have.

HYDE I did not have anything to do with those matters but I well remember at the critical time later on when the question arose whether to cross the 38th parallel. There was a Colonel Townley who told me he had an open wire to

the Joint Chiefs of Staff so they would know at once as soon as the 38th parallel Assembly resolution was adopted.

JSS Do you believe the US member of the Military Staff Committee dealt directly with the Secretary-General keeping him informed from his knowledge of what was happening in Korea.

HYDE I just plain don't know. My only connection in that whole thing was when Trygve handed over the UN flag to Austin for the US Command and I got it from Austin and took it back to the Mission to be given to people in the field and I wondered what would ever happen to it.

JSS That was the first UN flag to ,that's interesting.

HYDE Yes, Trygve Lie mentions that.

JSS Right, fairly soon in the Korean war the differences between Washington and General MacArthur in the field became apparent. To what extent did you find this reflected in New York in creating unease on the part of the other delegation as to the way the war was being conducted?

HYDE What date would you want to put on that?

JSS Well that would have been as early as beginning of 1951.

HYDE Yes of course there was considerable concern. There was the President's remark about the atomic bomb which brought Atlee to New York. And General MacArthur's

dealings with the press and also with members of the Congress were very disturbing to Austin, certainly. The British made no secret of the fact that they were unhappy about going north of the 38th parallel. Well of course then the most dramatic- I'm thinking most of all about the Wake Island meeting with Truman and MacArthur and the uproar about Jessup's secretary being there and taking notes about which Jessup has written and which is covered in the Foreign Relations of the United States.

During this period I did see a good deal of the Republic of Korea representatives and they would talk to me about 6-inch gunned cruisers. Ben Lim and Helen Kim I used to see quite often in New York. This was in the summer and I've gone back beyond the crossing the 38th parallel. Well the Wake Island meeting was in October and according to the accounts I read about (I was not there) General MacArthur told President Truman that the Chinese would not come in. Then the next thing that happened was General Wu of the Peoples Republic of China coming to New York in December. I was there at those Security Council meetings. And again Trygve Lie has discussed that at length in his memoirs. And there didn't seem to be, as far as I know, any willingness to discuss a possible settlement. But the most dramatic thing was when the Chinese communists came in when the

JSS Were there any other indications of his attitude at this point on what to do?

HYDE I afterward discovered in my reading that he had been in favor of going north of the 38th parallel at the time.

JSS Going a little ahead now, in the quest of a ceasefire the General Assembly then in December I guess 1950, established a three man ceasefire committee which consisted of Rau of India, Entezam from Iran, Pearson from Canada and they worked on the question of a ceasefire. My question to is you were there differences between the the United States side and the efforts of this committee to achieve a cease- fire?

HYDE I knew all three of those men well and admired them all. But I had nothing to do with that and I don't know. But I do know that in this period after we crossed the 38th parallel and before the Chinese came in Gross, who can speak for himself, was very interested and concerned with some form of military government of North Korea until it was possible to have a democratic election there. And I had a certain amount of experience with military government in the Navy and my heart belonged to that less than his did.

JSS I wanted to pursue this question of taking the war north of the 38th parallel the resolutions passed by the General Assembly and before that, by the Security Council, are not precise on this subject. You were in a

sense a legal advisor. Did you feel that the second resolution of the Security Council on the 27th or 28th of June, I believe, provided a basis for the war to be carried above the 38th parallel.

HYDE I never addressed myself to the technical legal questions of that resolution. I was not a draftsman of it and I should tell you that it's not correct to say I was a legal advisor to the United States delegation because the legal advisor in the State Department would have denied it very strongly. And Leonard Meeker and his colleagues in Washington always felt that I was not one of them.

JSS Now was Meeker involved at this point already.

HYDE I'm sure he was.

JSS But leaving aside what your status was or what they thought your status was, you were a lawyer and how did you feel about the implications of this resolution and later resolutions passed by the General Assembly.

HYDE I felt that it was an important experiment but my own estimate of the future of international organizations and the UN was that peaceful adjustment of these matters was an essential element of where the United Nations could survive where the League of Nations did not. I was always concerned about the military aspects of the Korean case. But that's a political judgement rather than a legal one. I've written a good deal about this period and I do not believe I've ever addressed myself directly to

that.

JSS General MacArthur certainly interpreted the later resolution of the General Assembly as a mandate for him to establish a reunified Korea through military means.

HYDE We certainly never felt that at the US mission but Gross can speak to that - has spoken to it undoubtedly.

JSS He has. And I think that was clearly not Washington's view. After the armistice talks began first in Kaesong and then in Panmunjong the question arose very soon of prisoners of war. Do you have knowledge of, or can you indicate the extent to which New York and the United Nations had an input in the positions taken by the United States with regard to the repatriation of prisoners of war.

HYDE No, I cannot answer that because all I know about it is what I read later.

JSS Do you know at all whether the US Mission was involved in the subject.

HYDE Certainly I was not. Whether Gross was I don't know.

JSS There was also a question at this time of accusations by the North Koreans of the conduct of germ warfare by the UN command. Did this, in your perception, create any real problems in New York with the other delegations? Was there a tendency to believe it?

HYDE I certainly never believed it in the slightest and as far as I can recall it was not a subject where I had to

try to talk convincingly to my colleagues and other delegations. And all this was before the death of Stalin.

JSS I'd like if I could to return to the Uniting for Peace Resolution just for a moment since it has had very extensive implications also after Korea. To what extent was the US Mission and US Delegation involved in the drafting of this resolution.

HYDE Not at all as far as I'm aware.

JSS Not at all. John Foster Dulles as a member of the US Delegation.

HYDE He also had an office in Washington and wearing one hat or another he was involved in all these decisions in this period.

JSS So that in fact the idea of a so called collective measures committee and readiness forces in national armies to participate in what we now call peace-keeping forces, these ideas did not come out of the US mission in New York?

HYDE No I believe not because I was given the documents and asked to present them; I particularly remember discussing them with Lasky of the UK and Ordineau of France. And I argued the constitutional question about which I told you I was not involved in. And the British felt that the resolution was very dangerous. As I said, having protected the veto from inroads of the double veto, they

felt we might have Third World troubles, and I personally agreed.

JSS And in fact the Charter is rather specific in assigning to the Security Council sole responsibility for action to protect international security.

HYDE That raises the whole question of the evolution of the Charter by construction and by operation rather than amendment. My colleagues and I, certainly I in things that I wrote later, felt that by construction one could do more than a meeting to amend the Charter, although it was amended as to the size of the Security Council later.

JSS Are you suggesting that the Uniting for Peace resolution in effect amounted to a kind of reconstruction of the Charter which had lasting implications in this sense?

HYDE Yes.

JSS Thank you very much, Mr. Hyde, for giving your time for this interview.

INDEX OF NAMES

Acheson, Dean	1, 16, 18, 19, 31
Austin, Warren	4, 6, 7, 11, 26, 27, 32-34
Bailey, Sidney	27
Bernadotte, Count Folke	3
Bond, Niles	8
Bunche, Ralph	20, 21
Carpenter, Frank	24
Cordier, Andrew	10
Dulles, John Foster	25, 34, 35, 39
Entezam, Nasrollah	35
Evans, Luther	22
Feller, Abe	10, 23
Gross, Ernest	6, 7, 9-11, 20, 21, 24, 25, 31, 34, 36-38
Hickerson, John	10
Jebb, Sir Gladwyn	27
Jessup, Philip	2, 4-7, 10, 12, 19, 22, 28, 33
Kim, Helen	33
Knowland, Senator	31
Lie, Tryyve	9, 10, 20, 23-25, 32, 34
Lim, Ben	33
MacArthur, Douglas	32-34, 37
Malik, Jacob	7, 11, 24, 27

Meeker, Leonard	36, 37
Menon, Krishna	17, 18
Pearson, Lester	17, 18, 35
Protitch, Dragon	23
Shevchenko, Arkady	26
Stalin, Josif	14, 26, 27, 39
Stevenson, Adlai	30
Townley, Colonel	31
Truman, Harry	3, 5, 8, 10, 19, 29, 33
Urquhart, Brian	21
Vallat, Francis	29
Vishinsky, Andrei	26, 27
Wu, General	29, 34



UNITED NATIONS

Dag Hammarskjöld
LIBRARY