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Manchuria

THE PROBLEM IN THE FAR EAST

Elizabeth M. Lynskey, Ph.D.
and
Asia Committee

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THANKS for the issuance of this Report are due to Seton Hill College, Greensburg, Pennsylvania, in response to the Holy Father's appeal, "May they all unite in the peace of Christ in a full concord of thoughts and emotions, of desires and prayers, of deeds and words—the spoken word, the written word, the printed word—and then an atmosphere of genuine peace, warming and beneficent, will envelop all the world."

MANCHURIA

THE PROBLEM IN THE FAR EAST

Study Presented

to

The Catholic Association *for* International Peace

by

The Asia Committee

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THIS is a Report of the Committee on Asia of The Catholic Association for International Peace and is being issued as a Study from this Committee. It was presented and discussed at the regular annual meeting of the organization. The Committee coöperated in the final form of the Report and the passages involving moral judgments were presented to the members of the Ethics Committee for its consideration. It was presented to the Executive Committee which ordered it published. As the process indicates, this Report, being the report only of a Committee, is not a statement from the whole Association.

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I INTRODUCTION

IN the late spring of 1931 a group of Chinese soldiers came upon several Japanese soldiers traveling in one of the unexplored portions of Inner Mongolia under false passports. Their leader, Captain Nakamura, was ostensibly an agricultural expert. Actually it is believed he and his companions were engaged in exploring the country for signs of mineral wealth or for strategic war information. Soon, when he did not return, a search was instigated, resulting in the finding of his mutilated body and those of his attendants. The government of Japan promptly asked an explanation of the Mukden government of Manchuria.¹

Manchurian authorities investigated and reported that the officer had been shot by regular Manchurian army forces. By this time, the Japanese army, discovering that the travelers belonged to their military forces, insisted that this fact made the Chinese attack more indefensible and that the Japanese government must publish the real identity of the victims. This at once revealed the subterfuge of the falsified passports.² The Japanese newspapers began to magnify the "offense" of the Manchurian forces. When Japan asked Manchuria for satisfaction, its government under Chang Hsueh-liang expressed its regret and its willingness to make redress. On September 18, 1931, the Chinese government in Mukden so notified the Japanese consul there.

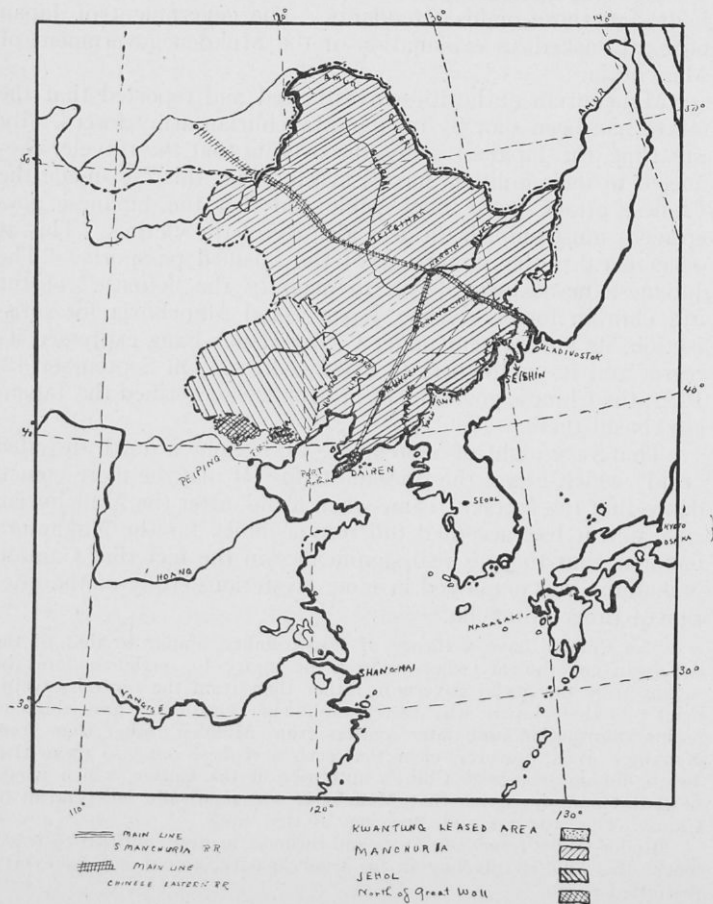
That very night of September, 1931, came a much disputed "raid" which began the present strife. It may be mere coincidence that the "attack" came when it did, after the Manchurian government had accepted full responsibility for the Nakamura incident; but there is real significance in the fact that Captain Nakamura was employed in some mysterious study of the interior of Inner Mongolia.

¹The Chinese have a theory of responsibility similar to that of the American government, where redress for injury to foreigners must be sought from provincial governors rather than from the central government, so that Japan was merely following customary procedure in asking information and, later, redress from Mukden rather than from Nanking. It is, however, clear that such a request *can* also mean that Japan did not recognize China's authority in the matter, which would be tantamount to saying that Manchuria was politically independent of China. This was not said, however, at that time.

²Under treaty terms educators and business men are entitled to travel where this officer, traveling in his true capacity, would not have been permitted to go.

Behind this incident and behind all the trouble between China, Japan and Russia in the Far East lies rivalry for control of economic riches, together with a fundamental difference in attitude on land policies and opposing methods of meeting the differences. To explain further, some analysis of the geography and past history of Manchuria and of economic issues is necessary.

THE MANCHURIAN SITUATION, 1933



II

THE MANCHURIAN PROBLEM

1. GEOGRAPHICAL BACKGROUND

Manchuria, the "Northeastern Provinces" of China, borders on Russian Siberia, lies to the north of Korea and is a short sea away from Japan. It embraces an area of about one-twelfth the extent of the entire United States. Northwest, north and southeast lie mountain ranges. To its southwest, an open plain permits relatively easy access into China. More than 28 million or nearly 97 per cent of its 29 to 30 million persons are Chinese of various origins. About 800,000 are Koreans, and about 250,000 are Japanese. The majority live in little village communities and many in small organized colonies. There are, however, several large cities (Mukden, with a population of about 250,000; Kirin, with 80,000; Tsitsihar, with between 25,000 and 30,000; Harbin, in North Manchuria, with a large Russian population, of 365,000) and three growing seacoast cities. Altogether for the three provinces, Kirin, Liaoning (Fengtien) and Heilungkiang, there is an average of 76 persons per square mile, about the population density of Russia.³

A number of rivers are used for navigation in summer and for sleds in winter. One system ends in the north Pacific at the seasonally ice-bound Siberian port of Nicolaevsk; another is part of the same system. The Tumen, emptying into the Sea of Japan at a point halfway between the Russian port of Vladivostok and Korea's growing port of Seishin, is Manchuria's border and outlet to the sea on the east. The chief southerly flowing streams drain the southern Manchurian plains and flow into the Gulf of Pechili.

The outstanding seacoast towns are Antung, at the mouth of the river Yalu, and Hulutao, a port which Chinese capitalists have recently been trying to develop into a rival of Dairen. This latter city, though not technically in Manchuria, is, by virtue of its excellent harbor and shipping facilities, its major outlet and its chief import center.⁴ Manchurian trade has in-

³In the United States as a whole, including the desert spaces, there is a density of about 35 per square mile; but there is nothing in Manchuria proper to compare with American cities unless it be Dairen, with a population of 298,667, which is, however, not in Manchuria, but in the Japanese leased zone.

⁴*Second Report on Progress in Manchuria to 1930*, published by the South Manchuria Railway, Dairen, April, 1931, p. 5.

creased in the last twenty-odd years until in 1929 it amounted to one-fifth of the value of the entire trade of China.⁵

Manchuria has great agricultural and mineral wealth. Although even its southern climate is cold and the cold increases as one travels into the interior, the country raises large cereal crops during its short summers. Over half of its agricultural export consists of soya beans and bean products, which go principally to Japan and China, but also to Italy, Belgium, Holland and the Balkan States. Millet and rice are also grown. The mineral assets, though valuable, are still unknown, principally because the mountain terrain has not been explored or exploited.

The actual amount, however uncertain, of the natural wealth, in or near Manchuria, is without question immense. Eighty per cent of the world's known supply of antimony is concentrated in North China and Manchuria; and 90 per cent of the antimony output is used in the United States. More than half of the world's supply of tungsten, used for steel manufacture, is found in Inner Mongolia and Western China; and of this supply the United States uses more than half. Manchuria has the largest single coal deposit in the world and the collieries there of the Japanese-owned South Manchuria Railway produced almost eight million tons of coal and coal by-products in 1929, at a profit of 16 per cent on their investment.⁶ In a shale oil bed above these coal reserves lie an estimated 5,300,000,000 tons of oil. There are probably vast reserves of iron, copper and gold undiscovered in Manchuria and many known sources of wealth as yet undeveloped.

2. HISTORICAL BACKGROUND

Manchuria is of considerable importance in the history of the Far East. Early migrations brought nomad tribes into Manchuria and through Manchuria into China; and from the Manchus who settled in this northern area came the conquerors who ruled China from 1644-1911. Their leaders retained their

⁵Including domestic trade, according to the same source. Accounts vary somewhat. Manchurian customs dues formed over 13 per cent of the customs revenue of China in 1931. *Report of the Commission of Enquiry*, p. 104.

⁶See *Second Report on Manchurian Progress, to 1930, cit.* pp. 118-121.

own organization in the home provinces. Manchuria was loosely organized into what was called the Three Eastern Provinces, each under a provincial governor, who exercised great personal power and joined in a weak but legal union with the Manchu dynasty at the Chinese capital.

Western states first showed their interest in the unexplored wealth of Manchuria at the end of the Sino-Japanese war. Japan secured from China the cession of the Liaotung peninsula, Formosa and the Pescadores islands, as well as the acknowledgment of the independence of Korea. Russia, Germany and France thereupon sent letters "recommending" that the Liaotung peninsula be returned to China, theoretically because this cession raised doubt over the nature of Korean independence and presaged Japanese opposition to China within striking distance of the capital, but actually because it interfered with their own plans for contracts and concessions. Japan followed the "advice" but did not forget the setback.

Russia soon made a treaty of alliance with China directed against Japan (the Li-Lobanov convention). In return, in a separate railway agreement, China awarded a Russian bank, in which French capital was interested, a contract to construct a railway across Manchuria to Vladivostok (1896). State lands necessary for the line were to be freely turned over to the railway, and private lands (likewise necessary) rented or else freed from individual ownership by a single payment. A railway zone was created which Russia might guard. The company lands were exempted from taxation; but it was provided that the Chinese government might buy the railroad at the end of 36 years by repaying the "capital involved," debts, and interest on debts. There was, however, in the same article of the agreement a provision whose meaning is contested by Russia, China and Japan: "The Company will have the absolute and exclusive right of administration of this land."⁷

In the spring of 1898, China further granted Russia a 25-year lease of the Liaotung peninsula, together with the right to build, fortify and defend a harbor; and for the next six years Russia pursued a shifting, dubious and intricate policy in Manchuria and Korea. Trouble soon arose between Russia and Japan over timber contracts in Korea and over Russian delay

⁷See C. W. Young, *The International Relations of Manchuria*, pp. 17-24.

in withdrawing troops from Manchurian regions after the Boxer Rebellion in China.⁸ Japan promptly disputed the growth of Russian interests in the Liaotung peninsula and the valleys of Manchuria, and by the treaties with Russia and with China at the close of that war obtained most of the Russian concessions, somewhat enlarged, and shared others. Under the treaties of 1915 resulting from the Twenty-one Demands,⁹ Japan extended the time limits of all her major concessions and obtained further rights. From that day to this, all three powers have had an active interest in Manchuria. That of other Occidental powers has steadily increased.

Since the fall of the Chinese Empire in 1911, the Manchurian provinces, though recognized as part of China, have had little formal connection with the republican governments. A loose union between them was symbolized by the fact that the Manchurian war-lord, Chang Tso-lin, and his son, Chang Hsueh-liang, who succeeded him, bore the title of Marshal of Chinese armies and spent their time between Peiping and Mukden; they also collected and administered some revenues of these territories. The customs and postal dues were collected by national officers and transmitted to Nanking. Of the funds collected by the Salt Administration, the greater part was retained by Chang Hsueh-liang. Meanwhile, the interests of both China and Japan in the area increased apace. There was much jockeying for power and prestige, recurrent violence, and on several occasions, imminent danger of extended warfare.

This smouldering resentment flared out on September 18, 1931. It is not yet clear how or why the first incident took place. The Japanese say that Chinese "irregular" army forces attacked the Japanese-owned South Manchuria Railway line, *i. e.*, that an irresponsible Chinese force tore up several feet of rails. The Chinese assert the "attack" was instigated or "fabricated" by the Japanese army as an excuse for resorting to force. Whatever the immediate cause may have been, later events are clear. Within 24 hours of the outbreak, a small Japanese force, almost without bloodshed, had captured Mukden, the capital city of the province of Liaoning (Fengtien), Manchuria, and with it an arsenal containing arms

⁸See Morse and MacNair, *cit.*, *passim*, or any modern history of the Far East.

⁹See p. 22, footnote 30, and p. 39.

and ammunition of a value estimated variously at between one and two hundred million dollars. Shortly thereafter, similar small forces of Japanese took over control of cities, towns or bridges at points on the railway which they said were in danger of attack and sent armed detachments into the territory beyond the "railway zone." Thereafter they also invested Newchwang, Changchun, the northernmost end of the Japanese-owned railway, and also on November 18, 1931, Tsitsihar, an industrial town and railway center northwest of Harbin. Operations were further extended east and west of the railway in the face of increasing question and protest from China, Great Britain, the United States of America, and the League of Nations. In the last week of 1931 and the first of 1932, Japanese forces invested Chinchow, a city not technically in Manchuria, but close to the old Chinese Wall, and perilously close to Peiping, the old capital, and Tientsin, the northern center of commerce in China. Both Great Britain and the League of Nations had asked them not to enter Chinchow. Since that time, additional Japanese forces have consolidated these gains, have occupied Harbin, and have moved, more slowly because of the absence of railways, eastward to the Gulf of Tartary and the Sea of Japan. Japanese armies, increased from 12,000 to an estimated force of 45,000 or more, are now in possession of the major cities and railway lines of the whole region.¹⁰

The earliest explanations for the violence of Japanese action were those of the military officers of Japan in Manchuria. These officers are politically responsible not to the civil arm of the Japanese government, but solely to the Emperor. They first charged the Chinese with violation of treaty rights and alleged the necessity of protecting the Japanese Railway Zone from the raids of irresponsible Chinese soldiers, not properly disciplined by their commanders. Before long it became visible that the chief Chinese commander at whom the Japanese were aiming their charges was the Marshal Chang Hsueh-liang (who recently changed his name to Chang Hsiao-liang),¹¹ like his father, the real governor of Manchuria. There has been much discussion of his part in the subsequent difficulties.

He succeeded his father when the latter was assassinated by

¹⁰See p. 37. Also *Report of the Commission of Enquiry*, pp. 77-83.

¹¹*New York Times*, July 17, 1932.

an unknown assailant in June, 1928. This act was attributed by the Japanese to Chinese patriots, as vengeance for his "pro-Japanese" policy. Chinese sources maintain that the assassination was at the hands of Japanese agents for turning toward a "pro-Chinese" policy. Between these two diametrically opposed statements it will probably be impossible to determine the truth.

The young Marshal was commonly believed to have stronger Chinese sympathies than had his father. Yet when it became certain that Japanese forces would invest Chinchow, he retired from the command of the remaining Chinese forces north of the Great Wall and turned over his right of control to his uncle, his father's brother, Chang Tso-hsiang, with whom the Japanese seemed to arrive at a rapid understanding. By so doing, young Marshal Chang saved himself and his uncle from the "loss of face" attending a defeat, and at the same time could be interpreted to be Japanese in sympathy. Such action has many precedents in Chinese military history; commanders have often without bloodshed transferred large bodies of troops from one side to the other to obtain power and vantage. In China such tactics are often considered wise and a credit to the warrior.

Meanwhile, the Japanese cabinet was having a difficult time explaining to the League of Nations, the United States and other powers, why force was being used. Russia, though taking no open interest, was thought to be acting secretly, but on which side it was not clear. The League of Nations was first to act.

Within 24 hours after the outbreak of violence on the South Manchuria Railway, the Japanese representative on the Council of the League reported that his government had taken "all possible measures to insure that this local incident should not lead to any more serious complications." There is some evidence of a difference in opinion between the Japanese civil leaders in Tokyo and the Japanese military heads in Manchuria, although both groups would readily include Japanese seizure of Manchurian towns and railway points as among the "possible measures." Three days later (September 21, 1931), the Chinese government invoked the aid of the League.

The League was uninformed of the attitude of the United States, the state most affected by this crisis because of its ex-

tensive trade and financial relations with Japan and its long tradition of supporting the national integrity of China and equality of trading rights. For a few days the League Council contented itself with "hearing with satisfaction" the Japanese assurance that efforts were being made to maintain peace. The aid China invoked of the League could be, for example, an inquiry by the Council or its agents, or an invitation to submit the dispute to the Hague Arbitral Tribunal or to settlement by the Permanent Court of International Justice. The League, at that time, rejected the Chinese demand for a commission of inquiry, probably because it was uncertain of the American attitude. As time passed, however, with China repeating her demands, the Japanese denying that any "war" existed and American opinion clarifying, the League became more active. A resolution of September 30, 1931, asked the two parties, China and Japan, to settle the matter between themselves and this was followed by a request on October 22nd from the Council to Japan to withdraw within the railway zone by the middle of November, when the Council would again meet.

Mr. Prentiss Gilbert, consul-general of the United States at Geneva, participated informally with the League in the proceedings in the October meetings on the Far Eastern problem, and Secretary Stimson announced that the United States "acting independently, . . . will endeavor to reinforce what the League does." While this formal isolation from League action was criticized by many who wished to see the United States take part in the discussion, it satisfied the opponents of the League in America and attained the end of common action. After exhausting debates and quibbles, the neutral members of the Council reaffirmed their earlier resolutions and "noted" that "both powers undertake to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life." It asked further information from all interested parties.

Most important of all, the League created the commission of inquiry which it had earlier refused. This commission, appointed by the Council, consisted of five men, of whom the Earl of Lytton was elected chairman. The other members were Count Luigi Aldrovandi of Italy, Major General Frank R. McCoy of the United States, General Henri Claudel of France,

and Dr. Heinrich Schnee of Germany. It was accompanied by Isaburo Yoshida of Japan and Dr. Wellington Koo of China as assessors and also by a number of men of wide experience in Far Eastern legal and economic affairs. After long debate, it was finally given authority sufficient to permit it to inquire into the events of the preceding and intervening months in Manchuria, and it was ordered to report back to the Council. Its work was, however, limited in scope, because any possible agreement arrived at independently between China and Japan was not within its powers of review. Japan, in consenting to the creation of this commission, made a definite reservation that the Imperial Army might be obliged to "start military operation against bandits . . . for the purpose of restoring peace and order."

After some delay in appointing the commission and open Japanese opposition to its arrival via Russia or by airplane, this body set sail for Japan via the United States the last week in January, 1932. It arrived in Japan the 29th of February, remained there twelve days, and visited high Imperial officials and industrial leaders in Tokyo, Kyoto and Osaka. It arrived in Shanghai March 14th, in time to get a direct view of the destruction wrought in that city by the Shanghai affair of February and March.¹² From Shanghai it went north by slow stages, visiting Nanking en route. The new regime in Manchuria threatened to refuse admission to the Chinese adviser, Dr. Koo, but Japanese officials nullified this decision, and promised that wherever Japanese troops were stationed, Dr. Koo would be safe. Members of the commission proceeded from Peiping to Mukden by varying routes April 17th to 21st, and subsequently visited Changchun early in May. Here they met further obstacles; Russia refused to cooperate with information or facilities because Russia had not participated in its earlier activities; furthermore, the authorities of the Manchurian government wished to arrest Dr. Koo as a political agent of China. Again at Harbin, where the commission arrived May 9th, an access of police and military guard made the process of getting evidence difficult. After visiting many Manchurian cities, the commission revisited Japan early in June and returned thence to China, where its report was written.

¹²See p. 49.

3. MANCHUKUO

Before the League commission had reached Tokyo, the face of matters in Manchuria had changed. Even before Chinchow was entered, interviews were given out by Japanese officers in Manchuria concerning the creation of a "separate state." As early as November 10, 1931, Japanese officials announced the erection of a new civilian administration at Mukden. During the following months, plans were formed and put into effect for changes in the regimes of the three provinces. Conferences of war-lords from the three Manchurian provinces took place in Mukden during January with representatives present from Jehol and other parts of Inner Mongolia. February 13th (the day the League commission sailed from San Francisco), the new minister of war in the Japanese cabinet gave an interview in Tokyo outlining the new state to be created under the "positive support" of Japan. Four days later, reporters learned from "semi-official Japanese sources" (members of the diplomatic corps at Shanghai) that the governors of all the provinces were to confer to found a new state, which would have, it was said, a written democratic constitution, a perfected judicial system, a policy of friendly political relations and an Open Door to commercial relations.¹³

Four days later the deed was done. Though the personnel of the new governments in the provinces was not complete, the "big five" of Mukden,¹⁴ with other "Manchurian leaders," attended a banquet with Japanese generals in celebration of the erection of a new Manchurian regime. A Northeastern Executive Council consisting of leaders of the four provinces came into existence to act as a Manchurian central government. It created a flag from a combination of Chinese bars and the Japanese rising sun. It laid down five fundamental principles: (a) a popular sovereignty; (b) the autonomy of the State; (c) equality of races; (d) coöperation among racial elements; and (e) maintenance of the Open Door policy of equality of opportunity to all.¹⁵

The first name considered for the new state was "Ankuo,"

¹³The Open Door as here used should not be confused with the original meaning of the "Open Door" in American policy. See below, p. 41.

¹⁴Tsang Shih-yi, Hsi, Hsia, Chang Ching-hui, Chao Hsin-po, Ma Chan-shan.

¹⁵*New York Times*, February 18, 1932.

which signifies "land of peace," but Manchukuo, "land of the Manchus" soon took the place of the more idyllic term.¹⁶ The announcement of the formation of Manchukuo was drafted by the mayor of Mukden, believed to be a loyal friend of Japan. The declaration of independence was signed by the Governor of Fengtien, the Governor of Kirin, the Governor of Heilungkiang, the Governor of Jehol, together with two Mongolian princes and General Ma Chan-shan, the chief remaining warlord of Manchuria, who had supported the Chinese cause in 1931.¹⁷ Meeting on February 20th, the same committee selected Henry Pu Yi, "the boy Emperor of China," a Manchu prince deposed as emperor since 1911, with the ambiguous title of *Gensu*, or chief officer of the new state, and at the same time declared that Changchun should be the new capital. That all these arrangements were simply the fulfillment of old plans became clear when on the same day, Japanese officials in Shanghai, many miles away, declared that Manchukuo would assume its share of China's debt, but would immediately establish a new and independent customs service and tariff system.¹⁸

The committee postponed for a few days a meeting at Changchun to elect the members of the new government. Many minor officials, already appointed, albeit informally, were already acting in official capacities. On February 24th, General Ma Chan-shan took over the chairmanship of the Heilungkiang Provincial Government as an agent of the new regime. The Japanese commanders who had banqueted in Mukden witnessed an exclusive inauguration March 9, 1932, when Henry Pu Yi was inducted into the duties of his new office at Changchun, henceforth named Hsinching. Japanese soldiers lined the streets for the ceremonies. While the installation ceremonies were under way, Mukden witnessed an outbreak of rioting. Chinese insurgent soldiers in small groups continued to attack the South Manchuria Railway line at various points.

The government of Manchukuo was organized into legislative, executive, inspection, and judicial branches. The executive, however, consisted of two separate bodies. One, the cabinet, also called Council of State, was to have a premier and nine other members, heads of departments. These officers,

¹⁶"Tatung"—the Great Unity—was discussed.

¹⁷*New York Times*, February 19, 1932. About two months later General Ma withdrew.

¹⁸No attempt was made to fulfill this prophecy for several weeks.

however, were purely administrative and could make no exercise of "discretionary power."¹⁹ The second body of the executive department was to be the Board of General Affairs, which alone had power to make decisions on matters of policy, personnel, or the budget. This board was to consist of a president and six bureau chiefs, none of them Manchurian or Chinese but all of them Japanese.²⁰ Inasmuch as almost all matters of any importance in government can be brought under policy, personnel, and the budget, it is obvious that Japan controls Manchukuo directly. By the last of April, more than 600 Japanese "advisers" were at work in Manchukuo and Japanese interpreters attended every interview given by major officials.

The new government under its seven Japanese guides promptly tried to secure recognition of its so-called "independence." It formally notified the Chinese authorities,²¹ the League of Nations, and the states of the world, of its new position, and formally asked recognition, which so far it has not received except from Japan. It enlarged its staff of Japanese officers. It set about negotiating a loan of 20,000,000 yen (about \$10,000,000 at normal exchange rates) from Japan; and almost the first act of its new chief was to ask the assistance of Japan in "suppressing irregular forces" of the Chinese army in his new domain. Manchukuo has further been considering a variety of plans for bringing Japanese colonists in well-organized groups, a form of mass immigration. The new government at once began to examine currency and tariff questions, preparatory to disestablishing the Chinese customs service at Manchurian harbors, and to confiscating its revenues, particularly those from the Salt Gabelle, for the public purposes of Manchukuo. This at once brought it into open conflict with the government at Nanking.

The government of China has flatly refused from the be-

¹⁹The details given above are taken from a review by Hugh Byas in the *New York Times*, May 8, 1932, of an article by Major Tadashi Hanaya, an officer of the Japanese General Staff, in the Japanese economic journal, the *Diamond*. They are supported by the *Report of the Commission of Enquiry*, pp. 97-107, in greater detail, particularly in regard to policy.

²⁰The titles of the six bureaus may reveal the nature of Japanese dominance; they are accounts, personnel, purchasing, legislative, statistics, and secretariat.

²¹Both the governments at Loyang and in Nanking then at odds.

gining to recognize the validity of these proceedings. Japan waited. In the middle of June, 1932, the Manchukuo government announced that it would assume the "Manchurian share" of China's debt to foreign powers and that it would henceforth collect the customs revenue at Dairen, a Japanese territory leased from China, whose customs revenues had hitherto, under treaty terms, been sent to Shanghai. One purpose in Manchukuo's announcement became apparent a few days later. Manchukuo dismissed the Salt tax, postal and customs officers of China, and also erected its own office at Dairen; whereupon the Japanese said this action was of no interest to Japan. The Japanese Chargé d'Affaires in Peiping suggested to the representatives of the foreign powers that the Manchurian customs could be used to meet the Manchurian share of Chinese debt services. The Japanese hinted that this plan might not be "entirely consonant with Manchurian claims to independence,"²² whereas the fact is that entirely the contrary is plausible. For if Manchukuo were legally permitted to take over Chinese customs and debt services, it would seem that she would have established a good claim to an independent legal existence as a recognized and functioning economic entity, a free and separate state. From beginning to end, the manner of creating Manchukuo is strongly reminiscent of how Japan obtained by force and diplomacy the independence of Korea, which she later annexed.²³

Manchukuo was finally recognized as a separate state by Japan in a "protocol" signed by Japanese and local representatives in Changchun on September 15, 1932. The signing was preceded by a formal parade of Japanese armies, and the ceremonies themselves were marked by such details of Japanese precedence as to indicate markedly the vassalage of Manchukuo to Japan. In the "protocol," which is to be followed by an "extensive" economic treaty, the two "governments" agreed that: (a) Manchukuo was to confirm all Japanese rights and interests, public or private, possessed "by virtue of Sino-Japanese treaties, agreements, or other arrangements, or through Sino-Japanese contracts." This agreement goes far beyond the "treaty rights" over which Japan is quarreling with China. (b) Japan and Manchukuo would "coöperate in the mainte-

²²*New York Times*, June 23, 1932.

²³For corroboration of this statement readers need only examine any detailed history of Korea, widely obtainable today.

nance of their national security, it being understood that such Japanese forces as may be necessary for this purpose shall be stationed in Manchukuo." The Commander-in-Chief of the Japanese armies in Manchukuo said that henceforth Japan and Manchukuo "are bound to stand or fall together, never alienated."²⁴

Manchukuo promptly sent telegrams in its own name to the League of Nations, which ignored their arrival. Although its boundaries had not been declared, it was assumed in Tokyo that the recognition included Jehol with the Three Eastern Provinces, giving Manchukuo an area equal to almost 16 per cent of that of the continental United States. Of all nations invited to do so, only Russia accepted consuls from Manchukuo, and a dispatch, significantly from Tokyo, on September 24, 1932, asserts that such acceptance is *de facto* recognition.

The establishment of the new state was not and is not at the present a peaceful proceeding, nor one tending to create an impression of local support. The Commission of Enquiry believed the independence movement not to be "genuine and spontaneous" and also to be lacking in local Chinese support.²⁵ There has been friction among the cabinet members, and between Henry Pu Yi and his Japanese advisers. There has been open revolt. Large remnants of the armies of Chang Hsiao-liang, under capable heads, carried on sporadic attacks on the Japanese military defenders of Manchukuo. The only province which retained even comparative peace was that of Fengtien. Revolts broke out at many points in Kirin province during February and March, 1932. The subsequent guerilla warfare hindered the Japanese advance in that area, which lies directly north and northwest of Korea. Russia took an active interest in the eastward and northward movement of Japanese troops, and there have been many conflicting rumors concerning mass concentration of armies along the Siberian frontier.

Meanwhile, the Japanese battle fleet began strange maneuvers in the Sea of Japan, and new Japanese troops "replaced" those which had hitherto borne the brunt of Manchurian fighting. Foreign observers repeated to their governments that the strength of these new "brigades" was sufficient to rank them as "divisions."²⁶ This information, combined

²⁴Hugh Byas, *New York Times*, September 16, 1932.

²⁵*Report of the Commission of Enquiry*, pp. 97 and 111.

²⁶*New York Times*, March 11, 1932.

with the difficulty of getting any uncensored news while Japan controlled the available cable and radio lines, caused increased concern over Japan's purpose in the Far East; concern which the simultaneous heavy warfare at Shanghai only confirmed and magnified. Lieutenants of Chang Tso-hsiang, brother of Chang Tso-lin, joined the insurgents. Further revolts in Heilungkiang province called General Ma Chan-shan, then Minister of War, back to Tsitsihar, and by March 23rd, Manchurian forces rose in revolt in Southwestern Kirin within 35 miles of Changchun. The Manchukuo government had already invested and occupied the seaport of Hulutao, which China had been developing as a rival to the Japanese port of Dairen; but it had not assumed complete control of Inner Mongolia, where Chinese-Manchurian forces were restive. Japanese army leaders used the word "bandits" for all these insurgent or "irregular forces," without distinguishing between them and the smaller groups of individuals outlawed for a variety of reasons, and living by occasional forays upon the settlements.²⁷ The troubles have continued.

4. WORLD INTEREST

Fifty years ago such events in the Far East would have evoked little attention outside of the greater European powers, who would have sympathized with the professed motives of Japan and been eager to share in the fruits of territorial division. They had themselves taken under pressure of force a number of concessions in China, and were then rapidly dividing Africa. Today is a different matter. Any modern power, and especially the United States, must be interested in any matter which brings China and Japan to blows. Many states trade with both of the parties to the dispute and with Manchuria, the contested area. Many powers have Asiatic possessions whose interests are tangled with those of the disputants. Any conflict in the Far East inevitably drags in questions which vitally affect every other modern state.²⁸ Ever since the Russo-Japanese War of 1904-1905 this fact has been corroborated by the conduct of the diplomats of all states. In the past twenty years, the world has also experienced a worldwide war and witnessed the stress, disaster and suffering that

²⁷For a discussion of "bandits" see p. 24.

²⁸See below, pp. 40 ff.

follow the use of force in international disputes. World-wide attention was therefore at once awakened. In 24 hours after the outbreak, the Manchurian situation made the front page headlines.

Any matter of common interest rising out of a quarrel between two parties can be settled in two ways; by themselves or by the two interested parties with the support of others affected by the dispute. Where force has been used by either party or both, and both are important countries, the participation of others is usually necessary to effect any settlement other than a fight to the finish. In this dispute force of a highly military character was already being used, and the only possibility of avoiding general war lay in exercising international pressure to end the fighting, and to establish a diplomatic rather than a forced peace.

To effect this diplomatic peace, the heads of modern states have an instrument lacking 20 years ago—the League of Nations, a body for settling international grievances without war, a body of which both China and Japan were members. The Covenant of the League does not outlaw war, nor even make its outbreak impossible. Under it, however, members are pledged “to respect and preserve as against external aggression the territorial integrity . . .” of all members of the League. If war or threat of war arises, three methods of settlement are possible: an inquiry by the Council; an arbitration procedure; or submission of a dispute to the World Court. In this case, China volunteered to submit to an international arbitration but Japan refused.²⁹ The subject matter of the dispute may lie within the jurisdiction of the Permanent Court of International Justice, of which both parties are also members, but to use this means of settlement both sides must voluntarily accept the jurisdiction of the Court. As this is a step further than simple arbitration, it has not been suggested for the present case. Under these circumstances a commission of inquiry was the only remaining means by which any agreement could be reached, and this commission was created under the League resolution of December 10, 1931. The United States supported this move of the League, and had a member on the

²⁹Japan is one state which has never accepted an arbitration treaty of any sort, although there has recently been mention of negotiations to effect one between Japan and the Netherlands.

commission. Under the constitution of the League this commission had to report within six months of the time of the submission of the dispute—by the summer of 1932.

5. *The Explanations*

Japan's explanation, which follows, is simple. China is unable to maintain order in Manchuria. She deliberately encouraged a boycott campaign against all Japanese activities and this violated the treaty rights of Japan, especially those gained after the Russo-Japanese War when China transferred to Japan the legal rights of Russia to railway leases and administration. Furthermore, the "banditry" and boycott violate Japan's "special position" of privilege in Manchuria, secured during the World War, as a result of the Twenty-one Demands.³⁰ In these circumstances, Japan holds that she must defend her citizens in the interest of the "sanctity of treaties."

The specific terms of the Sino-Japanese treaties cover a number of economic questions. Article 5 of the contract for the construction and operation of the Chinese Eastern Railway in 1896 (later transferred to Japan) in part reads: "The Chinese Government will take measures to assure the safety of the Railway and of the persons in its service against any attack." This, Japan asserts, has not been fulfilled. In supposedly "secret protocols" connected with the Treaty of Peking between Japan and China, December 22, 1905, the Chinese government was "not to construct, prior to the recovery by them of the said railway, any main line in the neighborhood of and parallel to that railway, or any branch line which might be prejudicial to the interest of the above-mentioned railway."³¹ These obligations, Japanese speakers declare, have been violated by the

³⁰For the circumstances surrounding these demands, readers may turn to any modern history of the Far East, preferably to more than one, as they are written from controversial points of view.

³¹These terms are quoted from the treaty published in the South Manchuria Railway Company's *Second Report on Progress in Manchuria to 1930*, pp. 251-2. They are also to be found in MacMurray, *Treaties*, etc. It is interesting and illuminating to compare the accounts of the negotiations of this treaty in the Railway Report cited above, pp. 39-46, with those of C. W. Young, *The International Relations of Manchuria* (1929), pp. 67-76, and Appendix B., pp. 258-265. The actual form of this agreement, oral "minutes" during the discussion of treaty terms, is revealed in the *Report of the Commission of Enquiry*, p. 44.

Chinese construction of the port of Hulutao and connecting railway lines. The validity of these contentions will be discussed below.³²

China's answer to the Japanese assertions is that the interpretation of treaties, rather than their "sanctity," is at stake. Some Chinese go further and say that a question of validity might be raised. The "secret protocols" were not in form a treaty.³³ The Chinese further declare that a treaty obtained under duress, like that after the Twenty-one Demands, has no moral validity. The signature of China to this document was obtained only under the threat of immediate war. This is an old Chinese argument and one recognized as valid in Catholic moral theology, but not generally recognized in international law. It is, however, considerably weakened by the Japanese counterclaim that the Japanese ultimatum was issued at the request of Chinese leaders, who reported they could not otherwise accept the Japanese demands.³⁴ Some Chinese leaders point out that even if these treaties were valid at their beginning, they were subject to prior international agreements concerning the Open Door, and modified by later ones; and that the Japanese method of procedure by force is contrary to a number of international obligations also secured by treaty, to wit, her obligations under the Covenant of the League, the Nine-Power and the Four-Power Treaties of the Disarmament Conference of

³²See p. 35 ff.

³³See C. W. Young, *The International Relations of Manchuria*, pp. 18-25.

³⁴This assertion is found in the memoirs of Admiral Baron Kato, who conducted the Japanese negotiations. The author is now dead, and his assertion may be taken at its face value, or dismissed as propaganda. It is only fair to say that the use of force has frequently been a deciding factor in international dealings with China and that the desire to "save face" on one side or both has frequently led to misrepresentations and recriminations in negotiation with Oriental states. It is a factor which must be considered. It fundamentally affects the Chinese and also the Japanese concept of a treaty, making it an agreement between the groups temporarily in power rather than a binding agreement between permanent political units. See Lattimore, *op. cit.*, pp. 148-177. But the Japanese have learned to use Occidental methods and phraseology even while the contents of their phrases are ambiguous, whereas the Chinese are still using the words and to some degree the methods of their Oriental past. Mr. Lattimore says these concepts are the result of historical and political age, and predicts that eventually when the Occidental world is sufficiently aged, these may become the methods of the West as well as of the East.

1921-1922, and the Kellogg-Briand Pact. This also is the attitude of the League of Nations and the United States.³⁵

To say the treaties are the cause of the conflict is to stop short of the truth. The contents of the treaties, the economic issues, are in dispute.

6. *Economic Issues*

a. *Banditry.*

The first Japanese explanation for the use of force was Chinese failure to maintain civil order in Manchuria against bandits. Bandits are an old phenomenon in China, where refugees from flood and civil war as well as from the law have often sought the hills and lived by plunder and where, more recently, soldier bands have wandered without responsible leaders. These freebooters have usually traveled in groups of from five to twenty men. Some few larger units have had almost a military character. In China, where the police power lies in the local government rather than in the central government, the local authorities have dealt with these "bandits" in two ways. They have taken them into the local police force or paid them not to trouble the community.

There are many reasons for recent increases in banditry. The greater part of the population of Manchuria consists of comparatively new immigrants from various provinces of China. Formerly, Manchurian bandits were native frontiersmen engaged in forbidden occupations, hunting ginseng or rare furs, or in the opium trade. Then banditry became the means of livelihood for numbers of the agricultural population. Some were discouraged homesteaders who had deserted their holdings. Others continued to work the land during the summer and turned bandit during the winter. Still others were small farmers dispossessed during periods of racial antagonism between Manchurians and Mongols, or Chinese, Koreans, and Japanese. Many thousands have become "bandits" during the present conflict. Many lived by being paid not to interfere rather than by interfering. Without doubt they were and are a great drain on trade.

The term "bandits" as used officially by the Japanese might easily include members of the armies of Chang Hsueh-liang and

³⁵See the policy of the United States and the League of Nations below, p. 41 ff.

his coöperating generals. Undoubtedly the internal struggle between leaders to govern China still further disarranged the orderly life of Manchuria, because more ex-soldiers had drifted with the large migration in that direction. But for at least ten years Manchuria was governed by one of the strongest of the Chinese war-lords, Chang Tso-lin, whose well-stocked arsenal and enormous army maintained a disciplined order within his jurisdiction. The Japanese, however, claim that the only real order in Manchuria was along their railway line. Chang Hsueh-liang, who succeeded to his father's wealth and military forces, differed from his father by being interested in the growth of a strong central government at Nanking. "Bandit raids" increased under his régime.³⁶ There is some reason to question whether these raids were due to the inability of the Manchurian army to restrain its own men and maintain order, or to growing anti-Japanese feeling and a boycott, or whether they were fomented by the Japanese army to strengthen its charges of disorder.

Japan has grounds for her charges of banditry. But exactly what damage can be credited to these activities is uncertain. Before deciding between Japan and China, the interested nations wish to know the gravity of the offense, and the proof for the charges. Was it only since Chang Hsueh-liang showed some willingness to coöperate with the Nanking government that "disorder" was charged against his troops? Is Japan counting soldiers of the regular army as bandits, and on what grounds? Since all forces which are now in agreement with the "puppet government" of Manchukuo are by the Japanese termed "irregular," are they also to be called bandits? If so, international law is being reversed, and an insurgent government, though unrecognized, is assuming the authority legally belonging only to a *de jure* state.

b. *Weak Government.*

The question of ridding China of bandits is closely connected with the character of the government. For a long time

³⁶*The Second Report on Progress in Manchuria to 1930* of the South Manchuria Railway Company, pp. 16-19, records an annual average of about one a day, but also shows that a preponderant number of such attacks were perpetrated by groups of less than ten men. It also fails to define "raid," which leaves the figures ambiguous. See *Report of the Commission of Enquiry*, pp. 82-83. Also pp. 19-20 thereof.

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past the modern powers have realized that China could not truly be called a modern state. Only after great pressure had been applied did China consent to have any dealings with other countries. Long a civilized country with barbarian neighbors to the north and west, China early adopted an attitude of superiority toward others, exacting official tribute in return for Imperial gifts to tribal chieftains, and refusing all recognition of others' equality. In the early days of trade with her, foreigners were permitted very narrow privileges, and could deal with the Chinese only through a league of merchants, who, however wealthy they might become, were not of a high social standing. They constituted the lowest of the five social classes of the Empire. If any trouble arose, the merchants as a group were held responsible, and whether or not involved, one was made a scapegoat. None of the provincial authorities ever troubled the Emperor over the treatment of merchants or the administration of justice. To do so would be to admit his own incapacity for governing in a highly decentralized country. Not until 1860 did the Western Powers first establish direct connection with the central government. Since that time China has had the name of a modern state but hardly the reality. Some of her citizens have assumed a few of the surface features of a Western way of life, and adopted a number of Western economic processes such as machine manufacture and railways, but there are large regions still unopened to any permanent settlement, or even to foreign trade except through Chinese agents. There is a seacoast fringe of Western living, and little more.

By dint of threat of war and ever present naval detachments, the Western Powers succeeded in forcing the central government to protect foreigners, although occasional anti-foreign riots continued to occur. By the same means they forced from Chinese officers special territorial "spheres of interest" for Western enterprise, leaseholds, residential sections, and some political privileges such as special "extraterritorial" courts and foreign postoffices.³⁷ Japan shared in the fruits of these actions.

After 1898, the central government, never an effective ruling agency, grew steadily weaker, and in 1911 gave place to a republic, governed by a supposedly representative legislature.

³⁷Many of these privileges passed with or following the Chinese arrangements at the Washington Conference, but the foreign powers still require China, by treaty, to maintain a low tariff level.

The first president, who held office only till 1914, was the famous Chinese nationalist, Sun Yat Sen. From 1914 to 1918, the new government, a combination of conflicting interests, almost merited the title of dictatorship under Yuan-Shih-kai. In 1918 it passed under the control of a number of military leaders. Finally, in 1925 it became a party dictatorship, under the Chinese Nationalist, or Kuomintang party, whose outstanding military leader was Chiang Kai-shek, brother-in-law of Sun Yat Sen. First Canton, then Nanking became the capital of the new China, from whence Peking (now Peiping) was controlled. By 1928 the Nanking government gained the effective allegiance of Marshal Chang Hsueh-liang, and had the shell of unity.

The government of China is not a representative democracy as it purports to be, but virtually a military dictatorship, under a number of indifferently coöperating war-lords. Since 1927 there has been a southern Chinese government of a communistic bias at Canton, which occasionally coöperates, but usually does not, with Nanking policies.³⁸ The Nanking government consists of a central assembly made of party delegates from the provinces, and a council of state, the real government, made up largely of military commanders with a few diplomats.

Public finance was and is the greatest problem of China. The main sources of national revenue are the customs duties, collected by a customs service under a foreign chief, the postal duties, the Salt Gabelle, and the more or less customary contributions of provincial governors who are in sympathy with the nationalist cause. The central government must first of all pay its soldiers and maintain order in China. It cannot support any extensive movement for education; it cannot supply arms and ammunition for any extended warfare; it has so far been unable to find revenues sufficient to pay the public debts for railroads, harbors and roads contracted by preceding governments, debts now long unpaid and overdue. Under these circumstances foreign bankers are unwilling to lend without greater security, and some knowledge of where the money is to be spent. Thus the leaders must finance their activities partially by their personal profits from whatever source, and they have neither the time nor the means to supervise the various local governments. There is considerable justification for the Jap-

³⁸See the *Report of the Commission of Enquiry*, pp. 20-24.

anese complaint that the Chinese government is a fiction, a power unable and possibly unwilling to keep the peace within its jurisdiction.

Although the rest of the world is willing to concede the Japanese argument about Chinese governmental weakness, and even to sympathize with Japan's irritation and desire to have China exhibit some national stability, it believes neither that violence will bring peace, nor that warfare will make the Chinese more friendly to the Japanese. It has furthermore begun to suspect the sincerity of Japanese protests.

Japanese bankers and diplomats have steadily approved loans to China in the face of the very conditions they complain about, and have moreover tried to dominate or monopolize loans to China, especially in Manchuria.³⁹ Moreover, the present functioning of the Japanese government, in its trend to army control, highly resembles that of China itself. In Manchuria the Japanese army and in Shanghai the Japanese navy have not taken orders from the civil administration, but from their own military heads. At present the strongest member of the Japanese cabinet, Count Uchida, former head of the South Manchuria Railway, is sympathetic to the military policy.

In Japan, as in China, a very strong censorship of news exists so that the people did not know for some time that their soldiers were engaged in any extraordinary struggle.⁴⁰ One of the reasons for this undemocratic censorship of news by both nations is that the illiterate public becomes wrought up over defeat, and it is easier to settle matters, and to save face, when the public has not heard details.

c. *Boycott.*

The second major avowed purpose of Japanese spokesmen is to stop the Chinese boycott against Japanese trade and industry. The boycott, usually sponsored by private associa-

³⁹See any modern history of the Far East.

⁴⁰This is a usual occurrence. A Mukden letter from Hallett Abend to the *New York Times*, sent November 15, 1931, describes the censorship exercised by both Chinese and Japanese officials in Manchuria. A later Tokyo dispatch reported that the Japanese people first learned of the Japanese attack on Shanghai on February 7, 1932, when the Japanese army had already landed in China, and a full seven to ten days after Occidental newspapers had published Japan's action. Some time passed after Japan withdrew from the League of Nations before that fact was published in Japan.

tions, is a peculiarly Chinese weapon of opposition, a form of passive resistance which is their best method of defense, aggression or evasion. The Chinese are not a warlike people. For possible 2,000 years their highest ideal has been that of philosopher-statesman. They have looked upon soldiers as a necessary evil. In Japan, on the contrary, in the old samurai tradition, the highest concept of manhood is the warrior. In Manchuria, therefore, a nation imbued with the tradition of military honor is at odds with a nation without any military tradition whatsoever.

An anti-Japanese boycott arising from a dispute over Korean settlers was rapidly spreading in Manchuria in the summer of 1931, taking many forms, among them the use, wherever possible, of Chinese-owned railways and shipping.⁴¹ After the Japanese used force, the boycott, furthered by the Kuomintang party, spread like wildfire into China, too. How effective it was may be gathered from these facts: British mills at once began to run busily with orders formerly filled by Japanese-owned mills in Shanghai; the American Trade Commissioner in Shanghai reported that the boycott on sending Chinese goods in Japanese ships resulted in 400,000 tons of idle Japanese shipping by December 1st and later that the boycott in 1931 reduced Japanese industrial activities by 50 per cent in the North, and in the South China to 15 per cent of their original extent.⁴²

When Japanese voices assail the "boycott," however, their meaning is not quite clear. The boycott is not defined any more clearly than the term "bandits." Are Japanese officers protesting the 1931 case? If so its causes, too, must be examined. Are they protesting the Manchurian boycott only, or is that in Shanghai in some degree connected with Manchuria in its origins?⁴³ Do they wish to stop the use of any boycott at any time?

The Japanese authorities in this crisis have steadily refused to use the word "war" to describe their activities. They have

⁴¹Incidentally, these were cheaper. See p. 38.

⁴²See reviews of Department of Commerce advices, *New York Times*, December 13, 1931, and the Department's *Fortnightly Bulletin*, *passim*.

⁴³Throughout the Shanghai affair, January 28 to May 5, 1932, Japanese officers consistently blamed the Chinese boycott, as well as other immediate causes, for Japanese force there, and with equal persistency refused to connect the Shanghai case with that of Manchuria.

taken the position that a war must be openly declared to be legally war. At the same time they have frequently asserted that the Chinese bandit raids, but more particularly the boycott are an act of war, which would lay the blame on the Chinese for the present state of affairs.⁴⁴ This is inconsistent.

The word boycott is capable of at least three legal meanings. An economic boycott may be the result of the acts of thousands of individuals, without government sanction or approval. Governments are expected to restrain their citizens from such acts against inoffensive non-nationals.

In its other two meanings, the boycott is a recognized instrument of governmental policy in international law. In one sense it may be, as the Japanese say it is, an act of war, that is, a method of action used in war; but it is not always or necessarily an act of war when used. It is usually classified by international lawyers as "force short of war," a means of offense or defense whose use does not, as a matter of course, involve states in war. That it is force is clear; that it may lead to war is also clear; but not that it must be an act of war. The methods by which the Japanese are opposing the boycott are, however, war; for contrary to their contention, it is not necessary that war be declared in order to be war. Since war can now be declared only under certain circumstances by members of the League, it is probable that wars will be waged without declaration, unless by collective action of interested parties. The hope and wish for peace on the part of the Great Powers is all that prevents Japanese action in Manchuria from being called "war."

Boycott, in its final sense, is an international instrument

⁴⁴A *New York Times* dispatch, February 26, 1932, from Hugh Byas, quotes a Tokyo Foreign Office spokesman as follows: "People speak lightly of an economic boycott, but it is tantamount to war and will eventually lead to actual war—and war with the whole world is too staggering a proposition for Japan to be able to form any conception of its effects."

"We consider an economic blockade impossible because Japan has not been guilty of an act justifying such a measure. If those 'bloodthirsty pacifists' who threaten an economic blockade understood what they were saying they would realize it was a very dangerous game."

See also Quincy Wright: "When Does War Exist?," *American Journal of International Law*, April, 1932, and the same author, "Collective Rights and Duties for the Enforcement of Treaty Obligations," *Proc. American Society of International Law*, April 28-30, 1932, pp. 101-119.

fully recognized in international law as a method of control in questions of international dispute. Article XVI of the League of Nations, whose Covenant Japan has ratified, expressly permits the Council of the League, unanimously agreed, to recommend an economic boycott against a state which fails to fulfill its international agreements;—which, for example, goes to war before the required period of delay is over. After hearing the report of the Commission of Enquiry, it will be within the power, although not the duty, of the members of the League Council, excepting Japan and China, to recommend further action, including a boycott, against either state which refuses to accept a unanimous international settlement. Like the others, Japan, in the League, has accepted legally the possibility of a boycott; she has accepted it by treaties later than and equal to the treaties whose "sanctity" she is asking China to maintain; and furthermore, she has agreed in the same international agreement that treaties contrary to her obligations under that Covenant shall be void.

Behind the banditry and the boycott are matters more vital to Japan—her economic interest in both China and Manchuria. It is very large, and greater than that of any other power, or of other powers combined; and it consists chiefly of three elements—an interest in trade, in railroads, and in land.

d. *Trade.*

(1) *China and Japan.*

All the Great Powers have a capitalistic interest in all three of the regions—China, her Manchurian Provinces and Japan—and inevitably the three are interested in one another. Japan has a key position. She imports much raw material from Manchuria, the United States and elsewhere, and sells textile goods, steel and iron products, kerosene, etc., to China and Manchuria; almost four-fifths of Japanese raw silk exports have gone, in recent years, to the United States. The Japanese make up the difference in their normally adverse balance of trade (thirty-one millions out of a two-billion total in 1929) from the profits of manufacturing raw materials into finished products by cheap Japanese labor in Japan, and also from their investments of capital, employment of cheap Chinese labor in Shanghai and other Chinese mills, and in Manchurian

mines. Where as China has been Japan's best eastern market, the United States has been Japan's best customer, purchasing 41.5 per cent of Japan's total exports in 1929; while China, including the Kwantung Leased Area and Hongkong, absorbed 26.7 per cent. In the same year Japan purchased from the United States almost one-tenth (9.8 per cent) of all our foreign exports, of which cotton was the major single product.⁴⁵ The entire volume of the trade between Japan and the United States alone in 1931 was over 360 million dollars, but even that represented a drop of more than 82 million, or almost 20 per cent of the trade of 1930, due to the falling off in the demand for silk.⁴⁶ Cotton, spun and woven in Japan into low grade cotton goods, is sold in China. On the average, between 15 and 20 per cent of Japan's exports to China are textiles. In addition Japanese capital controls 43 of the best cotton mills, chiefly in or near Shanghai, and thereby 39 per cent of the spindles. Mills secretly mortgaged to Japanese capital might account for another 30 per cent of Chinese spindles. The labor in these mills is Chinese, the management Japanese. Almost one-tenth of the entire Japanese investment in China, or about 120 million dollars, is in cotton mills alone, and there are several associations of cotton mill owners united to carry on activities in protest against the boycott. Japan has a real "stake" in China, and will suffer keenly as a result of opposition to her Manchurian policy.⁴⁷

Japan is like Western Powers in that surplus capital of her investors is invested abroad. All the major powers have investments of capital in China. One reputable estimate of foreign investments in China gives Great Britain and Japan in dollars each a billion and a quarter; Soviet Russia about 300 million; the United States 250 million, of which one-fifth is in Christian and philanthropic institutions.⁴⁸ The actual number

⁴⁵The Japanese figures vary but slightly from American estimates. For further details see Orchard, J. E., *Japan's Economic Position* (1931), pp. 122-28.

⁴⁶Review of U. S. Department of Commerce advices. *New York Times*, February 29, 1932. A short analysis of trade relationships appears in the *Report of the Commission of Enquiry*, pp. 112-114; and in *Special Study No. 8* of the annexes thereto.

⁴⁷*Report of the Commission of Enquiry*, chapter VIII, pp. 121-126.

⁴⁸Quoted by George E. Sokolsky, from George H. Blakeslee, Far Eastern adviser to the State Department, in the *New York Times*, February 7, 1932.

of foreign residents in China is variously counted, but one estimate credits Japan with over 500,000, including the Leased Area; Russia with about 100,000; and indicates 40,000 others, of whom Great Britain could claim 13,000, the United States, 7,000, France, 8,000, and Germany, 3,000.

(2) *Manchuria.*

The economic situation in Manchuria differs from that in China. There are far fewer European nationals, and more Koreans and Japanese in proportion to the territorial extent. Here also the foreign capital investment is predominantly Japanese, concentrated largely in the holdings and activities of the South Manchuria Railway. The Japanese have also developed an interest in the fishing and whaling grounds off the eastern coast, and are at present pushing this industry; but Russians have a treaty regulating Japan's Siberian fishing.⁴⁹ There is, of course, no estimate of the vast amount of wealth in land holdings in the hands of Chinese, and little of the personal fortunes of individual Chinese in this region.

Few accurate figures can be found for the foreign trade of Manchuria, but the records of the South Manchuria Railway offer reasonable estimates. The region has normally a favorable balance of trade which goes largely into the expansion of Japanese industry, or into Japanese profit. For the year 1929, a prosperous one, the total export trade of Manchuria came to more than 425 million taels, of which soya beans and bean products, sold principally to Japan, amounted to 255 million taels. Coal shipped almost exclusively to Japan, was another large item (over 37 million taels) and crude iron products formed a large part of the remainder.⁵⁰

Manchurian imports for the same year amounted to 329,603,869 taels. Of this over 24 per cent was cotton goods, imported from Japan, and cotton yarn, imported mainly from China. Kerosene and oils, steel, machinery and other manufactured products, were among the imports. About one-fourth

⁴⁹Morse and MacNair, *op. cit.*, pp. 686 and 781. Also Hallett Abend in *New York Times*, May 15, 1932, letter of April 17, 1932.

⁵⁰*Second Report on Progress in Manchuria to 1930*, pp. 135-46. The tael is worth about fifty cents at normal rates of exchange.

of the 12 per cent of imports which were steel products came from the United States directly.⁵¹

The Japanese wish to retain their supremacy in the foreign trade of Manchuria. In spite of their professed adherence to the "Open Door" policy, they have for more than 25 years been developing a policy of supremacy for which they are using the less revealing term, "special interest."⁵² This policy met with reasonable success as long as it had a monopoly with which to work its will; but during the present "depression" the Chinese industries on a silver basis have gained rather than the Japanese, and Japanese enterprise is feeling the pinch. When, on top of these ills, the depression almost entirely destroyed the market for Japanese silk, the buying power of the Japanese was reduced both in Japan and in Manchuria; and the fall in prices did not improve feeling. Unable to distinguish the percentage of fall due to the depression from that due to the boycott, they were inflamed at the Chinese laborers they employed, and the Chinese farmers who drove their carts to the Chinese-owned lines. There have been anti-Japanese boycotts before, and there may be again; but this one came at a bad time in the affairs of the Japanese farmers and industrialists.

The result of Japanese policy was, as might be expected, a strengthening of the boycott, and further loss for Japan. Although figures are incomplete, it is clear that Japan's share in the trade of both China and her Manchurian provinces fell, and that the trade of other states profited by Japan's loss. There was an immediate curtailment of Chinese orders for Japanese textiles.⁵³ Some of the Japanese mills in Shanghai were forced to close down because their Chinese employees would not come to work.⁵⁴ Though the total trade of the United States fell for the year 1931, her exports to the Far East increased during the same period.⁵⁵ Cotton showed the

⁵¹*Ibid.*

⁵²See works of C. W. Young, and also W. W. Willoughby, *Foreign Rights and Interests in China* (1927), Chapter XIV.

⁵³*New York Times*, December 13, 1931. See also *Report of the Commission of Enquiry*, pp. 116-118.

⁵⁴Some of those factories which closed reopened later.

⁵⁵Shipments from the United States in October, 1931, increased by more than \$760,000 to Japan and by more than \$1,485,000 to China over the shipments of the preceding month. See *New York Times*, December 13, 1931.

greatest increase.⁵⁶ Japan's loss during the same period, in the trade of China alone, is estimated to be 36 per cent of her Chinese export trade, and 16 per cent of her import trade from China.⁵⁷

e. *Railroads.*

The railroads of Manchuria are a most significant factor in the present disturbances. Not only are they the principal means for transporting Manchuria's produce, but they also offer opportunity for commercial profits in other activities—banking, mining, and the services of middlemen.

When, after the Russo-Japanese war, Japan took over the Russian concession of the Liaotung peninsula, she also took over the Russian railway zone in South Manchuria up to Changchun, while the spur from Changchun to Harbin, which connected with the Chinese Eastern, remained Russian. Japan took this railway lease under the terms on which Russia had obtained it from China (see page 22), subject to almost the same conditions.

The South Manchuria Railway was the only railway of importance in the region when Japan obtained control of it. The Japanese at once secured the right to appoint its president and they policed it with Japanese guards. It received help from the Japanese government, and absorbed in 25 years an investment of 1,687,601,531 yen, or about 843 million dollars. If the private investments by Japanese in Manchuria are added to this, the total interest of Japanese capital in that region in 1930 amounted to about 1,070 million dollars.⁵⁸

⁵⁶A statement of the National Foreign Trade Council, *New York Times*, February 28, 1932, reports that the only important gain in our commerce during 1931 was with China, where our trade rose from 90 to 98 million during the year; and China rose from tenth to seventh place on our list of customers.

⁵⁷George F. Sokolsky, *New York Times*, January 27, 1932. At normal exchange the total trade of Japan with China in 1931 was worth about 129 million dollars in spite of this loss.

⁵⁸*Second Report on Progress in Manchuria to 1930*, pp. 55-56. Of this amount almost 50 millions represented Japanese government loans to the Chinese government; over 55 millions represented coal mine development by the railway company; over 70 millions had been used in urban development. Only about 130 millions were directly invested in the road bed and rolling stock. On p. 7 of the same report the Japanese authors contend that the chief benefits of the road went into the pockets of Chinese laborers or merchants; but when the figures of expense are analyzed, one finds that the company employed 20,000 Japanese, chiefly

But Japanese capital, eager to find new opportunity for investment, was not satisfied with the leases of the South Manchuria Railway and of the Liaotung peninsula. Both leases were for short terms; that of the railway would expire in 1928, that of the peninsula in 1923. Moreover, it was possible that a nationalistic Chinese government might create competition for these roads, or that Russia might attempt to extend her interests. Japan proceeded to destroy these possibilities.

In the "secret protocols" of December 22, 1905, mentioned above, published by the Foreign Office at Tokyo in February, 1932, but described to all major governments in 1906 and 1907, China agreed not to construct railroads "parallel" to the South Manchuria road. By the treaties forced on China in 1915 after Japan made the Twenty-one Demands, China agreed to the extension of the time of the railway and peninsular leases for seventy-five years beyond their original term.⁵⁹ Still more important concessions were embodied in the final terms: Japanese citizens had the right to open mines in South Manchuria, subject to the consent of China and Japan; Japanese citizens might travel or reside, engage in business, or in any kind of manufacture in Eastern Inner Mongolia and South Manchuria, and most important of all, might lease land for these purpose in the same area. If the Japanese could only manage to own the South Manchuria Railway, many of them would be entirely happy; but many wish to exploit North Manchuria. By an exchange of notes with the Peking government, also in 1915, the Japanese government secured the informal promise that China would finance any further railroad building with Chinese capital, or in the event of borrowing, would first request a loan from Japan. Later, in September, 1924, the "autonomous" government of Chang Tso-lin at officers and technical advisers, guards, etc.; 13,000 Chinese employees, and about 60,000 coolie day laborers. The shareholders received about 15 million dollars dividends from March, 1929, to March, 1930, and of the more than 14 million dollars in wages, the Chinese coolies received in annual wages between two and one-half and three million dollars, or an average of about 25 dollars a year. How this wage scale compares with that of China is not clear. Under this analysis, the optimistic estimate of the amount of Chinese benefit from railway private expenditure in Manchuria is questionable; many of the engineers, etc., leave their families in Japan when they go to improve their lot in the north.

⁵⁹A third railway lease from Mukden to Antung was also extended.

Peking permitted further construction of five large new branches of the South Manchuria Railway. These agreements were never accepted by the Nanking government, and Chang Tso-lin postponed their fulfillment. In the meantime, from 1905 to 1930 Chinese capital, balked in its plans to build a straight railroad north from Hulutao, proceeded to build 1,800 miles of road, curving through Manchuria in a rough letter S, and 140 miles, financed by loans from Japanese banks. Thus in September, 1931, Japanese interests owned about 700 miles of railroad in Manchuria, and shared ownership in 140 miles of railroad with Chinese interests; Russian capital owned 1,096 miles; and Chinese capital, 1,800 miles.

Since September, 1931, Japan has taken over the control of all the Chinese railroad lines in Manchuria, has dismissed the manager of the Russian road and interfered with subordinate officers; has used Russian roads to transport her troops; and has begun to rush construction on the five roads planned, particularly those connecting with the port of Seishin. The Chinese roads have been connected at strategic points with the South Manchuria Railway, and the government-owned Chinese telegraph, telephone and radio systems, together with the banks in which their accounts were kept, have been seized and reorganized under officials of Manchukuo. In some cases the Chinese and Japanese systems of communication have been united.⁶⁰ Japanese interests have secured a monopoly of all railway lines in Manchuria, and with it a monopoly of strategic advantage.⁶¹

A further factor should be taken into consideration, the current international crisis in finance. The "depression," which reduced Japanese trade with the United States, also affected Japanese buying power and the markets of Manchuria

⁶⁰See the *Report of the Commission of Enquiry*, pp. 100-103.

⁶¹See also the article by George E. Sokolsky, *New York Times*, May 13, 1932. The same author indicates the rumor that the Japanese are seeking to buy from the French successors to the Russo-Asiatic bank the Russian interest in the Chinese Eastern, *New York Times*, May 22, 1932. This is corroborated by a Paris dispatch from P. J. Philip, *New York Times*, May 26, 1932, and by interviews with the Japanese delegate to the League of Nations, Ambassador Matsuoka, in 1933. Cf. article by Herbert L. Matthews, *New York Times*, March 1, 1933. Mr. Matsuoka's plan seemed to be for Russia and Manchukuo each to own one-fourth, and France one-half, of the Chinese Eastern stock. See also *New York Times*, April 20, 1933.

as early as the summer of 1930. The Chinese railways were run on a silver basis, the Japanese on a gold basis, till the last month of 1931; the Chinese rates were, in addition, somewhat lower. The result of the difference in these rates was not as noticeable in time of prosperity; but in time of poverty, the Chinese railroads continued their trade while the Japanese lost.

f. *Land Ownership.*

This history of railroads in Manchuria brings to light another major Manchurian problem, seldom mentioned by the Japanese except under the generalization of "special interests" or "racial equality." It is the problem of land ownership. The Chinese theory of land ownership differs from that of most countries. The concept of private ownership in land was recognized both in China and in Manchuria. But the concept of public interest in land also remained, with a strong sense of social solidarity. The administration of mineral land is subject to the officers of the state, who are expected to protect the public interest in these lands by leasing them for the public benefit on terms subject to change under varying conditions.

The Chinese approach to new business enterprise is also different from that of the Occidental. While there has been capital in China sufficient to develop some of these resources, the Chinese manner of approach is always to deal with known elements and seldom with strangers. Chinese officers permitted their acquaintances rather than Japanese to exploit resources.⁶² The Manchus were more interested in prospects in China, than were Chinese interested in Manchuria. As a result, Manchurian land holdings were of little account as long as the major opportunity for family advancement was in Peking or South China, and the means of transportation so slow and inconvenient that Manchuria remained a frontier. With the development of railroads after the Boxer Rebellion, however, and particularly with the building of the Peking-Mukden line by Chinese and British capital, a rapid flow of immigrants turned Chinese interest toward the area where

⁶²To support the foregoing statement, the reader must wade through a number of books, making inferences and fitting his conclusions together from incidental evidence. The best discussion, though without evidence, is that of Owen Lattimore, *Manchuria, Cradle of Conflict* (1932), pp. 118-148.

the South Manchuria Railway was eager to encourage colonization as a source of future patronage.

These colonists squatted on and later paid rent for land owned by Manchurian or other North Chinese. As Chinese they had the privilege of purchase, not possessed by any alien. In one respect the old Chinese tradition had resisted all the pressure of the West. Only Chinese subjects can own economically productive land; and the Koreans are among the few who can acquire Chinese citizenship, although the Japanese government steadily refuses to recognize Korean expatriation. In the treaty of 1915, following the Twenty-one Demands, Japan won for her own citizens the right to lease agricultural and industrial land in South Manchuria (on thirty-year leases which Japanese claim must be renewed at the option of the lessee) but Chinese landowners steadily evaded leasing land to Japanese. Koreans were used as an advance guard for Japanese and a confused situation arose.⁶³

Japanese "advisers" have already announced that the new state of Manchukuo will make legal the sale as well as the rental of land to non-nationals—by which are meant Japanese. In this manner will Manchukuo fulfill its principles of "racial equality" and "full racial coöperation." Whatever may be the eventual result, some agreement must be reached on the question of land ownership. In passing it should be noted that the restrictions placed by the Chinese on owning land in Manchuria are in some features parallel to those placed by Western states on ownership by resident Orientals; and also that the concept of public interest in land is implicit in the right of eminent domain, the classification of property taxes and the laws regulating subsoil rights in the modern constitutions of several powerful states.

g. Population.

There is a deeper economic problem beneath Japan's action: the problem of filling the need of an industrial nation for sources of raw materials and for markets, which she finds close at hand in Manchuria. Room for the Japanese population to expand is not the primary factor in Manchuria, although at present failure, poverty and unemployment in Japan might seem to make it so. Japan has passed through an industrial and economic as well as a social and political

⁶³*Report of the Commission of Enquiry*, pp. 55-61.

revolution in the less than 70 years since she opened her ports and life to Western influence. In the past 50 years there has been a rapid drift of her population to cities where it has lived under very congested conditions.

The farming population, whose chief products are rice and silk worms, and to a small extent tea, is extremely poor also. The main diet of the Japanese is rice and fish. In spite of this meager standard of living, the Japanese love their countryside and its invigorating climate, and do not wish to leave it for a climate of steadier cold, and a frontier life. They therefore make poor colonists. As managers, some of them must follow Japanese capital, but even many of these have no intention of making a permanent residence either in China or in her northern provinces.⁶⁴

Both the birth rate and the death rate are comparatively high. The excess of births over deaths means that if Japanese cannot find areas for colonization or emigration, Japan must find employment for a crowded population. Manchuria and the Philippines are the only adjacent territories which might interest her, unless she chose to conquer all of China. There would be no profit in that adventure. China also is undergoing vast change; and with no room for expansion there, with the great expense involved in subduing it and keeping it subdued, the final result would probably be what has happened before, the absorption of the conquerors by the conquered.

7. *National Policies*

a. *General.*

Each of the major Western Powers has an individual policy toward the Far East. Until about 1900, the European Powers pursued toward China a policy of commercial pressure followed up by requests for concessions, backed up by the strong arm, justified by exponents of Western culture on the ground of "moral necessity," arising from China's failure to assume the responsibility for the amenities of international intercourse. Chinese isolation in a modern world is so impossible that it cannot be justified as a governmental policy; but this fact does not exonerate the conduct of the Western Powers before 1900. It merely strengthens their responsibility for today.

⁶⁴The Japanese willingly go to Australia, the Philippine Islands, or the United States; but here restrictions exist.

Since 1900, however, though national interests remained strong, an international consciousness in regard to the Far East has been gaining way. England, Japan, France and Germany had by that time spheres of interest and special territorial concessions; Russia had a sphere of interest and advisory rights in parts of Mongolia; the United States, without any territorial grants, had trade, to a lesser degree than most of the others. France, moreover, had for a long period held a semi-proprietary interest in the large religious and charitable foundations of the Catholic Church in China; and the United States was vitally concerned in the interests of Protestant missionaries, their schools and hospitals.⁶⁵ The interests of these foreigners touched one another at so many points that on various occasions the governments took joint action. Their attitude of cooperation arose from two considerations stronger than their own selfish interests. Neither singly nor in combination were they willing to undertake the government of China, which would be necessary if conquest took place. None of them was willing to take a further slice of Chinese territory in the face of the growing distrust and jealousy of the others, when the result of that act might mean a general war and certainly the opposition of the United States.

b. *The United States.*

The policy of the United States toward China is unusual both in the history of international relations and in the history of our own affairs. From the beginning, with comparatively few exceptions, public relations with China have been on a plane of dignity and fair play on both sides. More than once the United States has returned to China the funds left over after payment of indemnities; the United States consistently refused territorial concessions. It is, however, true that through the most-favored-nation clause in American treaties, we profited from all trade gains made in China as a result of other states' violence.⁶⁶ An American naval detachment has

⁶⁵There were few Catholic missionaries from the United States in the Far East before 1910. The mission fathers of Maryknoll were among the American pioneers in China and in Korea. Benedictines, Redemptorists and others are also interested.

⁶⁶See Tyler Dennett, *Americans in Eastern Asia*; also S. K. Hornbeck, *The Most Favored Nation Clause*, etc.

been assigned to Chinese waters since 1900. Long before the Open Door policy was formally proclaimed, however, it was the recognized idea of the United States; equal trade opportunities to all those interested—a policy which should be more widely maintained throughout the world.

The first formal declaration of this policy was in the notes sent by Secretary of State John Hay to the major powers, in the fall of 1899 asking their consent to a number of propositions. The gist of these was that no state should interfere within its sphere of influence with treaty ports or vested interests, or permit preferential harbor dues or railway charges to benefit its own subjects, and that only China should collect duty and that duty according to the Chinese treaty tariff. France and Germany accepted these terms as a description of their existing policy and desires; Russia and Great Britain assented to them with minor reservations. No nation, however, in its reply, mentioned prior claims to exclusive rights.

Since that time, this policy, simplified to the phrase, "equal opportunity for all," has been recognized in almost every major commitment of the powers in regard to the Far East. It cannot be honestly alleged that it refers only to agreements and concessions made prior to 1899. It has been reasserted without any such restriction over and over again. It was expressed in the renewal of the Anglo-Japanese Alliance in 1905, and in the Treaty of Portsmouth of the same year. The phrase, "territorial integrity of China," has often been connected with it. Planned to stop unfair trade practices and discriminatory laws within areas of special influence,⁶⁷ it is in conflict with the policy of "special interests" of both Russia and Japan in Manchuria. The Chinese aver that the secret protocols of 1905 and the rebates to Japanese firms on the South Manchuria Railway, among a number of other competitive practices, are in violation of these statements of principle.

During the World War, Japan joined the cause of the allies and secured secret promises regarding her claims to the German concession of Shantung and German Islands in the South Pacific. She capped these secret agreements with the Lansing-Ishii agreement of November 2, 1917, with the United States, in which the United States recognized the "special influence"

⁶⁷See C. W. Young, *The International Relations of Manchuria*, pp. 246-250.

of Japan in territories contiguous to her own territory; in other words, in Manchuria, contiguous to Korea. Even this agreement, however, reasserted adherence to the "so-called 'Open Door policy' of equal opportunities." Japan proceeded to act upon this agreement as though it permitted her a monopoly in Manchuria. For a time many wondered whether the United States had renounced friendship for China. A few months before the Lansing-Ishii agreement, the United States in a note to China, said plainly, ". . . in the maintenance of China of one central, united and alone responsible government the United States is deeply interested,"⁶⁸ and expressed the hope that China would soon become a major power and a fully self-sustaining nation.

c. *Russia.*

Many observers explain Japan's present policy in the Far East by her fear of Russian aggression there. This opinion is confirmed by Count Uchida's speech to the peers of Japan in January, 1933, and Ambassador Matsuoka's discussion of the Chinese Eastern Railway in Paris.

Russia's original interest in Manchuria arose from her desire to acquire an ice-free port for all-year-round commercial activity. She first gained access by rail through North Manchuria to the port of Vladivostok in return for financial aid to China at the close of the Sino-Japanese War (1895). The cession of the Liaotung peninsula followed, in 1898, together with the rights to connect the Chinese Eastern Railway with the port of Dalny (now Dairen) and to construct a naval base at Port Arthur. At the end of the Boxer Rebellion, Russia occupied Manchuria by force on the ground of danger to her nationals, and made demands less extensive, but similar to those of Japan in 1915, as a price for evacuating the area. These activities of Russia, together with her monopolistic behavior in Manchuria and near Korea, gave rise to the Russo-Japanese War, as a result of which Japan succeeded to Russia's concessions. Russian influence was by treaty restricted to North Manchuria; the southern terminus of the Chinese Eastern was fixed at Changchun.

From 1907-1924, when Russia and China signed agree-

⁶⁸*Ibid.*, p. 596.

ments modifying the position of the Chinese Eastern Railway, Russia's policy in the Far East seemed to one of coöperation with Japan rather than with China. As a result of the Russian Revolution of 1917, however, the special rights of Russia in North Manchuria were relinquished, as were also the extra-territorial rights of Russia in China. In 1924, by treaties signed separately with Nanking and with Chang Tso-lin, Russia conceded to China a share in the ownership of the Chinese Eastern, and reduced the term of its lease from eighty to sixty years. Although the relations of Chang-Tso-lin with the Chinese Eastern were by no means steadily amicable, the close coöperation of Russian Communists with the southern Chinese at Canton, and recent Russian interest in Outer Mongolia, have again aroused in the Japanese the nationalist suspicion of Russian intrigue. Japanese industrialists and railway men are eager to extend Japanese rights to engage in business to North Manchuria, which has been a Russian sphere of interest; it is significant that "Manchukuo" includes this area, and that its "capital" is at Changchun, the meeting point of the Chinese Eastern and the South Manchuria Railways.

Russia's policy today (1933) is as incalculable as heretofore. Some Russians are interested in internal revolts against China in the western province of Sinkiang. Russian officials have repeatedly expressed opposition to Japanese and Manchurian interference with the operation of the Chinese Eastern Railway. In 1929 there were difficulties between Russia and China because the Chinese accused the Russians of using the personnel of the railway to foment a Communistic revolt in Manchuria. Russian influence is strong in Canton. A large Russian army was for some months in 1932 close to the Manchurian frontier; and Japanese advices spoke of a recently signed Sino-Russian alliance, which was, however, denied by both parties. Russia has refused to coöperate with the League of Nations in the present trouble, and refused also to coöperate with the newly created Committee of Twenty-one to study the problem of sanctions. The Manchurian problem cannot be settled without Russia; it is clear what would happen to Japanese investments in Manchuria if that region, like Canton, were to come under Communist influence.

d. *Japan.*

The policy of Japan has received mention heretofore. The outstanding features of it are the acquisition of island possessions of China, the freeing and annexation of Korea, the wresting away of the Russian concessions, and the Twenty-one Demands, many of them granted, made on China in 1915 when the rest of the major powers, with the exception of the United States, were at war.

There is considerable controversy over Japan's attitude toward Chinese participation in the Great War. One account credits the Japanese Foreign Minister, Count Ishii, with saying to the foreign ministers of the Allies that "an efficient Chinese army" and "liberation of the economic activities of China" were contrary to Japanese interest.⁶⁹

Recently, there has been talk in Japan of the Washington treaties, signed in 1922, as "obsolete" and "out-worn" agreements. This, while Japan says treaties of 1905 and 1915 have "sanctity."

Perhaps the most revealing statements of the policy of Japan in Manchuria are contained in the address of Count Uchida to the Japanese peers, January 21, 1933, and the addresses of Ambassador Matsuoka in Paris, London and New York in the spring of 1933. Count Uchida's speech, foreshadowing and justifying Japanese participation in the military advance on Jehol, declares that Japan is bound to aid by her protocol recognizing the "independence" of Manchukuo. Incidentally, Manchukuo has not yet officially defined its territorial boundaries. Count Uchida commends the Soviet Union for a policy "so cautious that nothing unpleasant has occurred to mar their relations with Japan," even while he admits that understanding between Japan, Russia and Manchukuo is essential to peace. Among other things he says are the following:

"The fundamental principle of Japan's foreign policy is to secure the peace of the Orient and, as corollary, that of the world . . .

" . . . our government believes that any plan for erecting the edifice of peace in the Far East should be based upon recognition that the constructive force of Japan is the mainstay of tranquillity in this part of the world." This as an explanation for the use of increased force!

⁶⁹Morse and MacNair, *Far Eastern International Relations*, p. 590.

"She (Japan) only desires to insure her national existence by such means as will accord with international justice and to work hand in hand with neighbor nations for the peace of the Orient and of the world."⁷⁰ On this basis he specifically justifies Japan's use of force in Manchuria, her attitude toward the League of Nations, toward Russia, and her demand for naval parity with England and the United States.

This speech is very much of a kind with numerous utterances by Lieut. Gen. Araki, the Japanese Minister of War, one of which is quoted elsewhere.⁷¹ On March 17, 1933, he informed the Japanese peers that unless the Chinese ceased resistance at the Great Wall, and sought peace, there would be further military steps to secure that end. By this time the Japanese armies were already within China proper, and the question of Manchuria's boundaries supposedly did not enter the situation.

The statements of Ambassador Matsuoka are more varied and numerous. After the Japanese delegation took a dramatic departure from the Assembly of the League of Nations on February 24, 1933, Mr. Matsuoka visited France, England and the United States en route home to Tokyo. In each country he visited not only the Foreign Office, but also the exporters of oil, cotton and munitions, as well as the importers of Japanese products.⁷² In the United States he made several speeches, largely to business and commercial organizations. His final speech was broadcast from San Francisco, on the eve of his sailing. In these speeches he emphasized three things: (a) that Japanese policy in Manchuria resembled the past policy of the United States in the Caribbean area; (b) that Japan is a good customer for the United States; (c) that China was a governmental fiction, not worth quarreling about. The implication of possible war between the United States and Japan was in the back of his mind, for he said that Japan would not change its policy in the Far East, but that war between Japan and us would not come unless we

⁷⁰The full text is in the *New York Times*, January 21, 1933, as given out by the Japanese embassy in Washington.

⁷¹*New York Times*, March 18, 1933, and magazine section, March 12, 1933. Articles by Hugh Byas.

⁷²See *New York Times*, February 26, 27; March 10, 18, 25, 29, 31; April 2, 1933. Particularly of interest are the statements of his commercial and war activities in the issues of March 10th and 29th.

made it; he ended by saying that it would be an expensive process for any country or group of countries which tried to create or supervise the creation of Chinese governmental order and unity.

It is to be observed that these clever speeches make their appeal to motives of greed, fear and gross materialism. Like the arguments of recent lecturers, they stress cash utilitarianism.⁷³ It needs no great acumen to discover that all these arguments direct attention from the issue of Japanese action in Manchuria by setting up straw men about which to argue. We make no effort here to defend the policy of the United States in the Caribbean; even though it was not governed by any Covenant, Pact of Paris, or Nine-Power Treaty, it was precisely of the stuff of which wars are made. But to use it as precedent is to justify a present wrong by an unrelated past one. The trade of China as well as of Japan is important to the United States, and indeed to Japan; and no one denies that the lack of orderly government in China is one of the major problems in this situation.

e. *Collective Agreements.*

In the Versailles Conference one of China's hopes was fulfilled. Japan retained Shantung only temporarily, and finally gave it back as a result of the Sino-Japanese settlement at the Washington Conference of 1922 under the watchful eye of the United States and Great Britain. At the same conference the Anglo-Japanese Alliance was permanently ended, and two treaties were signed concerning the Far East, the Four-Power and Nine-Power Pacts. It is these treaties which the United States says Japan violated in 1931 and 1932, even while Japan asks China to adhere to extended interpretations of the terms of treaties of 1905 and 1915.

Under the Four-Power Pact, the governments promised to

⁷³George E. Sokolsky, speaking at a luncheon of the Foreign Policy Association, March 25, 1933, argued that American Far Eastern policy should be based on "utility" rather than "morality," because a policy based on morality would require enforcement. It is notable that in the years 1932 and 1933 many Japanese lecturers, such as Messieurs Nitobe, Debuchi, Akagi, Matsuoka, the Ishii mission, and others, have traveled through the United States, stressing this same materialism. Many articles describing public works in Manchukuo from the Japanese viewpoint have appeared in the daily papers, and in the *Journal of Commerce*.

“communicate with each other fully and frankly,” if any of their rights were threatened in the Pacific. This Japan has not done. Under the Nine-Power Pact, the signatories agreed to “respect the sovereignty, the independence and the territorial and administrative integrity of China.” Some Japanese today say that Manchuria is not part of China, but the Japanese delegate to the Washington Conference in 1922, Admiral Baron Kato, formally so recognized it.⁷⁴ Under the Nine-Power Treaty, the signatories further promised China a “most unembarrassed opportunity” to develop and maintain a stable government, and “to refrain from taking advantage of conditions in China to seek special rights or privileges,” etc.⁷⁵ The United States now maintains that any attempt to erect a separate state in Manchuria without China’s consent is a violation of China’s territorial and administrative integrity.

There are two other treaties which Japan is now accused of violating. The signatories of the League Covenant are bound by Articles X, XI and XV to consult and confer in case of war or a “situation which may lead to war”; and if that method fails, China may, under Article XVI, ask consideration of an economic boycott, which requires the unanimous consent of the members of the Council to be effective. China has invoked aid under Articles X, XI and XV, but the League will not proceed under Article XVI until all other conciliatory measures have been exhausted. Japan did not consult and confer, on the questionable ground that she was not waging war. She was nevertheless in a “situation which may lead to war.”

The United States, though not a member of the League, is, with Japan and China, a signatory of the Kellogg-Briand Pact, as well as of the Washington treaties. Under the Kellogg-Briand Pact the nations promise to avoid war as a means of settlement, and to exhaust other means before resorting to it. Japanese authorities, in the face of twenty-one months’ military campaign involving a mined harbor, the confiscation of over 2,000 miles of railway lines, an expedition into Jehol that

⁷⁴He was later closely associated with Baron Shidehara and Premier Wakatsuki, who have been ousted from the government. Other evidence of Japan’s recognition exists in formal documents of 1904.

⁷⁵For understandings not written into the treaty see C. W. Young, *The International Relations of Manchuria*, pp. 197-209, 216-219, 240-241, 244-246.

brought them to Peiping and Tientsin, and the continuous employment of almost 50,000 soldiers, still assert that they are not resorting to war! But Japan has not exhausted other means.

8. *Events of 1932 and 1933*

On January 7, 1932, Secretary Stimson notified Japan and China that the American government "cannot admit the legality of any situation *de facto*" nor does it intend to recognize any treaty or agreement entered into between those governments or agents thereof, which "may impair the treaty rights of the United States or its citizens in China"—and that "it does not intend to recognize any situation, treaty, or agreement which may be brought about by means contrary to the covenants and obligations of the Pact of Paris of August 27, 1898." Ten days later the Council of the League of Nations sent a note to Japan in which it called attention to Article X, and said it appeared "to follow that no infringement of the territorial integrity and no change in the political independence of China brought about in disregard of this Article ought to be recognized as valid and effectual by members of the League of Nations." The Assembly of the League, convoked at the request of China, still further elaborated this principle in its resolution of March 10, 1932. It also created a standing Committee of Nineteen, to keep in touch with the Far East. The United States has continued to repeat its attitude in almost identical words whenever occasion arose.

Late in January, 1932, Japan engaged in a belligerent attack on Shanghai, during which valuable educational establishments were razed, and China's foremost printing press destroyed, Chinese cotton mills ruined, 600,000 people rendered homeless and damage estimated at between 25 and 100 million dollars done to property, all in one month.⁷⁶ The avowed reason was the city's refusal to assume responsibility for an attack on a Japanese priest and a few civilians. Another expressed reason was the boycott which, due to the Manchurian situation, was effectively hindering Japanese efforts at trade.

⁷⁶*New York Times*, February 26, 1932. American trade with Shanghai fell five and one-half million dollars in one month, *New York Times*, March 4, 1932.

Many foreign observers have expressed a belief that an unexplained reason of Japan was a desire, by show of force, to secure Nanking's consent to the new order in Manchuria before the Lytton Commission should arrive, which would have legally prevented its inquiry. The settlement of the Shanghai affair was finally left under the supervision of an international group of twelve. On the eve of withdrawal, the Japanese General Yoshinori Shirakawa warned the departing troops: "Upon returning home you must train yourselves sufficiently to be ready to rally to the call immediately *when things happen.*"

There were many rumors throughout 1932 to the effect that Japan would withdraw from the League of Nations, a procedure which requires two years' notice, and would be interpreted by Western nations as an admission of her inability to keep her promises of consultation, tantamount to a declaration of her intention to conquer Manchuria for herself. Her withdrawal would also cause dispute over her mandate over some of the colonies once German. Late in April, 1932, Admiral Hirata, of the Japanese Navy, criticized the American Asiatic fleet as of "low fighting value," and said that the greatest interest of the Americans at Shanghai was "to keep out of a possible collision with the Japanese Navy."⁷⁷ But a more significant voice is that of Viscount Kikujiro Ishii, the former Ambassador, now Privy Councillor, at a dinner given June 22, 1932, in honor of Ambassador Joseph Grew, newly arrived at Tokyo. His words merit exact repetition:

"In my opinion, an armed conflict between our countries is possible only in two extremely improbable contingencies. In the first place if Japan were foolish enough *to attempt unduly to interfere* with the matter of the Western hemisphere, then a war would be inevitable. But the Japanese government and people know their own business and are firmly determined *to refrain from doing anything on the other side of the Pacific which might give rise to a shadow of suspicion.*"

The statement continues: "In the second place if the United States ever attempted to dominate the Asiatic continent and prevented Japan from her *pacific and natural expansion in this part of the world*, then indeed a grave situation would be created, for it is obvious that a nation with a popula-

⁷⁷Special correspondence dated April 23, in *New York Times* of May 8, 1932.

tion overcrowded to the breaking point *could not be shut up indefinitely in a narrow strip of land.*" The statement ended with a reiteration of the principle of the Open Door, and a belief in America's desire for peace. Ambassador Grew replied in his speech that what concerned the American people most today was the efforts of the nations to build up a durable structure of international peace.⁷⁸ That the ambassador had the Kellogg Pact and the League of Nations in mind is plain. But does the *pacific* expansion of Japan include the forcible conquest of Manchuria and does the *natural* expansion mean the denial of the Open Door in Manchukuo? If so, the two nations are diametrically opposed, and a way of adjustment must be found.

III

CONCLUSION

1. *General Considerations.*

The ethical problems arising out of these complicated matters are not simple, but they are simpler than they at first seem. Both the parties to the conflict are in the wrong, as the Report of the Commission of Enquiry indicates; and some of the responsibility for the present situation lies on the shoulders of the Occidental nations, which have given bad example.

China and Japan are both guilty of intense nationalism, which they have learned from that of the Western nations a century ago. Both of them are also guilty of distorting the facts to their own advantage, with great emphasis on the "saving of face," rather than on the merits of the points at issue. This behavior has been distressingly familiar in the West, also. China is to blame for not suppressing banditry, and for official encouragement of the boycott; for the latter, however unjustifiable, she has had some provocation at the hands of the Japanese. China is also to blame for refusing to settle and keep settled old agreements, particularly financial contracts, whose proceeds have been mishandled; some of these

⁷⁸*New York Times*, July 17, 1932, Letter of June 23, 1932. The italics are ours.

contracts were, however, originally made in unjustifiable imperialistic speculation. China is to blame for the refusal of her public officials to assume responsibility for the acts of Chinese citizens and for the refusal of her war-lords to cooperate either in war or peace for the unity of China.⁷⁹ If no one Chinese group will be responsible, it is possible that China must be recognized as more than one unit. If this be the case, there is no reason why Manchuria could not be considered one unit. The Report of the Commission of Enquiry recognizes this possibility. However, this does not mean that Japan should be permitted to do with Manchuria as she wishes. Since 1914 the time has passed when the acts of a world power do not affect all the others to some degree. If Manchuria is to be a separate entity, then the League might turn it into a mandate. How far China is willing to unify herself to modify this result is a question of justice, a problem for Chinese leaders.

Japan has valid grounds for irritation over the behavior of Chinese nationals both in China and in Manchuria. She is guilty, however, of a policy of greed, selfishness and the use of duress to obtain these ends over a period of years in both these areas; she has made China's weakness a tool for her own economic gain, and has more than once resorted to intrigue in the effort to create favorable evidence. In forcing valuable concessions in North Manchuria from the officers of the new "state" of Manchukuo, in obtaining economic preference in railway and communications facilities, in confiscating the property of Chinese officials and using it, together with loans, for military purposes as a means of further subordinating Manchukuo to her purposes of self-aggrandisement, Japan is pursuing an irresponsible and materialistic policy. Preëminently, she has hurt the justice of her case, such as it may be, by her unjustifiable use of force when she has bound herself to use pacific means of settlement and those means are available.

When the use of force ceases, ethical problems must be

⁷⁹See refusal of Nanking government to strive for union, *New York Times*, May 8, 1932. Both Chang Hsueh-liang and Chiang Kai-shek have resigned during crises of the past year, rather than accept responsibility for the leadership of unintegrated Chinese armies or government. An explanation for this shirking of leadership lies in the report of the execution of Governor Lang Yu-lin of Jehol, upon his flight from the Japanese armies in Jehol, early in March, 1933.

weighed in each of the economic questions at issue behind the treaties; but in each of them, before justice can be done, the primary necessity must be to determine the facts upon which the issue may be settled. After this will come the evaluation of the policy. For example, how many bandits are there, and what, if any, connection exists between them and the army of either disputant? Who is behind the boycott? Is it ethically defensible, or is it a more indefensible method of opposition than the Japanese procedure in Manchuria? Are there moral reasons why banditry and boycott should be particularly directed against Japan? Has Japan maintained the policy of "equal opportunity" or is her continual mention of these words purely lip service? Can China morally justify her land policy? Or Japan hers? Is the Japanese government actually aiding her citizens in acquiring railway rebates, and by this and other secret advantages driving out the legitimate trade of other nations?

Taken as a whole, what treaties still are effective, or should be effective, in the Far East? "Treaty" arguments complicate matters. Japan points to a number of unfulfilled treaty obligations as a justification for her action in Manchuria. At the same time her action is contrary to her obligations under other treaties, which provide a pacific method of settlement, and admit recourse to force only after pacific means have been exhausted. Obviously the treaties need going over. Japan's major moral justification for her acts in Manchuria is "moral necessity," a strong argument; but this might also be argued for China, and in this case the common interest of all the world in the peace of the Far East weakens the argument of moral necessity for any one state. If Japan is under the moral necessity to chastise China, this argument moreover requires that she use morally justifiable methods. While the argument of "moral necessity" permits the use of force under very rare circumstances, it should not be used to justify the use of force when rational and moral instruments, provided for in treaties, have not been tried.

China and Japan are not isolated states. They may have promised each other certain concrete things; the fact remains that by later promises of equal worth they also promised a number of other states to use reasonable methods of adjustment instead of force, and indicated what methods are reason-

able: conference and consultation, arbitration, and court decision or adjudication. Japan and China are at odds; the ethical choice of the interested states does not now include the terms of the final settlement, but rests on the question of means to stop the spread of force and to obtain that settlement. A reasonable and peaceful mode of settlement is the only choice possible.

Japan refused arbitration and adjudication; she grudgingly accepted a commission of inquiry, but objected to giving it effective jurisdiction. It could find facts, though guards hampered its efforts to do so. It could reports facts; it has made its report.

2. *The Lytton Report.*

The Lytton report, expected almost daily throughout August and September, was released to the world press simultaneously in Geneva and Tokyo, October 2, 1932. Japan promptly asked and obtained from the League of Nations a six weeks' period in which to perfect her reply. The official hearing began November 14.

The Commissioners found that China was and is in a state of aggravated disorder and disunion, though there is in China a wish for national unity; and that in Manchuria also some of this disorder exists. They found that there was in China and Manchuria a strong anti-foreign policy, of which the boycott is one example, and that the policy and the boycott both were encouraged by the Nanking government.

The report also found that the Japanese had not sufficient cause for the use of force against China; that her use of arms in Manchuria on September 18, 1931, was not a measure of "legitimate self-defense." It held that the majority of residents of Manchuria would prefer being under Chinese control to being under that of the present government. The report further held that this present "new state" is, to all intents and purposes, the creature and agent of Japan and not independent.

The Commission suggested ten major principles to govern any settlement, and also a method of settlement. According to the principles, any adequate settlement must: (1) bring the interests of Japan and China into accord; (2) have re-

gard for Russian interests; (3) conform to existing multiple-party treaties; (4) recognize Japan's unusual interest; (5) restate the rights and "obligations" as well as the interests of the parties in Manchuria in new treaties; (6) provide a pacific method for settling future differences; (7) afford Manchuria a large measure of local self-government; (8) establish an effective local police force; (9) arrange for a new commercial treaty between the disputants; (10) permit "temporary" international cooperation in reconstructing the Chinese national state.

Point three is of major interest to the rest of the world, as the treaties are expressly declared to include the Covenant of the League of Nations, the Pact of Paris and the Nine-Power Treaty of Washington. So is point ten.

The method proposed to effect a settlement is that the League of Nations invite the governments of China and Japan to sift out their differences over Manchuria in an international advisory conference under League auspices, along with representatives of pro-Chinese and pro-Japanese factions in Manchuria and any such neutrals as may be agreed upon. The report also advocates that the results of such a conference be embodied in (a) a declaration by China creating an autonomous government for the Manchurian provinces, (b) a Sino-Japanese treaty defining Japanese interests, (c) a Sino-Japanese treaty of conciliation and arbitration, non-aggression and mutual guarantees (similar to the Locarno Pact), and (d) a Sino-Japanese commercial treaty.

Briefly stated, this report recognizes the just bases for Japanese discontent in Manchuria, and at the same time expresses the belief that right and reason would assign the sovereignty of that area to China, where the growth of a national state should be encouraged. The report rebukes Japan for her methods of aggression and recognizes the simple fact that although outside witnesses may be necessary to secure reasonable adjustments, the major results must depend upon the agreement of China, Japan, and, to a large degree, of Russia.

The gravity of the Far Eastern conflict and the importance of the trial of a new method of international settlement have surrounded the Lytton Commission report with great solemnity. In the first week of the Geneva discussion, Japan rested her entire defense on the argument of self-defense, objected to discussion of Manchurian matters in detail, said Manchukuo

was a state created of its own volition rather than by Japanese action, and reasserted its position that only Japan and China together could arrive at an answer. Many unofficial representatives of Japan have declared "Japan and China *alone*." It is significant, however, that although Japan made these statements, she made them in the Council of the League of Nations, an international forum, and her representative consented to the transfer of the report to the Assembly and its Committee of Nineteen which has acted on the Far Eastern question with directness and authority. There was, soon, moreover, a direct international telephone and radio connection between the Japanese Foreign Office and its representative in Geneva.

The Assembly of the League, after hearing the report of the Commission of Enquiry, and the Chinese and Japanese observations thereon, turned the documents over to the Committee of Nineteen, which subsequently tried to effect a settlement between China and Japan. Not succeeding in this, the Committee of Nineteen drafted its own report to the Assembly, and submitted it February 14, 1933. It was broadcast for ten hours from Geneva, February 17th. This report included the facts found by the Lytton Commission and by the consular commission which reported on the Shanghai affair of the spring of 1932. It added a brief history of the events in Manchuria between the submission of the Lytton report and February, 1933. It accepted the ten principles for settlement in the Lytton report, after listing the Covenant of the League, the Pact of Paris and the Nine-Power Treaty among the principles it must observe; it also accepted again the principle of non-recognition as stated by the United States, January 7, 1932, and by the Assembly of the League, March 11, 1932. It recommended the return of Japanese troops to the Railway Zone; the continuance of Chinese sovereignty in Manchuria, with self-government; the creation of an International Committee to arrange negotiations between Japan and China; the continuance of the policy of non-recognition of Manchukuo.

The representatives of forty-four states were present in the Assembly when the vote was taken. Forty-two of them voted affirmatively to accept the report of the Committee of Nineteen; the effect of Siam's abstention from voting was affirmative; Japan alone, her vote not counting, voted "no." The

Japanese delegates had been left to themselves that day; and they filed out of the silent Assembly at the conclusion of the vote, while the other delegates remained in their seats, and offered no farewells.

On February 24, the Committee of Nineteen was enlarged to Twenty-one, by the addition of Canada and the Netherlands; the next day the United States formally accepted an official invitation to cooperate with the reorganized committee to determine future policy.

On June 14, 1933, this committee issued a circular letter of suggestions for the maintenance of the non-recognition policy, to the governments interested. The details of these recommendations involve, it is said, matters such as an embargo on arms, the position of consular officers accredited to China, and the postal services of Manchukuo.

Altogether, what has happened? As a distinguished American authority on international law points out, the League of Nations had successively five objectives: to halt hostilities, to restore the status quo ante, to obtain the fullest possible information, to conciliate Japan and China, and to crystallize world opinion.⁸⁰ It was successful only in obtaining information and in crystallizing opinion. The states of the world, by their vote in the Assembly of February 24, 1933, have actually named an aggressor—Japan.

3. *International Economic Sanctions.*

The major powers, whom peace will enable to readjust relations still strained from the last war, are pinning their hopes to the League of Nations. The League, formed as a means of obviating forcible settlement of international differences, in addition to providing machinery for preventing war, affords also a method for settling differences after conflict has begun, the method of consultation; it also permits the eventual use of a number of economic sanctions against an aggressor, among them the boycott, which Japan now says is itself war. From the beginning, France has urged that the League be given an actual military force of its own, to force acceptance of a Council decision, but to this the powers have been unwilling to

⁸⁰*The Verdict of the League*, Introduction by Manley O. Hudson, World Peace Foundation, 1933.

agree. Neither have they as yet applied any boycott. International society has progressed beyond the point where force or threat of force could justify or vindicate the acts of a strong power, but has not yet reached the point where there is an automatic application of sanctions when a lawbreaker appears. Hitherto, conference and consultation have settled or delayed all disturbances which have not been submitted to arbitration or to the Permanent Court of International Justice.

What if no method of diplomatic settlement ends Japan's action in Manchuria? What if she persists in her present plan of action? There will then be three possible courses for the interested powers: (a) permitting Japan to thwart the legitimate activities of all other nations and separate Manchuria from China by force, (b) going to war with Japan, (c) applying sanctions, such as an economic boycott. What will the League do? And the United States?

It is quite evident that the affair is still in its early stages. Disorder is prevalent throughout the three Northeastern Provinces, as well as in Jehol, Hopei, and other parts of North China. An unconnected revolt of Mohammedans and White Russians is spreading in the province of Sinkiang, bordering on Outer Mongolia. Chinese armies are disorganized, Chinese newspapers are beseeching action from their Nanking government, and Chinese leaders, seemingly not knowing what policy to adopt in the medley of discordant advice, shrink from the responsibility for possible defeat in a war for which their armies are ill prepared and organized. The Advisory Committee of Twenty-one has been discussing measures for making the policy of non-recognition effective, and has requested immediate response to its circular letter making such recommendations. Japan shows no sign of halting her military measures. The question now is what sanctions, if any, should be applied against a defined aggressor?

A number of sanctions are possible; to wit, an embargo on arms and ammunition, the recall of diplomatic and consular agents, the refusal to permit the passage of mail stamped with the stamps of Manchukuo, a general embargo on shipping exports to Japan, and a general boycott on imports from Japan. The education of public opinion in the two countries to see that of the world is another. Any one of these measures must receive general consent before being applied, because

otherwise the state applying the sanctions would suffer rather than Japan. An embargo on arms and ammunition, such as Great Britain applied without waiting for general consent, would in the long run, harm China rather than Japan, which is better able to make its own ammunition. An embargo on arms must, moreover, include all material useful in making ammunition or war materials, such as copper, iron, and cotton. Recalling diplomatic representatives, if generally agreed to, would isolate Japan but would also create a further barrier to ultimate settlement, where the main consideration now is an immediately effective sanction. Refusal to accept the mail of Manchukuo would be far too mild and ineffective, and would at the same time only tend to confuse matters. Manchukuo, though it has applied for membership in the Universal Postal Union, has been ignored by that body.

The education of public opinion within the disputing nations obviously cannot be undertaken by other governments. Public opinion is now highly inflamed in each of them against the other. In neither Japan nor China, under effective censorship, can the public be expected to have an opinion based on the consideration of real issues.⁸¹

Many Japanese spokesmen for their country have declared she will never submit her Manchurian policy to any international inspection. "To Japan this is a fighting matter," said one. "Is the United States willing to make it a fighting matter?"⁸² The correct answer is that it is not the province of the United States, but rather of the world community, to determine what measures will bring Japan to desist from her use of violence in defiance of her obligations. No one doubts now, in the face of the disorganization of Northeast Asia, that the Manchurian problem will have a long history unless the Western nations make a drastic effort to settle it. That such effort should take the form of a boycott is indicated both by the effect upon Japan of the Chinese boycotts, and by the reaction in Japanese official circles to the bare threat of a world boycott.

Nothing but a boycott by all would suffice. Without common consent a boycott would be a joke. The preponderance of opposition to Japanese policy in the Council and the Assem-

⁸¹Russell, James T., and Wright, Quincy: *National Attitudes on the Far Eastern Controversy*. *Am. Pol. Sci. Rev.*, August, 1933, pp. 555-577.

⁸²*New York Times*, February 26, 1932.

bly of the League, the vote of February 24, 1933, and the close approach of the United States to the League of Nations would seem to indicate that any sanctions recommended would be generally accepted. To make a sanction effective, the League of Nations, Russia and the United States should accept it. Russia is the most uncertain quantity, an important one. With our coöperation, however, the League seems to be approaching the question of a boycott; but only in the event that Japan continues to refuse other procedure, and that the policy of non-recognition proves ineffective.

How extensive a boycott would be necessary? It should certainly include financial transactions, and the ordinary trade relationships. It would seem that a boycott on everything except possibly the sale of food might be necessary if the boycott is to be applied at this time. At this advanced stage in the military program, a simple boycott on military supplies would not be enough, even though applied to Japan and not to China.

There are a number of arguments against the boycott, which are here listed:

(1) Some hold that a boycott against Japan would hurt the United States more than any other country. We get from her nearly all of our silk. We ship her nearly half of our cotton. Our silk workers and merchants and our cotton planters and merchants would be injured very much.⁸³ Their injury would make the general depression worse.

(2) Others believe that to make a boycott effective, the nations would have to blockade Japan, and a blockade would be fought by the Japanese navy and so we should have a world war anyway.⁸⁴

(3) Another argument is that the Japanese aggression and the seizure of Manchuria might be ended by less drastic international action than boycott, through the international determination not to recognize Japan's seizure of Manchuria as just, through negotiation with Japan and through a storm of public opinion against Japan, which Japan in her need of friends in Europe and the United States fears greatly.

⁸³See Figures of United States Department of Commerce, reviewed in *New York Times*, March 1, 1932.

⁸⁴See Hugh Byas, *New York Times*, February 26, 1932; Arthur Krock, *New York Times*, February 21, 1932.

(4) And an ethical argument against boycott is that it is a more dreadful weapon than war itself, against a people like the Japanese who rely so extensively upon importation of food and raw materials for manufactures; and therefore that a boycott must be a weapon more remotely used than war itself. This asks indirectly the ethical question: Is a boycott a morally just instrument of action?

In answer to the objections: (1) If a boycott would hurt the United States more than any other country, a future great war or even wholesale injustice without war in the Far East, and certainly the failure of the means of keeping the peace, would also hurt us more than any other country. Factually, the trade of Great Britain and of Russia is very important in China and Manchuria. (2) A blockade of Japan might not be needed to make a boycott effective. International closing of ports to Japanese imports and exports would not stop illicit shipments to and from Japan but it would stop enough of them to be effective. International refusal to carry on financial transactions would probably work faster still. (3) A simple warning to Japan that no one will recognize the new Manchurian status does not seem to be enough. Long historical example has proved that simple non-recognition is not enough to remove an international difficulty. An example is Russia. For non-recognition to be successful, it must have some method of enforcement, some means of affecting the theoretically unknown state; and the only important sanction short of war is a boycott.⁸⁵ It is hard to see how Japan can be brought to end her Manchurian advance without greater pressure than the public opinion of foreign states, unless that public opinion has an instrument to make pressure felt. (4) As for the statement that boycott is worse than war, it is enough to remember that war involves boycott, and that one of them could not be worse than both of them.

Of the justice of a boycott as one of the steps to prevent an unjust war there can be no doubt. As a sanction and a method of retaliatory action it is recognized in international

⁸⁵The movement for a boycott has for a year been advocated by groups in the United States. It became extensive after a speech of President A. Lawrence Lowell of Harvard, February 17, 1932. See *New York Times*, February 10th, 18th, 20th, 21st, 28th, March 1st, 2nd, and later, 1932. There are also in the United States many advocates of non-recognition.

law. It is one of the sanctions which the Covenant of the League of Nations contemplates using against recalcitrants to prevent any war and end injustice without fighting; or to compel settlement of an international difficulty in which fighting has already begun. The report on International Ethics of our Association lists it among the measures which must be tried and found inadequate to effect justice before a nation can resort to the greater force of war.

The Boycott Statement recently issued by the Ethics, Economic Relations, and International Law and Organization Committees of the Catholic Association for International Peace states that "a penalty short of war is necessary to prevent war." The penalty that is "immediately effective in case war threatens or has been declared is the economic penalty of boycotting the nation which refuses arbitration or arbitral decision."

The Statement urges also "that the United States lead in the agreement to consult with all other nations at the moment war threatens and then jointly with them boycott a warring nation" as "an important part of a process to change this world from a warring to a peaceful world."

This affirms the truth that a boycott is allowable, by one nation against another or by one group of nations against another group or by all nations against one, when it is certain that it is applied against those who are acting unjustly in a matter of seriousness proportionate to the moral cost of the sanction, and when less grave measures of curing or preventing the injustice are inadequate. And as a lesser evil must be preferred to a greater one, it is obligatory to use the boycott if at all feasible as a means of keeping the peace before making war.

Several assumptions underline this judgment that a boycott is applicable in this case. One is that Japan is committing a crime not only against China but against international society, against world solidarity. Another is the deadly fear that every war nowadays may end in a world war; that the Japanese-Chinese war may become a Japanese-Chinese-Russian war, and then, with who knows what alignments, a world war. Still a third is the belief that Japanese control of Manchuria will mean Japanese commercial monopoly of this area, which will give China over to international exploitation, which, in

spite of similar American and European practice, is held to be wrong.

The boycott against Japan is advocated to stop her definitely and surely in the injustice she is doing. It was possible at the beginning of the Manchurian aggression for the League and the United States to have firmly and unwaveringly made up their minds to take two steps following each other quickly. The first would have been to tell Japan that she was the unjust aggressor and in violation of the Kellogg Pact, the Pacific treaties and morally rational international law, and that she must stop her aggression immediately. And they could have jointly agreed, failing the quick success of diplomatic sanction, to declare a world boycott against Japan. In these circumstances, the boycott would have been used quickly enough to have proved their determination to enforce international obligations to keep the peace.

That swiftness was probably impossible in the present condition of the states of the world when their selfish national interests pulled them apart, and their ability to act promptly was hampered by their extraordinary economic problems. The time that has passed has served to clarify the issue and to magnify the complexity of the Manchurian problem. It is not too late, however, collectively to apply sanctions. It is to be hoped that when and if a collective sanction is applied, an informed public opinion in the United States will insist on the recognition of moral values.

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APPENDIX B

N. C. W. C. Study Club Outline

MANCHURIA, THE PROBLEM IN THE FAR EAST

(Printed by Permission of the N. C. W. C. Study Club Committee)
Lesson I

GENERAL ASPECTS OF THE MANCHURIAN SITUATION

TOPICS FOR DISCUSSION

1. The Beginning of the Present Trouble.
 - (1) Relation of Nakamura incident to present Sino-Japanese difficulties.
 - (2) Stability of settlement of Manchuria.
 - (3) Resources of Manchuria.
 - (4) Countries interested in Manchuria.
 - (5) Origin of present trouble.
2. The Creation of Manchukuo. (See map.)
 - (1) Creation, status and government of Manchukuo.
 - (2) Its relations with China, with Japan.
 - (3) Evidences of its independence, its popularity.
 - (4) Findings in the report of the Lytton Commission.

QUESTIONS

1. How did the present trouble begin?
2. How soon, and in what way, did other states become interested? The League of Nations?
3. How does Japan explain her action? What is the Chinese point of view?
4. What international action was taken to clear up the trouble?

PAPERS

1. The Economic Resources of Manchuria.
2. The Geographical Background of Manchuria.
3. The Incidents of September 18, 1931.
4. The Creation and Character of Manchukuo.

Lesson II

POLITICAL ASPECTS OF THE MANCHURIAN SITUATION

TOPICS FOR DISCUSSION

1. The Governments of China and Japan.
 - (1) Importance of banditry as a cause of the conflict.
 - (2) Causes and recent developments of banditry in China and Manchuria.
 - (3) Character and strength of government of China.
 - (4) Comparison with government of Japan.
 - (5) Character of Chinese boycott.

2. The National Policies of the European States.
 - (1) Comparison of the national policies of the European countries, the United States, and Japan in the Far East.
 - (2) Russia as a factor in the solution of the difficulty.
 - (3) Recent relationship between Russia and Japan.

QUESTIONS

1. When and how was the Chinese boycott applied in this case? By whom?
2. How long has the "Open Door" policy been important? Why?
3. Who are the major advocates of the aggressive policy in Japan?
4. Study from map proximity and comparative sizes of countries surrounding Manchukuo. What are population and strength of each?

PAPERS

1. The Weakness of China as a Factor in the Manchurian Situation.
2. The National Policy of Russia in the Far East.
3. The "Open Door"—Its Importance in Far Eastern Diplomacy.
4. Banditry and Boycott in Manchuria.

Lesson III

ECONOMIC ASPECTS OF THE MANCHURIAN SITUATION

TOPICS FOR DISCUSSION

1. Land and Trade Questions.
 - (1) Summary of restrictions on land ownership in Manchuria to 1931.
 - (2) Effect of these on position of the Japanese. Their new position.
 - (3) Origin of settlers of Manchuria. Date of their coming.
 - (4) Importance of trade question in present situation.

QUESTIONS

1. To what degree is the prospect of Japanese immigration part of the problem?
2. Explain the part played by trade conditions in the present Far Eastern controversy.
3. What are the differences in the trade of China and of Manchuria? The likenesses?
4. Compare the interests of the European powers and of the United States in the trade of China, Japan and Manchuria.
5. What is the present trend of the Japanese campaign for markets? For what purposes?

PAPERS

1. Trade as a Factor in the Manchurian Situation.
2. Summary of Economic Issues and Major Points Under Each One.
3. Immigration since the Manchurian Troubles.
4. Effects on Land Ownership.

Lesson IV

ECONOMIC ASPECTS OF THE MANCHURIAN SITUATION
(Continued)

TOPICS FOR DISCUSSION

1. Railroad Questions. (See map.)
 - (1) Previous ownership of railroads in Manchuria.
 - (2) Terms under which railroads were originally built. Financing of railroad building.
 - (3) Relation between railroads and the boycott.
 - (4) Position of Russia regarding recent developments in Chinese Eastern Railway.

QUESTIONS

1. In what degree were the railroads in Manchuria competitive?
2. What changes have the years 1931-33 made in the running of these railroads?
3. Why is the Chinese Eastern Railway of particular importance just now?
4. Relation of present railway situation to world problems.

PAPERS

1. The Importance of the South Manchuria Railway to Japan.
2. The Construction and Operation of the Chinese Eastern Railways.
3. Railroad Rivalry as a Factor in the Manchurian Situation.

Lesson V

INTERNATIONAL ASPECTS OF THE MANCHURIAN SITUATION

TOPICS FOR DISCUSSION

1. Japanese present policy in Manchuria—its conflict or accord with her rights and duties under collective agreements.
2. Major points in Report of Lytton Commission. Official authority of Commission.
3. Moral and ethical questions involved in Manchurian situation. Rights and wrongs of both parties.

QUESTIONS

1. What did the Commission consider to be the rights and wrongs of the situation?
2. Summarize its suggestions for improving conditions in the Far East.
3. What is the present position of the interested powers? Of China and Japan? Of the League of Nations?
4. What, if anything, can yet be done to secure justice, or a greater measure of justice, in the Far East?

PAPERS

1. The Lytton Commission—Its Creation, Its Powers, Its Methods.
2. The Lytton Report—Its Conclusions and Its Adoption.
3. The Question of International Boycott—Its Merits and Defects.

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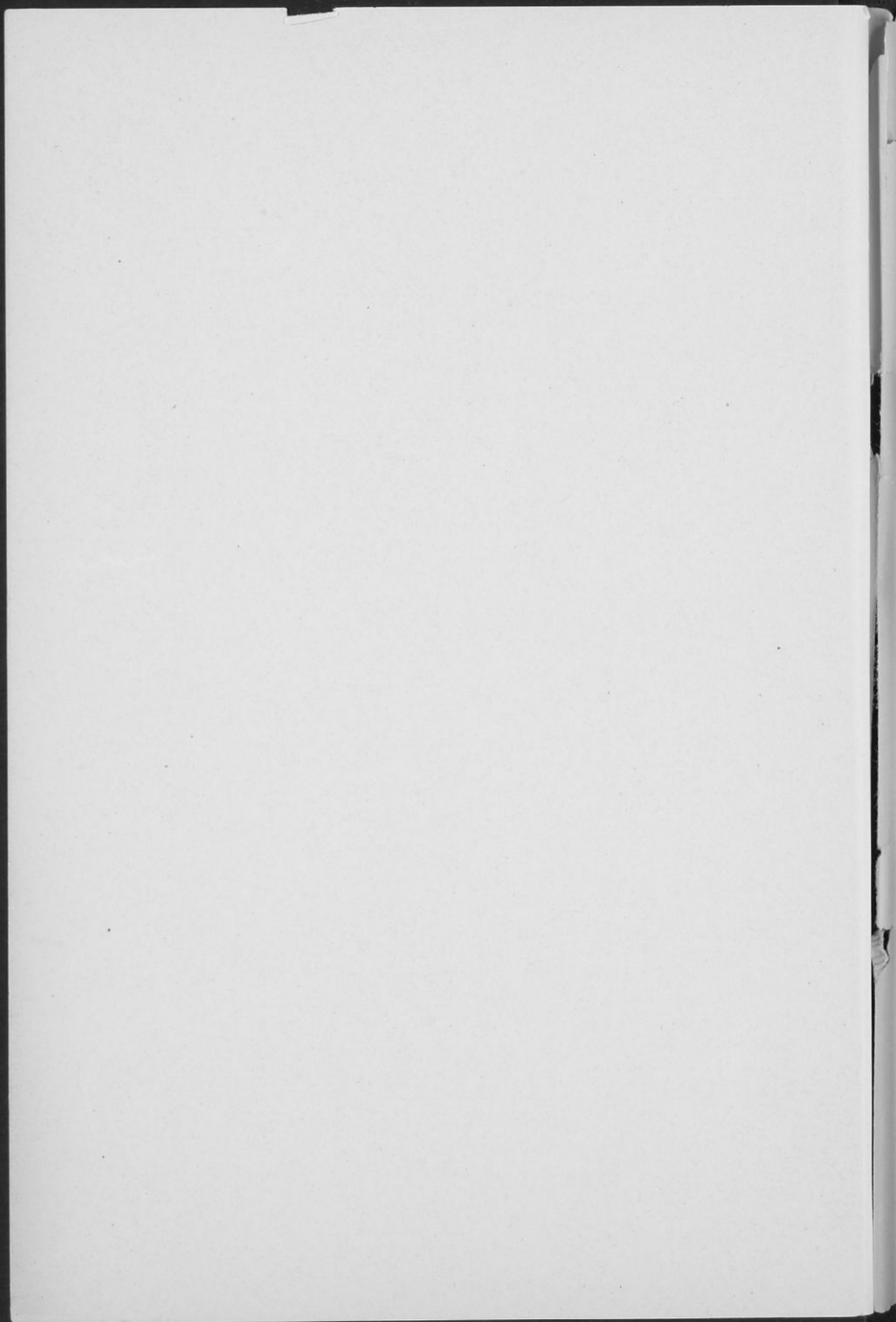
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THE Catholic Association for International Peace has grown out of a series of meetings during 1926-1927. Following the Eucharistic Congress in Chicago in 1926, representatives of a dozen nations met with Americans for discussion. In October of the same year a meeting was held in Cleveland where a temporary organization called The Catholic Committee on International Relations was formed. The permanent name, The Catholic Association for International Peace, was adopted at a two-day Conference in Washington in 1927. Annual Conferences were held in the same city in 1928, 1929, 1930 and 1933; in New York City, 1931; and in Cleveland, 1932. All-day regional Conferences took place in Chicago on Armistice Day, 1930, in St. Louis on Washington's Birthday, 1932, and at the University of Notre Dame, Notre Dame, Indiana, on November 19, 1933. It is a membership organization. Its objects and purposes are:

To study, disseminate and apply the principles of natural law and Christian charity to international problems of the day;

To consider the moral and legal aspects of any action which may be proposed or advocated in the international sphere;

To examine and consider issues which bear upon international goodwill;

To encourage the formation of conferences, lectures and study circles;

To issue reports on questions of international importance;

To further, in coöperation with similar Catholic organizations in other countries, in accord with the teachings of the Church, the object and purposes of world peace and happiness.

The ultimate purpose is to promote, in conformity with the mind of the Church, "the Peace of Christ in the Kingdom of Christ."

The Association works through the preparation of committee reports. Following careful preparation, these are discussed both publicly and privately in order to secure able revision and they are then published by the organization. Additional committees will be created from time to time. The Association solicits the membership and coöperation of Catholics of like mind. It is seeking especially the membership and coöperation of those whose experience and studies are such that they can take part in the preparation of committee reports.

The Committees on Ethics, Law and Organization, and Economic Relations serve as a guiding committee on the particular questions for all other committees. Questions involving moral judgments must be submitted to the Committee on Ethics.

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- Peace Education.
- So-called "Over-Population."
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- French-Italian Relations.
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