

The Japanese Consul in China, 1895-1937

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Introduction

This essay explores the subject of Japanese imperialism in China in the prewar period by examining the administrative role of Japanese diplomats in managing Japanese communities and other national interests. The Japanese consul's job in prewar China was far more extensive and authoritative than might at first appear, primarily because in the context of treaty port imperialism in China this office wielded considerably expanded powers. While the diplomats of other ranking Western powers also took on increased jurisdiction in the context of China, as this essay will demonstrate, the Japanese consul in the treaty port came to hold certain unprecedented authority. Examination of the range and extent of the consul's job will contribute to a more thorough understanding of how Japanese influence grew in China in the period prior to the Manchurian Incident of 1931. In addition, it highlights the complexities of Japan's version of treaty port imperialism and suggests weaknesses in the status quo that led to its breakdown and transformation with the coming of Japanese military occupation of China, in 1931 in Manchuria and 1937 in China proper.

This essay is part of a larger study of the Japanese Foreign Ministry and China in the period leading to full-scale war. The larger analysis identifies an interest group, the "China service diplomats" and discusses the resistance of these men to Japan's decisions to opt for military action in China. In this essay, the analysis carries over in the characterization of the Japanese consul in China as struggling primarily to keep the peace among all parties in his district or treaty port, at the same time that he stood for the central importance of Gaimushô 外務省 authority in all areas of Japan's activities in China.

Treaty Port Imperialism in China: Japan's Position

In its broadest definition, imperialism is an asymmetrical power relationship between two societies, with the metropolitan society to some degree politically dominant over the peripheral one. In East Asia and some other areas of the world, Western imperialism did not take the form of outright colonial control but rather the form of a system created by treaties of "free trade" imposed on the subordinate nation. The great advantage for the dominant power was that the system yielded huge profits for the metropolitan society without the great expenditures involved in subduing and governing

whole subordinate societies.¹

Recent scholarship is reexamining the nature of imperialism from new directions, most significantly refocusing attention on the dynamic role of the periphery itself in determining the asymmetrical power relationship. Questions about the role of capital and political control are giving way to new questions about culture and reverse influence from the periphery to the core. Several scholars have attempted to clarify the nature of imperialism--termed "neo-" or "semi-colonialism," "informal empire," or "treaty port imperialism"--in East Asia. The most detailed formulation, by Jurgen Osterhammel, lists ten conditions which directly address issues of political or economic domination in China.² Osterhammel and, to a lesser extent, Peter Duus still approach the imperialism of the informal empire from familiar economic and political perspectives.³

This study returns to exploring treaty port imperialism primarily from the legal perspective of how the unequal treaty system deprived China of vital aspects of her sovereignty. It is allied to an enormous body of prewar scholarship discussing the subject and also to William G. Beasley's recent study which concluded with his stress on the need for further research on the internal organization, administration, and dynamics of the Japanese empire.⁴ John Dower, in his 1975 essay on the state of the field of Japanese history, also called for new research to clarify, among other aspects of the imperial empire, the work of Japanese consulates.⁵ Further understanding of the legal justifications and administrative apparatus of the Japanese informal empire in China in turn gives rise to larger cultural questions about Japanese imperialism.

Japan officially gained most-favored-nation status vis-à-vis China with the Treaty of Shimonoseki in 1895. In fact, the Japanese Foreign Ministry through its consulates in China (and Korea) was, even prior to this, expanding the advantages offered to Japan under international law and its practice in East Asia. Japanese expansions of the privileges of extraterritoriality, begun in Korea, continued after 1895 in China. Japan's version of treaty port administration evolved in tandem with Japan's growing presence and stake in

¹ John Gallagher and Ronald Robinson, "The Imperialism of Free Trade," *Economic History Review*, ser. 2, v. 6 (1953), pp. 1-15.

² Jurgen Osterhammel, "Semi-Colonialism and Informal Empire in Twentieth Century China: Toward a Framework of Analysis," in Wolfgang J. Mommsen and Jurgen Osterhammel, eds., *Imperialism and After: Continuities and Discontinuities* (London: Allen and Unwin, 1986), pp. 290-314.

³ Peter Duus, "Introduction," in Peter Duus, Ramon Myers, and Mark Peattie, eds., *The Japanese Informal Empire in China, 1895-1937* (Princeton: Princeton University Press, 1989), pp. xi-xxix. The economic interest is reflected in his research essay in the same volume, "Zaikabô: Japanese Cotton Mills in China, 1895-1937," pp. 65-100.

⁴ W. G. Beasley, *Japanese Imperialism, 1894-1945* (Oxford: Clarendon Press, 1987), especially "Introduction: Explanations of Imperialism," pp. 1-13.

⁵ John Dower, "E.H. Norman, Japan and the Uses of History," in E.H. Norman, *Origins of the Modern Japanese State* (New York: Pantheon, 1975), p. 85.

Chinese economy and society. Just as in the case of the other great powers, the key agency of the Japanese informal empire was the Japanese consulate. In contrast to other great power consulates, however, the Japanese consulate had to contend with other of its own national agencies vying for advantage and control in Chinese affairs.⁶ The legal and political structure of the Japanese informal empire in China, mediated by the Japanese consul, rested on delicate balances of power with competing Chinese, Western, and domestic challengers. The consuls who headed the offices did their best to perform the increasingly impossible task of maintaining this balance.

The Job of Consul

In the ancient Western world, a system evolved whereby small foreign enclaves, such as small communities of Greeks or Romans surrounded by alien cultures in the Middle East, were allowed to choose a representative from their ranks to act as magistrate, or consul, to adjudicate disputes according to the laws of the mother country. As the role of consul has evolved in diplomatic practice to the present, most of his political, judicial, and even diplomatic functions have been gradually shorn, leaving him mostly responsible for issuing visas and regulating his country's commercial concerns.⁷ But the consul never really lost his primary function of taking care of his fellow expatriates within the area of his jurisdiction, a task which easily links his job to furthering national interests on foreign soil.

A full understanding of the foreign consul's job in late nineteenth and early twentieth century China would entail careful reconsideration of the evolution of the unequal treaty system from the 1840s on. The basic privileges the system came to extend to the most-favored nations included fixed tariff advantages, rights for nationals to travel and live in specified Chinese areas, concession rights and leased territories creating enclaves of foreign "soil," the power to administer justice according to laws of the mother country, rights to manufacture in concession areas, and more. Both China and Japan had faced the challenge of infringement on their sovereignty through this system. The Japanese, by means of intensive study and reform, managed with British support to throw off this infringement by 1899, while the Chinese did not regain legal autonomy on their own soil until 1943.⁸

⁶ A pioneering discussion of the configuration of the Japanese communities in China in the prewar period is Mark Peattie, "Japanese Treaty Port Settlements in China, 1895-1937," in *The Japanese Informal Empire in China, 1895-1937*, pp. 166-209.

⁷ This process is briefly described for the American consular service in the nineteenth century in Richard Hume Werking, *The Master Architects: Building the United States Foreign Service, 1890-1913* (Lexington: University Press of Kentucky, 1977), pp. 1-12.

⁸ Recent scholarship on the legal ramifications of extraterritoriality in China is thin. For Japan, the subject is explored in Richard T. Chang, *The Justice of the Western Consular Courts in Nineteenth-Century Japan* (Westport, CT: Greenwood Press, 1984), and some of Chang's conclusions may be applicable to the Chinese situation as well. His major contention seems to be that, in

Ironically, even while the Japanese were offering advice based on their own experience to Chinese delegates at international conferences discussing extraterritoriality, they were, through their agencies like the Gaimushô, extending the system to new levels of encroachment on China's sovereign rights.⁹ In the Gaimushô, questions concerning abolition of extraterritoriality in China were carefully studied in the 1920s, after the Chinese delegation at Versailles had raised such an angry plea for its renunciation by foreign powers. The possible abolition of the system in China was contrasted to the complete abolition of extraterritoriality in Japan (1896) and Siam (1913). China was still found wanting in appropriate conditions for great power renunciation, especially in view of its courts and legal system.¹⁰

The job of the foreign consul in China, then, must be differentiated from that of consuls in other places. As described by H.B. Morse:

Commissioned to other countries, a consul is no more than the commercial agent of his government; but, in a country which has granted the privileges of extraterritoriality, he is charged with such important diplomatic and judicial powers as to remove him into a different class. In China these powers have, in the main, been exercised in a dignified way by most of the consuls of most of the greater, and many of the minor, powers, and the consuls of all nations have had an importance such as is not known elsewhere.¹¹

In addition to the expansion of consular authority in China through the system of extraterritoriality, the turbulence and fragmentation of Chinese politics during the century of the system's history also increased the local authority and autonomy of the individual consul in his district. Western consuls and consuls-general frequently superseded their nominal role as commercial agents or watchkeepers over their own nationals to take on

general, consular courts, particularly British ones, did not distort justice in the favor of their own nationals. Only a few unrepresentative but notorious cases known by the Japanese public were sufficient to arouse national outrage against the system. For China, where the system was far more complex, scholarship is prewar. See H.B. Morse, *The International Relations of the Chinese Empire* (London: Longman's, Green and Co., 1910), v. 1, pp. 303-17 for the beginnings of extraterritoriality after the Opium War, and in Japanese, Irie Keishirô 入江啓四郎, *Chûgoku ni okeru gaikokujin no chii* 中國における外國人の地位 (The Position of Foreigners in China) (Tokyo: Tôkyôdô, 1937), esp. chapter seven on consuls and consular jurisdiction, pp. 409-81.

⁹ This is evident from reading the sections devoted to extraterritoriality in the IPR conference proceeding volumes, J.B. Condliffe, ed., *Problems of the Pacific: Proceedings of the Second Conference of the Institute of Pacific Relations, Honolulu, 1927* (Chicago: University of Chicago, 1928), esp. pp. 65-146, 237-65, *Third, Kyoto, 1929*, (1930), pp. 84-142, 313-68, and Bruno Lasker, ed., *Fourth, Hangchow and Shanghai, 1931* (1932), pp. 269-317.

¹⁰ Gaimushô Ajiakyoku 外務省アジア局, *Shina mondai sankô shiryô daigoshû: Ryôji saibanken teppai mondai* 支那問題参考史料第五集：領事裁判權撤廢問題 (Reference Materials on the China Problem. Volume 5: The Issue of Removing Consular Court Powers) (undated, "top secret" pamphlet, ca. 1923).

¹¹ H.B. Morse, *The International Relations*, v. 1, p. 303.

negotiations with *de facto* powers in their areas of jurisdiction, and particularly after 1911, with warlords who were determining national Chinese politics.

Some of these added dimensions of consular service in China and their impact on political reporting in the US State Department in the late 1930s have been described. Gregory Prince has concluded that as a result of a great amount of time spent sitting in court adjudicating disputes involving their nationals, US consuls and other diplomatic officials modelled all their political reporting on the "legal brief" and lost sight of attempting long-term or comprehensive analysis of developments in China.¹² Reports, usually submitted to the ambassador in China, were stuffed with trivia and unanalyzed information. Consular representatives, due to the State Department directive to concentrate only on their local areas, failed utterly to attempt national-level analysis of events in China. Worse, "one hell of a lot of political reporting took place at the club."¹³ US representatives in China, with a few exceptions, seemed content to live their lives in the confines of treaty port communities.

Unlike his American counterpart, however, the Japanese consul was in constant direct communication with his Foreign Minister (rather than the ambassador or highest envoy in the country), and already possessed greater authority to negotiate with regional Chinese leaders.¹⁴ His educational level and standing in his own service was likely to be higher than that of his American counterpart and gave him greater relative authority among his own nationals. Japanese consular offices also collected a wealth of commercial and economic intelligence in highly professional and organized reports sent back on a regular basis to Kasumigaseki 霞ヶ関. Today, historians of China and elsewhere greatly benefit from these series, which have been published for scholarly purposes in gigantic collections, such as *Tsūshō ihen* 通商彙編 in seventy volumes.¹⁵ Diplomatic cables concerning current political events from consuls to Foreign Ministers are to-the-point and

¹² See Gregory S. Prince, Jr., "The American Foreign Service in China, 1935-1941: A Case of Political Reporting," PhD dissertation, Yale University, 1973, p. 48.

¹³ *Ibid.*, p. 53.

¹⁴ This distinction is important, giving the consul far more input at Kasumigaseki than might be expected. Outgoing cables from consuls were addressed to the Foreign Minister; in fact, they were usually received and processed in the Bureau of Asiatic Affairs.

¹⁵ These *ryōji hōkoku* 領事報告 (consular report) fall into three periodic categories: monthly, yearly, and provisional (*rinji* 臨時) in a highly organized system of world-wide commercial reporting that operated from 1881-1943. Foreign Ministry Archives also contain a wealth of other monographic reports on socio-economic topics in jurisdictional areas. A group of scholars at Kyoto University organized a three-year project to better understand and describe these materials, and the resulting volume is a valuable collection of guidelines to a massive amount of materials and essays on various aspects of *ryōji hōkoku* and, to a lesser extent, the consular system itself (mainly of Meiji period): Tsunoyama Sakae 角山榮, ed., *Nihon ryōji hōkoku no kenkyū* 日本領事報告の研究 (Studies of Japanese Consular Reports) (Tokyo: Dōbunkan, 1987). Also note the special issue of the journal *Business History* 18 (November 1981) which is devoted to consular reports and includes a short essay in English by Tsunoyama.

analytic, reflecting both the consul's highly integrated sense of Japanese national interests vis-à-vis the changing situation in China and his understanding of his own position.

In their roles as magistrates, some consuls witnessed firsthand the results of anti-Japanese violence in China, and ended up consistently seeking to placate the irate local Japanese community in order to reduce growing tensions.¹⁶ In the International Settlement in Shanghai, when consuls frequently sat on joint commissions to adjudicate cases, they learned a great deal about cooperation with other great powers and their diplomats while representing Japan's interests.¹⁷ Japanese consuls often spoke Chinese well and negotiated directly with regionally powerful leaders such as Zhang Zuolin 張作霖. They were not reporting "from the club" but were actively mediating Japanese and Chinese interests at the grass-roots level.

To sum up, the job of consul in China entailed far more responsibilities than it did elsewhere. As one Japanese diplomat wrote, recalling his great satisfaction on being appointed consul at Changchun in Manchuria in 1923 at the age of 30:

Consuls appointed to China did not simply handle commercial affairs; they did such things as exercise the rights of police enforcement and the judiciary (consular jurisdiction), and sometimes had to issue orders to expel undesirable resident nationals, as well as holding the right to mediate with Chinese authorities at the same level as the Minister at Beijing over such problems as the protection of resident nationals. Also, in principle consuls were under the direct control of the Foreign Ministry, directly receiving instructions from the Foreign Minister.¹⁸

At this time, he had already served both in the Ministry at Kasumigaseki and in London, and felt his career was moving right along. The passage indicates that the greater responsibilities of consular work in China did give the post some added prestige.

The following sections will break down the consul's role in China by looking at its various dimensions one by one. The consul's job was never static but always part of an ongoing struggle, both to strengthen Japanese political authority itself and also to maintain the Gaimushō stake in the game at any level. As time progressed in the 1920's, the future

¹⁶ This was true, for example, for Consul Yoshida Shigeru at Jinan in 1918 when Chinese agitators murdered two Japanese pawnbrokers. See Inoki Masamichi 猪木正道, *Hyōden Yoshida Shigeru* 評伝吉田茂 (Critical Biography of Yoshida Shigeru) (Tokyo: Yomiuri, 1978), v. 1, pp. 163-64.

¹⁷ See, for example, the case of the Shanghai Mixed Court's decision regarding an anti-Japanese article appearing in the newspaper *Minguo bao* 民國報 in 1925 which urged workers in Japanese-owned mills in Shanghai to stage an uprising against "Japanese capitalists." The Court, composed of a Japanese and a Chinese representative, found the paper guilty of concealing the address of its editor and of the intention to stir up Chinese minds against foreigners, and subject to a fine. A. M. Kotenev, *Shanghai: Its Municipality and the Chinese* (Shanghai: North-China Daily News and Herald, 1927), p. 197. A more complete account of the Mixed Court is in Kotenev, *Shanghai: Its Mixed Court and Council*, (Shanghai: North-China Daily News and Herald, 1925).

¹⁸ Nishi Haruhiko 西春彦, *Kaisō no Nihon gaikō* 回想の日本外交 (Memories of Japanese Diplomacy) (Tokyo: Iwanami shinsho, 1965), pp. 11-13.

of consular jurisdiction became more uncertain. From one direction, other Japanese agencies, but particularly the army in Manchuria, kept up attacks on the Gaimushô for the perceived ineffectuality of the consuls and increasingly agitated for outright control. From another, if contradictory, direction, Chinese nationalism in the form of the rights recovery movement grew stronger in its attacks on extraterritorial privilege and threatened a direct showdown over Japan's and other informal foreign controls. The real strength of this threat, however, lay in its potential backing from Great Britain and the Western powers.

On the eve of the Manchurian Incident of September 19, 1931, the Western powers appeared to be moving towards partial or even full renunciation of extraterritoriality.¹⁹ It is possible that one intended consequence of this action backfired. Instead of working to reverse Japanese expansion, this trend provoked Japanese expansionists, out of increasing alarm at the threat to the status quo, to plot the Manchurian Incident, which would end informal empire in Manchuria and mark the beginning of colonial control for all of China.

The Consul as Judge and Chief Investigator

The consul's responsibilities as judge concerned legal cases which might arise involving Japanese nationals. Consular courts had a level of responsibility equivalent to domestic district or municipal courts and were simply courts of the first appeal, acting in cases where Japanese were defendants in civil suits or the accused in criminal suits. From consular courts in most areas of China, cases could be appealed to the Nagasaki District Court (just as United States cases might be appealed to a California District Court), but in all areas of Manchuria (including the railway zones) cases originating in the Japanese consular courts were subject to appeal first to the District Court at Dalian (Dairen) and then to the Supreme Court at Port Arthur (Ryôjun or Lushun) in the Guandong 關東 (Kwandong) Leased Territory. Consular cases originating in the Jiandao 間島 area (Longjingcun 龍井村, close to Korea) were subject to appeal in higher courts in Korea.²⁰

Also, in the areas of southern Manchuria and eastern Mongolia where many Japanese lived amidst the Chinese population, the consular courts had limited jurisdiction in civil cases and property disputes arising between Chinese and Japanese residents. Cases were to be decided along the precedents of Chinese law by a local mixed court consisting of the Japanese consul and a Chinese official. The Japanese was presiding judge in cases with Japanese defendants, and, in the case of Chinese defendants, the Chinese official presided and the Japanese consulted and observed.²¹ This mixed court was a unique

¹⁹ See "Summary of Round-Table Discussions," *Problems of the Pacific, 1931*, pp. 290-316. See also C. Walter Young, *Japan's Special Position in Manchuria* (Baltimore: Johns Hopkins Press, 1931), 3 vols.

²⁰ *Ryôji saibanken teppai mondai*, pp. 69-70. Also C. Walter Young, *Japanese Jurisdiction in the South Manchurian Railways* (Baltimore: Johns Hopkins Press, 1931), pp. 246-61.

²¹ *Ryôji saibanken teppai mondai*, p. 71.

institution in treaty port imperialism, deriving from the unique and complicated privileges of land ownership and leasing in the interior of Manchuria which the Japanese had wrested from Chinese sovereignty in the early decades of the twentieth century.

At some of the larger municipalities such as Fengtian 奉天, legal specialists sent from Japan were attached to the consulate to handle the bulk of the case work. While the consul in the Manchurian region may have had many equally important roles, it is easy to see how this particular aspect of his work was crucial to other Japanese agencies there, most particularly the South Manchurian Railway. The South Manchurian Railway Zone had been set up by treaty after the Russo-Japanese War. In the late 1920s, growing apprehension that the Western powers might renounce extraterritoriality led Japanese jurists to seek other means to legally justify extraterritoriality in the Zone. As none could be found, the existing system and the consular role was all the more important to the justification of Japan's advantageous position in Manchuria.

The Chinese people, like the Japanese before them, keenly felt the humiliation of the foreign judicial privileges of extraterritoriality. One China service diplomat in the early 1920's, Akamatsu Shōsuke 赤松 正助, Consul-General at Fengtian, proposed that Japan might first relinquish extraterritoriality in Manchuria, asserting it would set a precedent of at least seeming good will to be followed by other powers. The reasons he gave also included: 1) this would further cement Japan's close association with Zhang Zuolin; 2) it would pave the way for the Chinese employment of many Japanese legal advisors and lawyers; and 3) the special mixed court procedures were not entirely effective anyway. His plan did not meet with approval in Japan.²² Nevertheless, throughout the 1920s China's demands for recovery of rights lost under the unequal treaty system met increasing support from the Western powers, and from Shidehara-like liberals in Japan. On the eve of the Manchurian Incident, the climate of negotiations had changed so as to make Western renunciation of this right, to trial under Western systems, appear to be imminent.²³ The Nanking government, in fact, declared on May 4, 1931, that as of January 1, 1932, aliens would all be subjected to Chinese laws and courts.²⁴ To counter the threat of losing a major dimension of their position in Manchuria, by 1931 Japanese representatives were negotiating with the Guomindang 國民黨 (Nationalist) government in Nanking to retain extraterritoriality in the railway areas in the event that the system were abolished in China itself.²⁵ This pressure for major change in the unequal treaty

²² *Ibid.*, p. 41-42.

²³ See "Summary of Round-Table Discussions," *Problems of the Pacific, 1931*, pp. 290-316. Sino-Japanese negotiations discussing a timetable for relinquishing privileges, under the leadership of Shidehara, were continuing throughout 1931, and must be considered an additional force motivating the Guandong Army towards action. Nihon kokusai seiji gakkai, Taiheiyō sensō gen'in kenkyūbu 日本国際政治学会、太平洋戦争原因研究部, ed., *Taiheiyō sensō e no michi: kaisen gaikō shi* 太平洋戦争への道：開戦外交史 (The Road to the Pacific War: A History of the Diplomacy at the Commencement of Hostilities) (Tokyo: Asahi shinbun sha, 1962-63), v 1, pp. 342-52.

²⁴ *Taiheiyō sensō*, v. 1, pp. 342-52.

²⁵ Young, *Japanese Jurisdiction in South Manchurian Railway Areas*, p. 260.

system also destabilized the Gaimushô's secure position as protector of the Japanese community's rights and interests.

An anecdote concerning the consul as judge may be drawn from the life of the diplomat Ishii Itarô 石射猪太郎. As Acting Consul-General in Tianjin in 1918, he found much of his time was taken up in the numerous cases arising from the large Japanese community. His first experience as judge concerned a clear case which proved the guilt of the Korean defendant who had been caught smuggling drugs ("morphine"). Ishii recalled that since such smuggling was such a severe problem at the time, the chief officer of his consular police had already advised him to give a stiff sentence, and therefore he handed down six months imprisonment. Just as he made this pronouncement this officer motioned him to exit into the hallway, where he next proceeded to upbraid him for giving too severe a sentence: "Your predecessor, in cases like this, would not have given more than two months. Besides, we don't have the budget or the resources to feed this guy for a whole six months. You've got to do something." Ishii returned to the court, retracted his original sentence, and issued a new one for two months. But this hurt his reputation with the Japanese community. Ishii remarked that after a short time of "playacting" at being a judge, he got used to it and earned the respect of the community.²⁶ Ishii's continued lack of ease in his judicial role, which he felt exceeded the bounds of the job of a professional diplomat, reflected his identity as a Kasumigaseki diplomat. China service diplomats like Ishii had serious doubts about the propriety of the greater latitude of the consular office in China, compared to similar posts in other parts of the world.

From this example, we can also draw a few impressions of the function of consular courts in Japanese imperialism. It is no coincidence that this case concerned both the problem of drug smuggling and of Korean nationals in China, as these twin agencies were the two prongs of Japanese penetration into the local-level economy of North China and Manchuria. Offenders who could seek the protection of Japanese extraterritoriality by virtue of their national identity might escape with relatively light punishments compared to what would be served them in Chinese courts. The Chinese authorities from the nineteenth century on had done much to accomplish eradication of opium traffic through stringent law enforcement and harsh penalties.²⁷ Japanese expansion of the extraterritorial privilege of consular courts undermined this success and enriched illicit Japanese drug traffickers.

The consul's related role of investigator in criminal affairs involving Japanese nationals was a highly inflammable one, given the increasing Chinese violence against Japanese nationals as the 1920s progressed. The consul's responsibility for these investigations, along with his consular police, was specified in treaty and in the bureaucratic legislation of the "informal empire."²⁸ Often consuls, looking back on their China post-

²⁶ Ishii Itarô 石射猪太郎. *Gaikôkan no isshô* 外交官の一生 (The Life of a Diplomat) (Tokyo: Taihei shuppansha, 1972), pp. 33-34.

²⁷ See Jonathan Spence, "Opium Smoking in Ch'ing China," in Frederic Wakeman, Jr. and Carolyn Grant, eds., *Conflict and Control in Late Imperial China* (Berkeley: University of California Press, 1975), pp. 143-73.

²⁸ *Ryôji saihanken*, p. 71.

ings, summarized their accomplishments as settling incident (*jiken* 事件) after incident during their term: their role as pacifier of aroused national feelings was inherent in their job. The difficulty of satisfying Japanese and Chinese sides of any dispute also left consuls vulnerable to domestic charges that they did not adequately protect Japanese nationals in China. It seems logical that this peacekeeping aspect of their work may have influenced many China service diplomats to consistently caution restraint in facing new situations in China.

Ishii gives another example of racial tensions which were easily provoked by such consular investigations. While Consul-General in Jilin in 1930, he obtained information that a Japanese national, long reported missing, had actually been murdered by a "disloyal Korean" (*futei Senjin* 不逞鮮人) and that the suspected location of the body was known. Ishii appointed his vice-consul to head a posse to dig up the body at the designated place, but upon the group's return he learned that they had dug up not the grave of a newly-murdered Japanese, but rather an ancient Chinese grave. In China, where disruption of an ancestor's grave was a very serious offense, Ishii and his subordinate were next subjected to national reporting of their culpability in this desecration of the gravesite. Despite his abject apologies to the Jilin provincial authorities, the media continued to castigate both him and his vice-consul. Eventually, the blame settled squarely on the vice-consul, who was no longer invited to any Chinese provincial functions. Ishii, realizing his deputy's new inability to fulfill his duties, finally requested his transfer to his Kasumigaseki superiors and this was effected.²⁹ It may further be speculated that the report about the body was planted by Japanese plotters seeking to render the outspoken consul-general Ishii ineffectual in his job due to Chinese public reaction.

This type of meddling on the part of Guangdong Army plotters in Manchuria certainly increased on the eve of the Manchurian Incident. The several incidents which occurred at that time involved all the aspects of the consul's office and worked to discredit the effectiveness of the Gaimushô in its major task of protecting Japanese nationals. Among them is the so-called Nakamura Incident, which pitted the Gaimushô, at its lowest and highest levels, against the army. At the same time it brought out stubborn conflict between the Chinese authorities in Manchuria, now represented at the top by Zhang Xueliang 張學良, and the Japanese army and Japanese public opinion.³⁰

Captain Nakamura Shintarô 中村震太郎, a member of General Staff Headquarters, set out, dressed in civilian clothes, with three others (one Japanese and two Mongols) on a dubious but exploratory mission to the Inner Mongolian border in June 1931. On June 26, Chinese soldiers suspicious of the group's "spying" activities detained

²⁹ Ishii, *Gaikôkan*, p. 159.

³⁰ One detailed account of this incident is Seki Hiroharu 関寛治, "Manshû jihen zenshi, 1927-31" 満州事変前史 (The prehistory to the Manchurian Incident), in *Taiheiyô sensô*, v. 1, pp. 352-58. Since all accounts ultimately rely heavily on Hayashi Kyûjirô 林久治郎, then Consul-General at Fengtian, and since his perspective is appropriate to my purpose here, the discussion following is based on his *Manshû jihen to Hôten sôryôji* 満州事変と奉天総領事 (The Manchurian Incident and the Fengtian Consul-General) (Tokyo: Hara shobô, 1978). Also, in English, Takehiko Yoshihashi, *Conspiracy at Mukden* (New Haven: Yale University Press, 1963), pp. 144-47.

them, and apparently soon afterwards killed them and then incinerated the bodies to leave no traces to tell the story. The incident flared up into an affair of national importance, to the extent that at home in Japan it prompted the army to drop propaganda leaflets on various cities calling for stronger policy in Manchuria.³¹ At every point in the story we can see consuls in their jobs struggling to make the best of no-win situations.

First, there was the question of how Nakamura got where he was and his papers or lack thereof. According to Hayashi, "even though all were part of the same Three Eastern Provinces," in Fengtian and Zhengjiadun Chinese authorities prohibited Japanese consuls from issuing papers for Japanese to travel into the Inner Mongolian regions where this group was headed, causing many Japanese to travel in native disguise as Nakamura had. Nakamura, however, had made a special trip to Harbin to obtain proper papers and had them on him when he was detained. The consular agencies in the region, then, were caught in the bind of the legal dispute of the Chinese side, claiming the Harbin papers illegitimate, and the Japanese insisting on Nakamura's innocence.³²

Next, there was the problem of evidence. Hayashi, in order to negotiate with provincial Chinese authorities, first had to convince them there had actually been murders, which they felt little compulsion to believe in or act on. He set up a party to investigate; this included an army, an SMR and a local consular representative.³³ This investigation, succeeded by a half-hearted Chinese attempt, dragged on, with the army elements doing their best to heat up outrage at home and conspiracy to action in the Guandong ranks, and with the Chinese indifferent, until the beginning of September. Eventually Hayashi's warning about the possibility of major Japanese retaliation stirred the Chinese, who sent a higher level investigation team back to the area.

Finally, there was the resolution of the dispute. On September 16, the investigation reported back to Fengtian, also bringing in the guilty Chinese party for imprisonment. The consul-general and two consuls in Fengtian feverishly worked out the details of the Chinese settlement of the incident, including the court-martial trial of the murderer and profound Chinese apologies. Everything set, and the incident "solved" diplomatically, on the afternoon of the eighteenth the consul in charge emerged from final negotiations to seek out the ranking army authority in Fengtian with the good news, only to find his whereabouts unknown for the rest of the day.³⁴ Of course, the Incident, triggered by the dynamiting of a section of railway north of Fengtian, began that night. Most writers agree that the Guandong Army hastened its plans for reasons that include the fear that the

³¹ Alvin Coox, *Nomonhan: Japan against Russia, 1939* (Stanford: Stanford University Press, 1985), v. 1, p. 22.

³² Hayashi, pp. 109-10.

³³ Hayashi had actually learned of the murders from the Guandong Army, who had learned of them from an SMR station master in the area. The rumor, it seemed, started with the Japanese mistress of the guilty Chinese officer, who had told the story to the wife of a local SMR employee. So all arms of Japanese authority were abuzz.

³⁴ Hayashi, pp. 113-14.

Nakamura Incident would be solved too soon.³⁵

The Nakamura Incident is only one of innumerable such crises caused by Chinese violence towards Japanese citizens as the Japanese grip of imperialism tightened, at the same time that Chinese national awareness of its ways and means increased. While the consular office was the pivot of the legal and extralegal system constructed to facilitate the Japanese advantage, it also performed the contradictory role of “settling” disputes to appease or conciliate national outrage or humiliation at the international level. The next section will further elaborate this dilemma by introducing the teeth of the consul’s official judgments or directives, the consular police.

The Consul and the Consular Police

Perhaps the feature of the Japanese consular system in China that most significantly differentiated it from that of other great power nations was its police force. Although the consular police evolved from Japanese expansion of the role of consuls to protect Japanese nationals abroad and was embodied in imperial ordinances that also decreed that the police were to be attached to consulates and subject to the control of the corresponding consuls,³⁶ the legality of such forces under the unequal treaty system was justifiably denied by the Chinese government and even by some Japanese jurists.³⁷

The first consular police officers were appointed in Korea in 1880. In Pusan, the number of Japanese residents topped 1000 as the consul desperately tried to bring law and order in a time of hardship which brought Korean beggars and thieves in overwhelming numbers into the concession area. His proposal for a force of eleven men finally met with approval from Tokyo.³⁸ After this, as other ports in Korea opened to Japanese trade and settlement, each consulate had a station of police officers to keep law and order and to combat anti-Japanese actions by local Korean activists. After the Sino-Japanese War, in most Korean treaty ports residents not just of Japan but of all the great powers placed themselves under the protection of the Japanese consular police. As Japanese administration changed, in 1905 about 300 consular police in Korea were transferred to positions in the police force of the new protectorate administration (*rijichō* 理事廳). Except for

³⁵ Coox, *Nomonhan*, v. 1, p. 29.

³⁶ For the imperial ordinance, see the consular police handbook, which is a complete guide to the force, including such details as their force song; it opens with the words, “The task of the police officer is to work constantly under extremely varying conditions of such factors as time, people, and place.” Gaimushō keisatsu kyōzaikai 外務省警察教材會, ed., *Gaimushō keisatsukan fukumu sankōsho* 外務省警察官服務參考書 (Reference Work on the Duties of the Consular Police) (Tokyo: Eibundō, 1933), pp. 64-65.

³⁷ *Problems of the Pacific 1929*, p. 194.

³⁸ Gaimushō hyakunen shi hensan iinkai 外務省百年史編纂委員会, ed., *Gaimushō no hyakunen* 外務省の百年 (Centenary of the Foreign Ministry), 2 vols. (Tokyo: Hara shobō, 1969), v. 1, p. 433.

one consular police officer who still remained in Siam, all other Japanese consular police were now stationed in China.³⁹

Consular police were first stationed at the Shanghai Consulate in 1884, and by 1896 consulate offices at other cities in China proper, such as Tianjin, Zhifu, Suzhou, Hangzhou, Chongqing, Shantou, and Xiamen, acquired their own forces. A new commercial treaty between the Qing and Japanese governments in 1896 made specific mention of consular police, stating that they operated only with the consent of local Chinese authorities, and this became the basis upon which the Japanese right to consular police was established.⁴⁰

In Manchuria, consular police came in within a month of Japanese occupation of Niuzhuang during the Russo-Japanese war in the summer of 1904, after the consul cabled Tokyo with the request for police, considering the influx of Japanese nationals arriving every day to settle and start small businesses.⁴¹ He received two policemen to help him administer the burgeoning community. Consular police rapidly came to be stationed at the major cities in Manchuria, and more gradually to rail outposts and the like throughout the end of Meiji and the beginning of Taishō. But this occurred not entirely without Chinese resistance, the most notorious case being at Zhengjiadun in 1916.

The discipline and propriety of these police officers is not easily determined from the sparse materials available. Certainly, at least in the beginning, some of them were recruited locally. As time went on, however, the consular police became a small bureaucracy in itself, governed by strict rules of department and promotion, and there was some degree of fluidity between this police force and the other arms of police in the Japanese empire.⁴² Lewis Gann has pointed out the prominent role of police in administrating the Japanese empire as opposed to other Western colonial empires.⁴³ This also held true for the informal empire.

The Gaimushō also held examinations to recruit policemen and to promote officers to captains (*buchō* 部長). There was a training institute, much as described by Ching-chih Chen for police in the colonies, where for three months recruits learned constitutional

³⁹ *Ibid.*, v. 2, pp. 1373-78.

⁴⁰ *Ibid.*, v. 2, pp. 1391-96.

⁴¹ *Ibid.*, v. 2, pp. 1381-82. The Japanese population had reached 214 (206 men and 7 women) as a result of military traffic and immigration from other parts of China. Among the new businesses were eight *ryokan*, nine businesses in general goods, five specializing in sweets and foodstuffs, two barbers, two photographers, two shipping agents, two firms shipping soybeans, soybean meal and coal, one bank, one doctor and one construction contractor.

⁴² See Ching-chih Chen, "Police and Community Control Systems in the Empire," in Myers and Peattie, eds., *The Japanese Colonial Empire, 1895-1945* (Princeton: Princeton University Press, 1984), pp. 213-40, which unfortunately does not mention consular police. Chen's description of Japanese police in Taiwan and Korea does match the general picture of the consular police.

⁴³ Lewis H. Gann, "Western and Japanese Colonialism: Some Preliminary Comparisons," in *ibid.*, p. 515.

and criminal law, police regulations, current affairs in China, the nature of the treaties between China and Japan, Chinese, martial arts, Gaimushô regulations, and more.⁴⁴ It seems likely that the relatively high educational levels and other better qualifications of colonial police forces described by Chen also held true for the consular police.⁴⁵ One of the more telling links of the consular police to Chen's findings for the police forces of colonial Korea and also for Manchukuo, is that in both these places, leadership (particularly in terms of *Japanese* rather than indigenous officers) for the police in the new regimes was initially drawn from the consular police force when it disbanded, in 1904 in Korea and in 1937 in Manchuria.

However, at least before the Manchurian Incident, it was the consular police who were singled out by the Chinese for the greatest condemnation. This is most likely directly related, in Manchuria, to their presence not only at significant towns and cities along the railways, but at interior locations thought to be beyond the machinations of Japanese imperialists. The protests initially centered around the Jiandao area, contiguous to Korea, where consular police interfered, it was claimed, to unfairly protect a growing population of Koreans. "The charge is that wherever Koreans go, Japanese consular police follow them."⁴⁶ But the *locus classicus* for the subject is the so-called Zhengjiadun Incident of 1916.

The incident itself did not mark a new extortion of privilege by the Japanese regarding their right to station consular police in "interior" areas, but it brought the matter of these police units to a spotlight of bilateral attention. On August 13, 1916, a Japanese medicine peddler, having finished his public sales pitch to a crowd, was beaten up by Chinese soldiers in Zhengjiadun, a town on the Chinese railway far away from the SMR railway zone. He appealed to the local consular police, who in turn sought out the local Chinese commanding officer to protest the Chinese action. The Chinese reacted angrily and the affair escalated into armed conflict, leaving five Japanese and one Chinese dead. After the incident, the Chinese battalion withdrew, only to be replaced by a Guandong Army unit that moved in to "protect" the Japanese residents.⁴⁷

In the diplomatic aftermath of this incident, the Japanese government made clear its intentions and expectations regarding consular police in the interior of southern Manchuria and eastern Inner Mongolia, in a communication delivered by Minister Hayashi Gonsuke 林權助 in Beijing:

The Imperial Government of Japan considers it necessary to station Japanese police officers in these regions for the purpose of controlling and protecting their own subjects. It is a fact that a number of Japanese police officers have already been stationed in the interior of South Manchuria and they have been recognized by the local officials of the

⁴⁴ *Gaimushô keisatsukan fukumu sankôsho*, p. 103.

⁴⁵ Ching-chih chen, "Police and Community Control," pp. 220-27.

⁴⁶ *Problems of the Pacific 1929*, p. 195.

⁴⁷ *GNH*, v. II, p. 1383-84. Also *Nihon gaikô bunsho*, vols. 1916, 2 and 1917, 2.

localities concerned since intercourse has been conducted between them.⁴⁸

It was also asserted that "stationing of police officers is but a corollary of the right of extraterritoriality." This right was denied by the Chinese government and this official position remained unaltered.⁴⁹

The weakness of the Japanese case for sustaining consular police forces was increasingly evident with the passing of time. At an IPR Conference in 1929, even Japanese scholars Rôyama Masamichi 蠟山正道 and Shinobu Junpei 信夫淳平 conceded publicly that the Chinese were correct in the matter. Chinese delegates pressed further, claiming that the consular police "enabled Japanese nationals to defy Chinese laws and jurisdiction," and that Japanese nationals used the protection to refuse payment of taxes and to flaunt municipal regulations, and some also to freely trade in opium or arms. Beyond that:

Individual Chinese members offered to cite evidence of particular cases. A Chinese woman member spoke with emotion of an incident in which it was said that Japanese police went upon suspicion and without a warrant to arrest a Chinese citizen in Chinese territory and, failing to find him, arrested and tortured his father, who died shortly after release.⁵⁰

Only the consular police were empowered to apprehend criminals on Chinese soil, but the four police forces in Manchuria--namely, the consular police, the railway guards, the municipal police along the railway, and the garrison Guandong Army troops in the Guandong Leased Territory--were often indistinguishable. Only the consular police were truly a separate organization. Both railway guards, stationed in large numbers in towns along the railway, and municipal police were nothing more than ordinary soldiers drawn from the Guandong Army. In terms of numbers, the consular police counted in the hundreds, with a small force at each consulate, while the Guandong Army was up to 13,000 in force.

The conflict in Manchuria in the late 1920s between consuls and army also stemmed from the refusal of various consuls to subordinate their consular police units to the desires of the Guandong Army. Unless a crisis arose, Guandong Army forces were to stay in their zone and in the Leased Territory. In 1928, at the time when the army

⁴⁸ Translated in C. Walter Young, *Japanese Jurisdiction in South Manchurian Railway Areas*, p. 296. Complete texts of the most important documents concerning Japanese rights to consular police and Chinese denial of them are "Teikaton jiken ôfuku bunsho" 鄭家屯事件往復文書 (Correspondence on the Zhengjiadun Incident), in Gaimushô, ed., *Nihon gaikô nenpyô narabi ni shuyô bunsho* 日本外交年表并主要文書 (Chronology and Important Documents of Japanese Diplomacy) (Tokyo: Hara shobô, 1965-66), v. 1, pp. 427-31.

⁴⁹ Apparently consular police in many places wore civilian clothes and did not carry arms, being considered part of the consular staff; see Young, *Japanese Jurisdiction*, p. 299. In concessions and perhaps in Manchuria, they seem to have worn the uniforms and weapons depicted in the *Gaimushô keisatsu fukumu sankôsho*, pp. 168 ff.

⁵⁰ *Problems of the Pacific, 1929*, pp. 192-193.

succeeded in its plot to murder Zhang Zuolin by blowing up his railway carriage, Guandong authorities telephoned the Consulate-General repeatedly, asking if the consular police forces were sufficient to maintain protection for citizens in various outlying areas of Manchuria. Consul-General Hayashi Kyûjirô 林久治郎 and his staff calmly replied each time that the situation was in hand, and this greatly aided in the containment of the incident. In 1931, at the time of the Manchurian Incident, the Guandong Army moved without risking any phone calls to consulates.⁵¹

Looking beyond Manchuria, the aggressive and imperialistic Japanese insistence on consular police forces, in conflict with the increasing Chinese demand for rights recovery, can be illustrated with yet another incident, the Chengdu Incident of 1936. This incident centered around the Japanese initiative to reopen a consular office in Chengdu which had closed in the wake of the Manchurian Incident. The Chinese government and popular sentiment vehemently resisted the Foreign Ministry's efforts to open the office. Eventually, *shokisei* 書記生 (a "non-career" or minor diplomatic position) Iwai Eiichi 岩井英一 travelled to Chengdu in the company of consular police officers and some Japanese journalists to force the job through. The Chinese mobs who rose up killed two men and badly injured two others before Iwai gave up his mission.⁵²

In this incident, Iwai played out the aggressive or expansionist aspect of the consular role with the aid of the consular police force, but its resolution would be played out by Consul-General Horiuchi Tateki in the role of mediator to bring about peace between Chinese and Japanese parties. Horiuchi described the negotiated end to the riot as that of an "ordinary" (*futsû* 普通) anti-Japanese incident involving murder and injury. Both governments quickly acquiesced in a settlement.⁵³ The next section will further illuminate the peacekeeping role of the consul in his dealings with the Japanese community in China.

The Consul and the Resident Japanese Community

In his roles as judge, chief investigator, and police chief, the consul was often merely reactive to situations calling for restraint or resolution. In contrast, in his role as

⁵¹ Morishima Morito 森島守人, *Inbô ansatsu guntô* 陰謀・暗殺・軍刀 (Plots, Murders, Weaponry) (Tokyo: Iwanami shinsho, 1950; reprinted 1960), p. 24. C. Walter Young also notes how "Japanese troops, called railway guards, have proceeded to places outside the railway areas and the railway right of way even against the opposition of Japanese consular officers." See *Japanese Jurisdiction*, p. 294.

⁵² The best account is *Taiheiyô sensô*, v. 3, pp. 190-201. Relevant details also in the consular officials memoirs: Iwai Eiichi 岩井英一, *Kaisô no Shanghai* 回想の上海 (Memories of Shanghai) (Tokyo: Izumi insatsu, 1983), pp. 405-35; and Horiuchi Tateki 堀内干城, *Chûgoku no arashi no naka de* 中国の嵐の中で (Amid the Chinese Tempest) (Tokyo: Gannensha, 1950), pp. 101-03. Documents reproduced in *Gendaishi shiryô* 現代史資料 (Materials in Contemporary History) (Tokyo: Misuzu shobô, 1964), v. 8, #1, pp. 180-94, 310-12.

⁵³ Horiuchi, *Chûgoku no arashi no naka de*, pp. 102-03.

head of the Japanese resident community he could be creative, leaving behind him on departure a lasting collective memory of his term of office in the community, just as an elected mayor might in any town. In this role he also encountered further opposition to and interference in his work from other Japanese agencies in the community, such as the banks, the military representatives, and trade associations, who often called for more aggressive action against local authorities to achieve Japanese advantage.

Following the Treaty of Nanjing of 1842 which gave rise the British informal empire in China, five treaty ports were opened. Of the original British consuls sent to reside in these ports, one of them, Harry Parkes at Xiamen, in 1852 aggressively negotiated the terms of the first concession area, a small waterfront section to be parcelled among British subjects for residential and business purposes, from the local Chinese intendant. Here, in the concession area, British law was to rule and only British subjects were permitted to own property. Parkes's innovation on extraterritoriality soon became customary practice.⁵⁴ This was the start of foreign concession areas. Initiated by a foreign consul, they would also remain governed from foreign consular offices. For the Japanese communities in China, the concession areas were the heart of residential areas which often spilled out far beyond formal borders.

Mark Peattie has best summarized and explained the evolution and dispersment of Japan's formal concession areas.⁵⁵ Most of these were clarified in an 1896 agreement following the Sino-Japanese war and in later more local and specific legal documents (*torikime* 取り決め). These latter clearly specified which sections of the city in question were to become the new Japanese concession area, the details of management and construction of buildings, roads, and other infrastructure, and also specified the manner in which the consul would collect funds from the community to build the proposed amenities.⁵⁶

The consul had ultimate responsibility for all the affairs of the Japanese settlement. In smaller communities, he might run these affairs directly from his office. In the major concession areas, the consul authorized a "Japanese Association" (*Nihonjin kai* 日本人會, also referred to as a *kyoryū mindan* 居留民團, or expatriate citizens' group), which managed the settlement, by collecting and controlling funds and supervising schools, shrines, meeting halls, crematories, cemeteries, and other communal facilities. The rules of these Japanese associations always spelled out the absolute power of the consul,

⁵⁴ Parkes continued, extracting six other concession areas in other Chinese cities within a decade. P. D. Coates, *The China Consuls* (New York: Oxford University Press, 1988), p. 115.

⁵⁵ Mark Peattie, "Japanese Treaty Port Settlements in China," in Duus, Peattie, and Myers, eds., *The Japanese Informal Empire in China*, pp. 172-86. Includes maps and details of major concession areas.

⁵⁶ Agreements for Hankou and Tianjin are in *Gaimushō keisatsukan fukumu sankōsho*, pp. 48-56, and for Hangzhou, *Nihon gaikō nenpyō narabi ni*, pp. 181-85. More thorough coverage, see also Ueda Toshio, *Shina ni okeru sokai no kenkyū* 支那における租界の研究 (Studies on the Concession Areas in China) (Tokyo: Ganshōdō, 1941), pp. 316-23, 343-48, 374-91.

reflected in his powers of review and veto.⁵⁷ Often the consul supplied the slate of candidates for elected offices, and he also had control of any Japanese language press in the concession.

Many of the Japanese residential communities in China have left histories and other accounts of their settlements that form a valuable record of the prewar Japanese presence in China. In all of them the central role of the consul is highlighted as the headquarters of the community.⁵⁸ In Fengtian's early settlement, for example, the consul actually suspended the first Japanese association which had formed prior to his arrival and formed one entirely under his auspices.⁵⁹ In the 1910s in Andong, a Manchurian town at the Korean border, the young consul Yoshida Shigeru struggled to promote Japanese business through his arbitrary support of an unelected management group and active work on behalf of a large joint venture lumbering company.⁶⁰ Also in the 1910s, Tianjin Consul-General Obata Yûkichi 小幡酉吉 worked hard to develop land in the concession area by working out arrangements for creative financing for developers from the Yokohama Specie Bank and amnesty on fees until costs were recovered by entrepreneurs. He also forced the merger of two Japanese newspapers into one.⁶¹ Also at this time, the young Harbin consul Satô Naotake 佐藤尚武 worked hard to clean up the frontier settlement of the concession area, where houses of prostitution attracted large numbers of Chinese and foreigners. By ordering all the "restaurants" to rebuild their dilapidated buildings in the Japanese style, complete with *genkan* and tatami, Satô congratulated himself on changing the clientele of the establishments into Japanese men, who needed this "relaxation" from the vigors of pioneering in Manchuria.⁶² These last three young consuls would eventually become front-ranking leaders in Japan, and their semi-colonial administrative experiences running communities in China may have contributed to their pro-Anglo-American or liberal outlooks on Japan's international diplomacy.

⁵⁷ See, for example, these rules for Tianjin in Tenshin kyoryû mindan 天津居留民團, ed., *Tenshin kyoryû mindan sanjû shûnen kinen shi* 天津居留民團三十周年記念史 (Commemorative History of Thirty Years of the Tianjin Residents' Association). (Tianjin: privately printed by the Association, 1941), appendix. Also in Ueda, *Shina ni okeru*, pp. 723-29.

⁵⁸ See, for example, Fukuda Minoru 福田実, *Manshû Hôten Nihonjin shi* 滿州奉天日本人史 (History of the Japanese in Fengtian, Manchuria) (Tokyo: Kenkôsha, 1975), and Shanghai kyoryû mindan 上海居留民團, ed., *Shanghai kyoryû mindan sanjûgonen kinen shi* 上海居留民團三十五年記念志 (A Commemorative Account of Thirty-five Years of the Shanghai Japanese Residents' Association) (Shanghai: privately published by the Association, 1942).

⁵⁹ Fukuda, *Manshû Hôten Nihonjin shi*, pp. 66-67.

⁶⁰ Inoki Masamichi, *Hyôden Yoshida Shigeru*, v. 1, pp. 120-26. Yoshida's vision was that if he succeeded "the Japanese empire would then gain direct or indirect control in the greater part of all of the lumber production areas of the Far East--in Hokkaidô, Taiwan, and Manchuria," p. 126.

⁶¹ Obata Yûkichi, pp. 64-68.

⁶² Satô Naotake, *Kaiko Hachijûnen* 回顧八十年 (Reminiscences of Eighty Years) (Tokyo: Jiji tsûshin sha, 1963), pp. 142-48.

This argument is strengthened by examination of the consul's role in mediating disputes which often arose between concession areas of Western powers and Japanese settlements. In 1913, Obata played a highly conciliatory role during and after riots on the part of Japanese residents protesting the intrusion of the gendarmes of the neighboring French concession into the Japanese concession. During this incident the Consul-General was forced to call on his consular police and additional Japanese troops to prevent Japanese citizens from attacking Frenchmen.⁶³ Rampages such as this occurred again in Tianjin and elsewhere. In Shanghai in 1936, Consul-General Ishii also mediated a conflict which escalated into what he later termed a "mock Pacific war."⁶⁴ In this case, Japanese residents were angry at what they considered their unfair representation on the Shanghai Mixed Council, the international body which governed the settlement. Japanese felt

they alone have saved the settlement from the results of a policy of compromise and surrender under which foreign rights and safeguards would have been steadily whittled away. It is they who have prevented a weak surrender on the question of control of the outside roads, only recently it is their opposition which has prevented the principle of the settlement's administrative autonomy being breached by an agreement whereby Chinese factory laws were to be applied to foreign establishments and Chinese factory inspectors were to be allowed to operate within the settlement boundaries.⁶⁵

Against Ishii's advice, the Japanese association attempted to gain another seat in the international elections for the mixed council, only to find a decrease in their previous number of representatives due to overall Western solidarity. Ishii, at the time also plagued with other problems stemming from the militancy of his constituents, had little sympathy for them.⁶⁶

The tension between diplomatic representatives and resident communities in the treaty ports, is of course not unique to the Japanese experience. Nathan Pelcovits's eloquent study, *Old China Hands and the Foreign Office*, although explicitly devoted to London-China differences, still admirably illuminates the conservative, nationalistic, and militant character of treaty port communities.⁶⁷ On the day-to-day job in the treaty ports,

⁶³ Obata Yûkichi, pp. 69-70; and *Tenshin kyoryû mindan*, pp. 235-38.

⁶⁴ Ishii, *Gaikôkan no isshô*, pp. 197-202.

⁶⁵ Quoted in an article by "A Shanghai Resident" entitled "Shanghai's Japanese Community," *Contemporary Japan* V.3 (December 1936), pp. 449-57.

⁶⁶ Ishii Itarô summed up this conflict in management of the Shanghai settlement in "Saikin no Nishi kankei ni tsuite" 最近の日支関係について (On recent Sino-Japanese relations), September 1936 speech. *Nihon gaikô kyôkai kôen tôsha* 日本外交協會公演謄寫 (Transcripts of Lectures of the Japanese Diplomats Association) (unpublished series). Mark Peattie also discusses the militancy of the Shanghai community in particular, which he asserts resembled "the resident population of French *colons* in Algiers in the late 1950s," pp. 206-08.

⁶⁷ Nathan A. Pelcovits, *Old China Hands and the Foreign Office* (New York: King's Crown Press, 1948).

consuls very often handled conflicts arising with other most-favored-nation concession communities that were often by-products of the residents' nationalism vis-à-vis privilege in China. They also acted to restrain tensions between Japanese residents and the host Chinese population. In either case, the consul's job more often than not seems to have put him in the role of restraining his more aggressive constituents. It seems hardly surprising, then, that the China service diplomats by and large developed this policy of restraint of their micro-level administrative posts into their consistent advice that Japan use restraint at the macro-level of nation-to-nation interaction as well.

The Consul and the Resident Koreans

To date, scholarship on Japan, China, and Korea has barely dealt with the massive movement of Koreans out of their own peninsula with the advent of Japanese colonial control. Probably more is known about Koreans who came to Japan, particularly as the subject of Japanese Koreans today, an oppressed and deprived minority group in Japanese society, is gradually receiving wider journalistic and academic attention.⁶⁸ However, little concrete work has been done on the approximately two million Koreans who came to work in agriculture and industry in Manchuria and North China during the Korean colonial period. It has been pointed out that: "by 1944 fully 11.6 percent of all Koreans were residing outside Korea, a proportion unequalled by other Far Eastern populations and rarely matched in other parts of the world."⁶⁹

The story of these Koreans who came to China and Manchuria during the colonial period is important for several reasons. First, they certainly induced important changes in the local economy of Manchuria if not of all of North China. Second, today's North Korean leadership, but most particularly Kim Il-Song, had its beginnings and formative experience in the guerrilla resistance active in the three provinces of Manchuria lying contiguous to Korea proper (Jiandao, Tonghua, and Andong).⁷⁰ Third, their presence was

⁶⁸ Some recent books include Hatada Takashi 旗田, *Chōsen no kindai shi to Nihon* 朝鮮の近代史と日本 (Japan and Modern Korean History) (Tokyo: Yamato shobō, 1987); Higuchi Yūichi 樋口雄一, *Kyōwakai: senjika Chōsenjin tōsei soshiki no kenkyū* 協和会：戦時下朝鮮人統制期の研究 (The Concordia Society: Studies of the Era of Control over Koreans during Wartime) (Tokyo: Mitsuwa insatsu, 1986), which deals only with domestic Japan; Ri Yuhan 李瑜煥 (Yi Yu-hwan), *Nihon no naka no sanjūdosen: mindan, chosōren no rekishi to genjitsu* 日本の中の三十度線：民団朝総連の歴史 (Thirty Degrees in Japan: A History of the Korean League of the Residents Association) (Tokyo: Yōyōsha, 1980).

⁶⁹ Bruce Cumings, *The Origins of the Korean War* (Princeton: Princeton University Press, 1981), p. 54, quoting Glenn Trewartha and Wilbur Zelinsky, "Population Distribution and Change in Korea, 1925-1949," *The Geographical Review* 45.1 (January 1955).

⁷⁰ "There is no understanding of the Manchurian gestation of the subsequent North Korean leadership": Cumings, *Origins*, p. 38. See also Chong-sik Lee, *Counterinsurgency in Manchuria: The Japanese Experience, 1931-1940* (Santa Monica, CA: Rand Corporation, 1967), which gives fascinating evidence mostly through translations of relevant Japanese army documents.

yet another means and justification for the continuing expansion of "neo-colonial" Japanese administrative apparatus in Manchuria and North China, in the form of consulates to take care of these Japanese "citizens." Thus, the Koreans, as Japanese subjects, were just as much under the care of Japanese consuls as native-born Japanese.

Koreans in Manchuria far outnumbered Japanese residents, and indeed were encouraged to move to Manchuria to substitute for the desired Japanese settlers who never came in large numbers. By 1928 minimum estimates of the Korean population in Manchuria put it at at least 400,000, but many ranged as high as a million.⁷¹ In 1930, when *shokisei* Oka Muneyoshi 丘宗恵 was assigned to work in a consular branch office at Hailong (not far from Fengtian and not in the proximity of the border region), the town nominally contained two Japanese shopkeepers, who were usually away at other homes in Fengtian. The office's real job, according to Oka, was the care of 16,000 Koreans who lived in the district.⁷²

Despite pressures from international legal bodies and recommendations from liberal diplomats in the Bureau of Asiatic Affairs, in the prewar period, Koreans were never permitted to give up their status as Japanese subjects.⁷³ The presence of so many Japanese residents in Manchuria offered too much opportunity to Japanese expansionists seeking pretexts to expand Japanese administration, some of it formal colonial control by extension of the authority of the Korean colonial government.

Hayashi Kyûjirô, who was Fengtian Consul-General at the time of the Manchurian Incident, stated in his memoirs of the time that "the opinion was that our economic development in Manchuria was to proceed with Koreans as the basis."⁷⁴ Much of the Chinese protest against Korean settlements centered on Korean (and therefore Japanese) rights to lease territory in southern Manchuria, which had been a long-standing dispute between the Chinese and Japanese governments since a post-1911 treaty had first outlined such rights. Confusion reigned as to what was permissible and what was not, though in principle the right to leases was recognized by the Chinese government.

Japanese jurisdiction in the border region became a very sore point between the Chinese and Japanese governments as Japanese grip tightened over Korea during the first decade of the twentieth century. Koreans comprised up to 70% of the area's population, and on that basis, a treaty was signed between the two governments in August 1909 recognizing Japan's special role in the area and authorizing Japanese opening of consular and consular branch offices.⁷⁵ Koreans were given the same status as Chinese subjects in

⁷¹ The topic received major attention from the Lytton Commission as part of the background of the Manchurian Incident. Lytton Commission Report, "Supplementary Documents" no. 6, 7, 9.

⁷² Oka, interview.

⁷³ *Problems of the Pacific 1929*, pp. 194-196. Abe Moritarô argued in 1913 that allowing Koreans to be naturalized as Chinese would end many of the disputes between Japanese and Chinese in Manchuria.

⁷⁴ Hayashi, p. 82.

⁷⁵ Text of both documents in *Nihon gaikô nenpyô narabi ni*, v. 1, pp. 318-20, 324-25.

the region, but legal cases were to be handled with joint Japanese and Chinese supervision. Later, in the wake of widespread disturbances in 1919 and 1920 following a national uprising in Korea, Japanese troops entered the area. After their withdrawal in 1922, in addition to the consular and branch offices originally in position, thirteen new "police stations" in new locations were left in place.⁷⁶ The dense Japanese police presence in the area remained a source of friction between China and Japan down to the Manchurian Incident.

The Korean communities in Manchuria and North China were also organized under the administration of Korean Associations (*Chosenjin kai* 朝鮮人會) ultimately controlled by the Japanese consuls.⁷⁷ The consuls who watched over these communities (and in the Jiandao region the consul was also a functionary of the Sôtokufu in Korea) were deeply involved in supervisory problems with regard to the Korean settlers. To make matters worse, a significant number of the resident Koreans were also *futei Senjin* or, in Chong-sik Lee's translation of the phrase, "recalcitrant Koreans." Korean activists, for example, attacked the consular police dormitory at Hailong in 1932, seriously wounding four men.⁷⁸ But in general consuls seem to have been plagued far more seriously with problems relating to the agricultural settlement and economic activities of the Koreans.

The Koreans in Manchuria were originally celebrated for bringing wet rice cultivation into the Northeast. Through diligent work on low-lying, hitherto-unused, and moist areas, they opened up new land. In 1923, 30% of their agriculture was wet-rice farming. Their success, however, brought new problems which increased communal tensions in the areas they settled. Chinese landlords began to take back lands developed by Korean settlers, and increasingly irrigation waters became disputed between contiguous Chinese and Korean settlements.⁷⁹

The other cash crop Koreans cultivated in great quantity was the opium poppy. An enormous amount of Korean opium cultivation, starting in 1917, centered in Jilin

⁷⁶ Hayashi, *Manshû jihen*, p. 85. "Police stations" (*keisatsukan hashutsujo* 警察官派出所) are often called "police boxes" in the English texts, but they had to be more elaborate than contemporary Japanese domestic *kôban* 交番.

⁷⁷ The best information on Korean communities is in Chôsen sôtokufu naimukyoku shakaika 朝鮮總督府内務局社會科, comp., *Manshû oyobi Shiberia chihô ni okeru Chôsenjin jijô* 滿洲及びシベリア地方朝鮮人の事情 (The Conditions of Koreans in Manchurian and Siberian Locales) (Seoul: Keijô insatsusho, 1923). For the text of the charters of these associations, see pp. 191-244.

⁷⁸ Oka, interview. A fascinating oral account of a Korean patriot's experience in Manchuria, both as a down-and-out bum and as a resistance fighter, has been recorded by two Japanese scholars. Ômura Masuo 大村益夫 and Nanri Tomoki 南里知樹, eds., Kim Hyôn-p'yo 金顯杓, *Aru kô-Nichi undôka no kiseki: futei Senjin no shôgen* ある抗日運動家の奇跡：不逞鮮人の証言 (The Miracle of an Anti-Japanese Activist: Testament of a Recalcitrant Korean) (Tokyo: Ryûkei shosha, 1978).

⁷⁹ *Manshû oyobi Shiberia chihô ni okeru Chôsenjin*, pp. 122-140.

province in Manchuria. Koreans operated the illicit business of opium trafficking into both China and Russia, causing a rise in living standards and the rise of many new secondary businesses.⁸⁰ The establishment of Koreans and other Japanese drifters in illicit business marked the beginning of what would later become official traffic in the 1930s. With the establishment of Manchukuo, opium traffic was legalized and put into colonial hands.⁸¹ Many other commodities, in addition to drugs, were smuggled into China. In the mid-1930s, there was also a great illicit business in smuggling silver out of China which exacerbated the harmful effects for the Chinese economy of the US policy of increasing the exchange rate of silver.⁸² For Japanese consuls, then, the rising problems of communal strife and increasing volume of contraband traffic in their jurisdictions stemmed in no small part from the Korean presence. These problems were ticking time bombs which did go off on the eve of the Manchurian Incident.

Horiuchi Tateki 堀内 干成, when Consul-General in Tianjin in 1936, attempted to take action against the large numbers of "bad Koreans" (*furyô Senjin* 不良鮮人).⁸³ He recognized that

among certain military circles, there were those who proclaimed openly that these "bad Koreans" had to be protected because they were the forerunners of the expansion of Japanese rights and privileges, considering them to be necessary by-products of increasing Japanese expansion of power.⁸⁴

But he nevertheless devised a scheme to relocate these Koreans on land to be reclaimed for paddy rice farming, their special talent (*tokui* 得意). In his scheme, 1000 households would be resettled under Gaimushô guidance. Horiuchi remained in Tianjin long enough to see one hundred such families relocated, but his successor in office had little interest in continuing the project.

This example illustrates how far a consul might take his responsibilities in managing a resident Korean community. Horiuchi, in this experiment, was fighting the mainstream Japanese sentiment around him, as he would continue to do throughout the 1930s, whether assigned to a position in Tokyo or in China. Diplomats like Horiuchi and Ishii became used to holding minority opinions about Japanese activities in China long before violent Japanese expansion began.

⁸⁰ *Ibid.*, pp. 165-172.

⁸¹ Sangyô gyôseiken 産業行政權, ed., *Jigai hôken teppai no jisseki* 治外法權撤廢の實績 (The Attainment of the Abrogation of Extraterritoriality) (Manchukuo, 1937), pp. 211-21.

⁸² Wang Xi, "A Test of the Open Door Policy: America's Silver Policy and Its Effects on East Asia, 1934-1937," in Akira Iriye and Warren Cohen, eds., *American, Chinese and Japanese Perspectives on Wartime Asia, 1931-1939* (Wilmington, Delaware: Scholarly Resources, 1990), especially pp. 36-39.

⁸³ Horiuchi, *Chûgoku no arashi no naka de*, pp. 105-08.

⁸⁴ *Ibid.*, p. 106.

The most famous incident involving Koreans, and the only one to bring to light the problem in accounts of the Manchurian Incident, was the Wanbaoshan Incident of 1931.⁸⁵ Like the Nakamura Incident, the negotiations over this incident dragged on with no resolution before the events of September 18th intervened. The cause lay in the classic problems of Korean agriculture: disputes over the rights of Koreans to lease land and over their rights to community water.⁸⁶

In Wanbaoshan, an area in the consular jurisdiction of Changchun, Chinese brokers "leased" an area of several thousand hectares of low-lying ground from Chinese landlords and, relying on illicit methods, next sublet it to over a hundred Koreans for development of paddy rice fields. In the spring of 1931, the Koreans began the reclamation process by building irrigation channels from the nearby river to the site. This work was nearly completed, with cooperative county officials looking the other way about the regulations, when three or four local landlords sent a protest petition to the provincial authorities. Their actions were prompted by a breakdown in financial negotiations over kickbacks with the Chinese brokers involved. Once set in motion, however, the local and provincial authorities reversed their tacit recognition of the irrigation project and ordered the work halted.

Despite provincial requests for halting the work, Changchun Consul Tashiro responded by insisting that since the irrigation facilities were nearly completed, and the reclamation of the land was of benefit to a wider population than just the Koreans, he would oppose the Chinese position. The landlords next aroused the local Chinese populace with their claims that the irrigation work would result in flooding of the river, and tensions grew so great that Tashiro sent in several consular police in plain clothes. Provincial authorities countered by sending over seventy policemen into the area, and the two nations' forces bristled at a stand-off while Korean work slowly progressed under their vigilant eyes.

Negotiations to settle the incident next shifted from the level of Consul Tashiro and local authorities to the provincial capital, where Consul-General Ishii Itarô took over Japanese representation. Tashiro had taken a hardline approach to the problem which Ishii felt could not now be substantially altered, though he personally felt the Koreans had violated Chinese water rights.⁸⁷ Hayashi felt the negotiations dragged on because of Ishii's lack of enthusiasm for his new assignment.⁸⁸ Just as in the Nakamura Incident, the two sides deadlocked over investigations which could not find a common point of view. In early July, a violent communal conflict broke out between the local Chinese and Japanese, although resulting in only lightly wounded victims. However, this incident immediately

⁸⁵ For example, Yoshihashi, *Conspiracy at Mukden*, pp. 143-44.

⁸⁶ My version of the events is drawn from Seki Hiroharu, pp. 352-56; Hayashi, pp. 97-107; Ishii Itarô, pp. 160-61.

⁸⁷ Ishii, p. 160. Tashiro would later aid the Guandong Army as it occupied Manchuria and his name would be associated with reform diplomats in the 1930s.

⁸⁸ Hayashi, p. 101.

fanned reprisals in Korea itself, where Koreans attacked resident Chinese in "Chinatowns" and other areas in several cities, killing several hundred. The Wanbaoshan Incident thus helped set the stage for popular domestic Korean support for the action of the Manchurian Incident. In turn, anti-Japanese incidents also flared up in areas all around China in the summer of 1931.

Hayashi tried desperately, between a slowly responding Tokyo and obstinate Chinese authorities, to resolve the incident diplomatically, but by August it was also too late for any rice planting that year. Talks at all levels ended in failure, and the Guandong Army reaped the benefits of aroused Japanese and Korean indignation, some of it aimed at the Gaimushô, when it moved in September.

In China and Manchuria, the Japanese consul was the sole Japanese administrator responsible for the welfare and behavior of the Korean communities. This proved to be an impossible task, and most consuls could only close their eyes to the problems. A few sought solutions, but the increasing Korean population also meant that Japan's informal empire was becoming more and more unmanageable as time went on.

Conclusions

This essay has presented a picture of the Japanese consul's role in treaty port imperialism in prewar China. Japan's informal empire in China encompassed many Japanese agencies and interest groups, but the legal arbiter or center of extraterritorial privilege was the consul. Gaimushô diplomats posted to this job brought with them their institutional pride and training which greatly aided them in coping with the many irregularities of this office in China.

The Gaimushô, throughout prewar history, protested that consulates could not be turned into colonial offices. In China, the distinction between the treaty port consulate and an outright colonial administrative office might on some points be confusing, but nonetheless Gaimushô consular officials steadfastly insisted on one, resisting the demands and actions of a host of their own national agencies and interest groups to further encroach on Chinese sovereignty. In reality, of course, the erosion of the consular authority from these competing agencies over time greatly aided the move to formal empire in the 1930s. Prior to the 1930s, however, this erosion--that is, increasing Japanese encroachment on China's sovereign rights--had greatly alarmed both Chinese nationalists and the Western powers, who were seeking to end the system altogether, at least partly due to the Japanese subversion of it. In a vicious spiral of cause and effect, this threat to the status quo of treaty port imperialism hastened Japanese expansionists to undertake the outright occupation of part of China in 1931.