SINO-AMERICAN DIPLOMATIC RELATIONS, 1878-1922

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PREFACE

In this thesis the writer has made an effort to trace the developments leading to the Open Door Doctrine and of the diplomatic relations between the United States and China until 1922.

He has endeavored to arrange and interpret his materials in such a manner as to arouse the interest of others in the historical literature of this subject.

The writer wishes to express his sincere thanks to all those who have assisted in any way in the preparation of this work, especially to Miss Campbell of the Document Department of the Oklahoma A. and M. College Library for her help in securing materials.

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CHAPTER I

BACKGROUND OF THE RELATIONS

The East has remained for centuries an unsolved problem in commerce and industry. After six hundred years of intercourse through commercial companies, monopolies, and distant diplomatic relations, its commerce has remained as fixed in nature as are the habits and customs of the people. Tea and silk were the principal articles traded in by the East India Company of the seventeenth century; tea and silk are the leading commodities of Chinese trade of today, contributing more than one-half of the total export. While other nations of Asia have under foreign influence modified their productions and in consequence their trade, China has remained fixed, merely reflecting the advance in wealth of such people as consume her peculiar products. The capacity of China to compete in production is best gaged by the conditions of a free market, unaffected by discriminating duties or conditions other than are necessary to the conduct of commerce.[1]

These Chinese may be said to be born traders, but they were not originally required to go outside the bounds of their own ring fence to engage in business. Many have regarded China as a distant land, with an immense population, but so wanting in all that others possess as to be ready to

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[1] Tyler Dennett, "American Policy in the Far East," Current History, VIII (1933), 598.

purchase, in unlimited quantities, whatever is offered for sale. What is true is this: China needs neither import nor export, and can do without foreign commerce. A fertile soil, producing every kind of food, a climate which favors every variety of fruit and a population which for tens of centuries has put agriculture, the productive industry, which feeds and clothes, above all other occupations - China has all this and more; and foreign traders can only hope to dispose of their merchandise there in proportion to the new tastes they introduce, the new wants they create, and the care they take to supply what is actually demanded.[2]

The consistent aim of American policy in the East has been to secure most-favored-nation treatment for American citizens and American commerce, or to favor the open door as opposed to foreign spheres of influence. This policy had its beginning when Commodore Kearny, of the American Navy, at the close of the Opium War in 1842 secured from the Chinese commissioner a pledge of most-favored-nation treatment. In our efforts to maintain favorable trade relations with China we have not infrequently taken advantage of the coercive measures of other powers without assuming moral responsibility for their acts. At times we have often cooperated with the same powers, and at other times we have pursued a policy of isolation. We have never obtained anything in Asia by isolation.

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[2] Ibid., p. 599.

In 1818, when the agitation for the occupation of the region around the Columbia River began to assume considerable proportions, the influence of the Asiatic trade became even more important. The chief objection to the treaty of joint occupation with Great Britain was the strategic position of Oregon relative to the Orient. And when John Floyd, as chairman of the House committee on the occupation of the Columbia River, brought in his report, he was careful to lay emphasis upon this point.

> From every reflection (he said) which the committee had been able to bestow upon the facts connected with this subject, they were inclined to believe the Columbia, in a commercial point of view, a position of the utmost importance; the fishing on that coast, its open sea, and its position in regard to China, which offered the best market for the vast quantities of furs taken in those regions, and our increasing trade throughout that ocean, seemed to demand attention.[3]

Floyd outlined a plan for a route from the Atlantic to the Pacific by making use of the waterways of the continent and constructing a road from the headwaters of the Missouri to those of the Columbia. This road, it was believed, could be built by twenty men in about ten days. A final suggestion was offered that an immediate settlement of Chinese colonists be made in Oregon to hold the territory until the arrival of sufficient Americans to displace them.

When this report was politely but effectively killed by congress, the interests of Oregon passed into the hands

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[3] Annals of Congress, 15 cong., 2 sess., XXXVII, 955-6.

of a small group of western senators and representatives, one of whose leaders was Thomas H. Benton.[4]

The motives of Benton in advocating the occupation of Oregon were numerous. His chief purpose, however, is best expressed in the following extract from one of his public addresses near the close of his political career:

> About thirty years ago I, myself, began to turn my attention to this subject and conceived the establishment of a route extending up the Missouri River and down the Columbia. I followed the idea of Mr. Jefferson, LaSalle, and others, and I endeavored to revive attention to their plans. I believed that Asiatic commerce might be brought into the Mississippi valley along that line and wrote essays to support that idea. The scope of these essays was to show that Asiatic commerce had been the pursuit of all western nations from the time of the Phoenician down to the present day - a space of 3000 years, that during all this time this commerce had been shifting its channel and that wealth and power followed it and disappeared upon its loss; that one channel once more was to be found - a last one, and our America its seat. Occupied with this idea I sought to impress it upon others. Looking to a practical issue I sought information of the country and of the mountains from all that could give it and the results were not satisfactory.[5]

The final contest over the Oregon question from 1842 to 1846 brought out afresh the important part Asiatic trade had in quickening American interest in securing the territory. Fremont, having found that the mystical "Buena Ventura River," supposed to flow from the Salt Lake to the Pacific, was non-existent, laid new emphasis upon holding

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[4] American Historical Association Report, 1914, I, 285.

[5] Congressional Globe, 30 cong., 2 sess., XVIII, 472.

the Columbia as the only feasible continental route.[6]

> A vast market in China and India will be created and a mighty influence will be given to commerce. No small portion of the share that will fall to us . . . is destined to pass through the ports of the Oregon Territory to the valley of the Mississippi. It is mainly because I place this high estimate on its prospective value that I am concerned to preserve it.[7]

> An isolated policy in Asia tends inevitably to a surrender of most-favored nation treatment or a defiance of all comers. It is essentially belligerent.[8]

American trade with China began almost with the establishment of independence. The first vessel bearing the United States flag to make the voyage to the Far East was the Empress of China, which left New York, February 22, 1784, for Canton with a cargo of ginseng. The China trade and the whaling industry both suffered from the embargo of 1807 and the War of 1812, but both were revived in 1815.[9]

The Chinese regarded all traders with contempt, and refused to have official relations with the consul although they expected him to exercise despotic control over his own countrymen at Canton.[10]

Edmund Roberts, of New Hampshire, a large ship-owner who had spent much time abroad engaged in mercantile pursuits and who had visited the eastern countries and become acquainted with the conditions of affairs in that distant region had, through Senator Woodbury of his state, previously

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[6] John Charles Fremont, Report of the Exploring Expedition of 1842, pp. 255, 256.
[7] Thomas H. Benton, Thirty Years' View, II, 471.
[8] Dennett, Americans in Eastern Asia, p. 678.
[9] Ibid., p. 10.
[10] Ibid., p. 61.

urged upon the government the propriety and timeliness of measures for the enlargement and better protection of American commerce in the Pacific. The president was stirred to action by the unfortunate disaster to the Friendship, which was plundered by natives of Sumatra, and Mr. Roberts was selected and dispatched in 1832 on his mission in the United States ship, Peacock, accompanied by a naval schooner. Trade had already been established with Siam and Muscat, but was conducted under embarrassing conditions.

Roberts touched at Manila and also at Canton. When the Peacock appeared off the latter port the Chinese authorities, on learning that it was a war vessel, issued an edict ordering it to depart and return home at once. Mr. Roberts paid no attention to this edict and remained for six weeks after it was issued. He negotiated a treaty with Siam, March 20, 1833, and was successful in negotiating a treaty with the Sultan of Muscat. Mr. Roberts then returned to the United States, and the treaties which he had negotiated were ratified by the senate. He was almost immediately sent out on a second man-of-war to exchange ratifications. He was received with great ceremony at Siam, and the squadron then proceeded to Canton. An oriental plague broke out in the vessels and Mr. Roberts died at Macao, June 12, 1836. He was a pioneer in American diplomacy in the Orient.[11]

There were many hardships in the early intercourse with

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[11] John H. Foster, American Diplomacy in the Orient, p. 46.

China. The officials refused to recognize the equality of other nations and insisted on treating European nations as the subjects of vassal nations and their envoys as tribute bearers.

It seems at first sight strange that China was not included in Roberts' mission, but none of the powers had treaties with China at that time and there was apparently no demand from the merchants for a treaty. While Roberts was in Batavia he received instructions to proceed to Japan for the purpose of negotiating a treaty, but he considered that too great a task for an expedition which was too small to impress the Japanese and without funds or presents for the Shogun.[12]

The opium trade between British India and China assumed large proportions, and the Chinese officials made repeated efforts to put a stop to it. The complaint of the Chinese mandarins finally moved Captain Elliot, superintendent of trade at Canton, to agree in 1839 to surrender to the Chinese authorities all opium in the hands of Englishmen, which was over twenty thousand chests of opium, valued at $300 to $500 a chest. These were handed over to the Chinese authorities and destroyed, but the merchants refused to sign a bond that they would refrain from dealing in opium in the future. The merchants were finally driven from Canton because they refused. The British fleet, which arrived soon

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[12] Ibid., p. 55.

after their expulsion, backed up the merchants, and the controversy soon developed into the famous Opium War, which began in 1840. To the Chinese, opium was the sole cause of the war; to the foreigners concerned, especially the English, opium was an incident. While many Americans and some English abstained on conscientious grounds from trading in opium, they were in full sympathy with the demand for the readjustment of China's relations with the foreign merchants, and all united in a long chapter of brievances which grew out of the legitimate trade and had no connections with opium.[13]

The United States government was an interested observer in the events leading to the Opium War and the outcome of that struggle. John Quincy Adams took the stand that England was perfectly justified in going to war. During the war the United States kept a naval squadron in Chinese waters. Captain Kearny, who was in command of this squadron, showed great firmness and skill in compelling the authorities at Canton to pay damages amounting to several hundred dollars for injuries suffered by Americans during the war on account of mob violence.

The Chinese government, previous to the drafting of the treaty of Nanking, promised on the representation of the American commodore, Kearny, that whatever concessions were made to the British should also be made to the United States.

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[13] Hosea B. Morse, International Relations of the Chinese Empire, I, 58.

The throwing open of the ports to Europe and America was not, therefore, the result of our policy, but had its origin in the forethought of Americans, lest we might stipulate for some exclusive privileges.[14]

The population of Canton was very unruly and all the treaties made with China could not well be carried out. The conditions at Shanghai were much better than those at Canton, and it soon became the most important of all the ports. The Taiping Rebellion, which began about 1850, developed into the greatest civil war in history. The empire happened to be in a state of dissolution, and there was danger that foreign powers might appropriate parts of it. The first American to perceive this danger and to outline the true American policy was Humphrey Marshall.

After the Crimean War, Great Britain and France decided to bring matters to a conclusion in China, and early in 1857 they appointed plenipotentiaries to succeed their resident commissioners. Some of the things to be asked for were: (1) reparations for injuries to British subjects; (2) a complete execution of treaty stipulations; (3) compensations for losses occasioned by the late disturbances; (4) the residence of the British plenipotentiary in Peking and his right to communicate directly in writing with the high officials there; (5) the revision of treaties with provisions for increased facilities of trade, such as the

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[14] Foster, op. cit., p. 75.

opening of additional ports.[15]

The sticking point for the Americans in the matter of cooperation with the British or any other power in Asia was whether the combined power thus obtained from cooperation would be turned at some future time to the disadvantage of legitimate American interests. In 1847, Great Britain had made no declaration of policy either directly or obliquely which was to the Americans in any way assuring. The British had at Shanghai granted that for which the Americans had contended, and the British government through its representatives at Washington had made direct overtures, accompanied by a declaration of policy, for American cooperation. Great Britain assured the United States that, while it sought the complete opening of China to trade, it would ask for no exclusive advantages for itself. It was purposed to destroy the barrier forts below Canton and to blockade the Yangtse as far as the Grand Canal and the mouth of the Peiho. The Buchanan administration, which had just come into power, declined to become a party to this agreement or to resort to measures of coercion. Secretary Cass stated that an expedition against China could not be undertaken without the consent of congress, which alone had power to declare war, and further that the relations of his government with China did not justify war. The United States would agree to appoint a minister plenipotentiary, but he

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[15] Morse, op. cit., I, 486.

would not be authorized to negotiate jointly with England or France or to sign jointly with them a treaty with China.[16]

For the new post of envoy extraordinary and minister plenipotentiary the President selected William B. Reed, who succeeded Dr. Peter Parker.

The treaty of 1844 with China, which Reed negotiated, provided for its own revision after twelve years. Changes for the extension of our commerce had become unavoidable, while our merchants had accumulated against the Chinese government the customary series of claims for injuries sustained in violation of the treaty. William B. Reed's appointment came at a time when France and England had decided to cooperate in China to obtain redress for their grievances. The United States had been invited to join this alliance and participate in the proposed military action; this it declined to do, although it recognized that the purposes the allies sought to accomplish were of common interest.

It was understood that the allies proposed to obtain recognition of the right to have accredited representatives at the court of Peking, to extend commercial intercourse, and to secure a reduction in the duties levied on domestic produce in transit from the interior to the coast. There were further stipulations intended to accord religious freedom to all foreigners in China, arrangements for the

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[16] Dennett, Americans in Eastern Asia, p. 298.

suppression of piracy, and provision for extending the benefits of the proposed treaty to other civilized powers. These objects were thought by Buchanan to be just and expedient, and Reed was to aid in gaining them, insofar as he could do so by peaceful cooperation. He was directed to communicate frankly with the British and French ministers on all points of common interest, but his efforts had to be confined to the hollow terms of "firm representations," leaving the administration to determine upon the course to be adopted should these prove fruitless. Special importance was attached to his cooperation with the ministers of Great Britain and France, because they alone had diplomatic representatives at Canton. It was further understood that Russia was attempting to secure the reception of an accredited minister, and Reed was enjoined to cultivate the same friendly relations with him.

The new envoy was to bear in mind that the United States was not at war with China and had no other purpose than that of lawful commerce and the protection of its citizens. During the hostilities which existed it was believed that the United States might act with advantage as a means of communication between the belligerents. He was, therefore, to inform the Chinese authorities that the United States was not a party to the hostilities and had no intention of interfering in their political concerns. Its sole purpose was trade, though it disassociated itself from any

wish to import opium into China.[17]

Reed was to take up various matters in which the provisions of the existing treaty had been neglected or violated and where there had been ground for complaint. American citizens, for instance, had found difficulty in securing places to live in, not by reason of any reluctance on the part of the property owners to sell, but because of the local authorites. Also during the disturbances at Canton, Americans suffered losses for which they had presented claims amounting to more than a million dollars.[18]

By the treaty of Tientsin, Reed was able to obtain for the United States participation in all the advantages yielded to Great Britain and France. The Chinese could not show less favor to our demands because we had kept neutral. Reed was warmly congratulated on the result, but he must have been aware that it could not have been achieved if England and France had not made war on China. The treaty of Tientsin, signed on June 18, 1858, and the two supplemental conventions of Shanghai of the eighth of November following placed our commercial relations with China on the same footing as those of England and France. By an agreement which stipulated for the retention of one-tenth of all the tonnage import, and export duties paid by American ships at Canton, Foochow, and Shanghai, American claims of about $700,000 were satisfied,

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[17] Lewis Einstein, "Lewis Cass," American Secretaries of State, VI, 369.

[18] Ibid., p. 371.

and a surplus of $200,000 was left to the credit of the treasury and remained at the disposition of congress. Buchanan expressed satisfaction at the neutral position of our policy in the Far East at a time when England and France had conducted hostile operations.

Reed, who resigned after negotiating the treaty, was succeeded by John E. Ward, of Georgia, who, although appointed the preceding December, did not arrive at Peking until the end of July, 1859. He requested an audience to present his letter of credence, but did not obtain it because he refused to submit to the humiliating ceremonies then required by the etiquette of the court.[19]

Seward wished cooperation in protecting foreigners and the preservation with equal opportunities of the territorial integrity of China. It is not difficult to agree with the careful student of the Far East who says that in 1899

> when Hay turned to this difficult problem he must have been made aware that all its paths had been traversed in the sixties, either by Seward or by his able representative at Peking, Anson Burlingame - absolutely no new principles have been added to American Far Eastern policy since 1869.[20]

In China the United States was ably represented during the Civil War by Anson Burlingame, who developed with great success a policy of peaceful cooperation. The Taiping Rebellion was still in progress and China was in danger of dissolution. Extensive concessions in the treaty ports

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19 Ibid., pp. 374, 375.
20 Dennett, "Seward's Far Eastern Policy," American Historical Review, XXVII (1923), 47.

could easily be obtained. Burlingame established friendly relations with the British, French, and Russian ministers and impressed upon them the importance of preserving and guaranteeing "the territorial integrity of the Chinese Empire," a phrase borrowed a generation later by John Hay and used by him to good effect. Burlingame's later career reads like a romance. When he announced in 1867 his intention of resigning and returning to the United States to reenter political life, the Chinese government asked him if he would be willing to head a mission to the western powers. He accepted the proposal and was soon accredited as the first Chinese ambassador to America and Europe. He arrived in the United States with a large train of attendants and from the moment the commission landed in San Francisco until its departure from New York for Europe it received a continuous series of ovations. It then proceeded to London, Paris, Berlin, and St. Petersburg, attracting great attention and meeting with marked success. A few days after reaching the Russian capital Mr. Burlingame was stricken with pneumonia and died, thus ending his brilliant career.[21]

While in Washington in July, 1868, Burlingame, acting on behalf of China, negotiated with Seward a treaty which contained the following clause:

> The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance,

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[21] Paul H. Clyde, "China Policy of J. Ross Brown," Pacific Historical Review, I (1932), 312-323.

> and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from one country to the other for the purposes of curiosity, of trade, or as permanent residents.[22]

For nearly a decade under Secretary Seward, Burlingame had served ably his country in China. His personality had been indispensable to the cooperative policy. But with the return to the United States as head of the Chinese mission to the western powers, his enthusiasm had pictured both to the government and the nation at large a China he wished to see, not a China he had seen. One reason given for appointing Burlingame as China's representative to the Treaty Powers at this time was that he might explain away the confusion existing in the West regarding China's actions and intentions. The foreign office felt that there were no Chinese who were competent to do this, and it considered Burlingame honest and well-intentioned.[23]

At this time several thousand Chinese were engaged in the construction of the transcontinental railroad. In fact, rapid development of California was made possible by Chinese labor. But public opinion was soon to undergo a radical change on the question of Chinese immigration, and appeals were soon made to congress for the abrogation or modification of the Burlingame Treaty. In 1876, a joint committee

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[22] William M. Malloy, Treaties, Conventions, International Acts, Protocols and Agreements between the United States and Other Powers, I, 1117.

[23] Thomas A. Bailey, "Mission of Burlingame," loc. cit., p. 45.

of the two houses of Congress, under the chairmanship of Senator Levi P. Morton, visited California and made a thorough investigation of the question. The majority report, favoring restriction, and the minority report, opposing it, set forth fully all the arguments used for the next quarter-century.

In 1878, congress passed a bill which so greatly restricted Chinese immigration that President Hayes vetoed it, on the ground that it was in direct violation of the Burlingame Treaty. Two years later a commission, with President Angell of the University of Michigan at its head, was sent to China to secure the consent of the government to the modification of the Burlingame Treaty. The new treaty of 1880 provided for restrictions on the immigration of the Chinese laborers but expressly provided that Chinese subjects

> proceeding to the United States as teachers, students, merchants, or from curiosity should be allowed to come and go of their own free will, and should be accorded all the rights, privileges, and immunities accorded to the citizens and subjects of the most-favored-nation.[24]

This treaty paved the way for the exclusion act of 1882. Some of the subsequent exclusion acts, notably those of 1888 and 1892, passed on the eve of the presidential elections, were in plain violation of treaty stipulations and all were harshly administered. Even those Chinese who came within the four privileged classes were frequently treated with inexcusable severity. Unfortunately, the subject of Chinese

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[24] Ibid., p. 119.

immigration has too frequently been handled as a political rather than as a social or economic question.

The fur trade between the western coast of America and China was in its infancy in 1778, but the profits accruing from it made it of great importance. Captain Cook, in his early voyage, had brought the possibility of the industry to the attention of English shipowners.

> By the accidental carrying away of a small collection of furs, whose great value was learned in Siberia and China, he originated the great fur trade, the chief incentive of all later English and American expeditions to these regions.[25]

It is significant that the first extended description of California to attract the attention of American readers was written by a sea-captain engaged in the Chinese trade and bore the title, "Journal of a Voyage between China and the Northwestern coast of America made in the year 1804."[26] The author, a New Englander named Robert Shaler, devoted special attention to a description of the harbors of the California coast and to the latent commercial possibilities of the province, making no attempt to conceal his purpose of arousing interest in its acquisition.[27]

The first settlement in Oregon, like its exploration, had its beginnings in Oriental trade. In later years, giving his reason for the establishment of Astoria, Astor

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[25] American Historical Association Report, I (1904), 286.

[26] George Bancroft, History of the United States, II, 172.

[27] American Historical Association Report, I (1904), 286.

wrote that he desired it "to serve as a place of depot and give further facilities for conducting a trade across this continent to that river (the Columbia) and from there . . . to Canton in China and from thence to the United States."[28]

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[28] Ibid., pp. 287, 288.

CHAPTER II

RELATIONS BETWEEN 1878-1911

The settlement of California and the building of transcontinental railways filled the west with cheap, Chinese coolie laborers. This was all right when times were good, but in 1876 a drought came in the west. Crops were bad and labor was laid off. Naturally the high-paid laborers were laid off first if cheaper labor could be found. The Chinese soon had work, and the white men were unemployed, because they would not accept lower wages. This immediately provoked riots and violence against the yellow men in which all sorts of outrages were perpetrated against the peaceful Chinese. California demanded that they be excluded from the United States![1]

Congress passed an act excluding the Chinese laborers, but President Hayes immediately vetoed the bill as a violation of a right we had given the Chinese in the Burlingame Treaty when we recognized the right of men to emigrate.

Congress passed an exclusion act in 1882 and since that time Chinese emigrants have not been allowed to enter the United States. In addition to this the Chinese are by law rendered ineligible to citizenship in the United States.[2]

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[1] Randolph Granfield Adams, A History of the Foreign Relationships of the United States, pp. 320-324.

[2] James Ford Rhodes, History of the United States, VIII, 194.

The sentiment of the Pacific Coast and the action of congress showed high political sagacity. But to shut out the millions of Chinese desiring to escape from the crowded and unsanitary conditions of their native lands from the fertile, unpeopled country of the United States seemed cruelty.[3]

The main current of our Chinese policy had to do not with the Chinese in America, but with the United States interests in China. This was brought about by the industrial revolution. The change of Western Europe and the United States from a state of agriculture to that of industry produced fabulous wealth which was impossible before the use of machinery and the harnessing of steam and electricity. The British carried their goods to all parts of China, sold them, established business relationships, and brought trouble on, which demanded the immediate intervention of the British government to protect its merchants.[4]

The whole world of western nations had by this time been caught in the current of what has been called "economic imperialism." The diplomats were even more concerned with the protection of their capitalists who wanted to invest money in the Chinese enterprise.[5]

Somehow, China must be staked out and sections of her territory allocated so that the merchants and the investors of each capitalist nation would have their share apart from

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[3] Ibid., p. 196.
[4] Foster, op. cit., p. 48.
[5] Morse, op. cit., p. 92.

those of every other nation. This tentative partitioning of China was easy under the old regine of the Emperor, when China allowed nation after nation to take her land as England did at Hong-Kong, or to lease territory for ninety-nine years as Germany did at Kiao-Chow, or to mark off huge sections of China which were to be separated from China in the near future as they were all doing. The first process was land-grabbing; but it was paraded under the respectable name of declaring "spheres of influence." A sphere of influence was an arrangement, not between China and a western nation for the selling or renting of Chinese territory, but an agreement between two western powers whereby they agreed that when the time came to grab a particular section of China they would partition it between themselves on whatever basis the agreement provided. China was not a party to these agreements, but she had no one to blame but herself for getting into such muddles, because of the careless way she had signed away her freedom and her territory to a half-dozen different nations.[6]

By 1898 France had acquired large sections of Southern China; England had Hong-Kong; Russia had secured the valley of the Amur; Germany had her grip on Shantung, and Japan had wrested Formosa from China by force of arms in the Sino-Japanese War. Russia and Japan had each an eye on Port Arthur and eventually came to blows about it. In that same

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[6] Adams, op. cit., p. 323.

year of 1898 the United States also entered upon a new phase of its history and joined the ranks of the so-called "imperialistic nations." We have already observed how the United States became an industrial and exploring nation, and how it had acquired possessions in the Pacific Ocean and the Caribbean Sea on which it was tightening its grip with all the remorseless disregard of the rights of backward nations for which it had always criticized Great Britain. It was apparent that the United States must sell its goods and it must get raw materials. Nevertheless, the United States did not want to keep its hands off of China.[7]

One of the most interesting facts in modern history is the expansion of Europe. Europe was a country which had peopled, partitioned, and dominated the Americas, and it now looked as if they might partition and dominate Asia. Of all the great nations China was the one which remained to be partitioned. America might have been content at this time with saying that China's integrity must be respected, but yet it would not help China, nor would it gain its desire, the vast Chinese markets. There were several doors open to the United States. It could oppose all the powers of Europe and tell them to stay out of China, yet this seemed foolish, as Europe was already there. Second, the United might have stepped aside and refused to intervene, but we needed the trade with China, and our stepping aside would

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[7] Ibid.

not have China from the powers of Europe. The last alternative seemed to be the one whereby we might cooperate with the Europeans and try to restrain them from their selfish ambitions in Asia. We determined not to take any part in the land grabbing or to demand any special concessions for American merchants and investors.[8]

In 1899 the United States was confronted with a situation in which it had to act or be eliminated from the whole business. Secretary Hay reaffirmed the policy which the United States had maintained from the days of Caleb Cushing and addressed notes to the great powers, England, Russia, Germany, Japan, France, and Italy, in which he proposed three things for their consideration:

> First, that it will in no wise interfere with any treaty port or any vested interest within any so-called "spheres of influence" or leased territory it may have in China.
>
> 2. That the Chinese treaty tariff of the time being shall apply to all merchandise landed and shipped to all such ports as are within such "spheres of influence" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so levied or leviable shall be collected by the Chinese government.
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> 3. That it will levy no higher harbor duty on vessels of another nationality and no higher railroad charges over lines built, controlled, or operated within its "sphere" on merchandise belonging to citizens or subjects of other nationalities transported through such "sphere" than shall be levied on similar merchandise belonging to its own nationals over equal distances.[9]

The oldest American policy in the Far East has been the

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[8] Dennett, Americans in Eastern Asia, pp. 634-641.
[9] Malloy, op. cit., I, 244-251.

demand for commercial equality. This has not been an exclusively Far Eastern Policy. It has been properly said,

> That no assumption is more ridiculous than the one so often made that John Hay was the author of the open-door policy. One can not point to a time when the United States government did not demand commercial equality. It was applied in the East in the first commercial treaties, those with Siam and Muscat, and was repeated with the first treaties with China, Japan, Hawaii and Korea. It is quite clear that this element in American policy is not changing nor is likely to change.[10]

At this time the Chinese awoke to the idea of what was happening to them and created a thoughtless uprising. The primary purpose of the "Boxer Uprising" was to rid China of all foreigners and henceforth to keep them out of China, yet the Empress of China seemed to have been mixed up in this affair. The Boxers were at first very successful as they killed the German minister and drove all the foreign residents into the British legation at Peking where they besieged them. Foreign property was destroyed, foreign lives lost and China gave every evidence of being intent on wreaking a terrible vengeance on the powers for their "economic imperialism." But the powers, including the United States, at once sent a joint military expedition to Peking, which rescued the victims huddled in the British legation and then proceeded to retaliate on the Chinese with all the frightful efficiency of modern warfare.[11]

Since China had been thoroughly subdued, the Europeans

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[10] Dennett, "American Policy in the Far East," loc. cit., p. 598.

[11] Foreign Relations of the United States, 1902, p. 514.

saw a chance to extend their "spheres of influence" more hurriedly over the Chinese while the latter were too weak to oppose. Not only did they insist on keeping a military force at Peking, but they also settled an indemnity upon China which they knew she could not pay, therefore China would have to borrow the money from the Europeans to pay for the damages she had brought about and then this would place her in the hands of her creditors. China had vast wealth but as yet she had not developed it. Her wealthy citizens did not have enough confidence in the government to lend it money and also since taxation is very low the Chinese got very little from their government in return for their taxes.[12]

Therefore China had to borrow in Europe, much to the satisfaction of European lending countries, as this gave them just the grip on China that they wished and also they insisted that China should spend the money as the lenders directed. They even went so far as to demand that the money would be lent on the condition that China would spend it in the country lending it. This gave Europe a chance to flood the Chinese markets with goods. At the time the Chinese were attacking the legations in Peking, Secretary Hay put forth another effort to save China. Of course, China was bound to make itself responsible for its failure to protect foreigners and pay damages. The American policy did not

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[12] Westel Willoughby, Foreign Rights and Interests in China, pp. 483, 484.

think further punishing of China necessary.[13]

Secretary Hay at this time insisted:

> In this critical posture of affairs in China it is deemed appropriate to define the attitude of the United States as far as present circumstances permit this to be done. We adhere to the policy initiated by us in 1857 of peace with the Chinese nation, of furtherance of lawful commerce and of protection of lives and property of our citizens by all means guaranteed under extraterritorial treaty rights and by the law of nations. If wrong be done to our citizens, we propose to hold the responsible authors to the uttermost accountability. We regard the conditions at Pekin as one of vital anarchy, whereby power and responsibility are practically developed upon the local provincial authorities. So long as they are not in overt collusion with rebellion and use their power to protect foreign life and property, we regard them as representing the Chinese people with whom we seek to remain in peace and friendship. The purpose of the President is, as it has been heretofore, to act concurrently with other powers; first, in opening up communications with Pekin and rescuing the American officials, missionaries and other Americans who are in danger; secondly, in affording all possible protection everywhere in China to American life and property; thirdly, in guarding and protecting all legitimate American interests; and fourthly, in aiding to prevent a spread of the disorders to the other provinces of the Empire and a recurrence of such disasters. It is, of course, too early to forecast the means of attaining this last result; but the policy of the Government is to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed to friendly powers by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empires.[14]

Even this had very little effect as the European nations continued to encroach upon the territory of China. The Germans now began to invest German capital in the rich

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[13] Dennett, Americans in Eastern Asia, pp. 656, 657.

[14] Foreign Relations of the United States, (Supplement) 1901, pp. 12, 21.

gold fields of Shantung. Russia was trying to get control of Mongolia and Manchuria, while the ever-present enemy, Japan, was striving to get possession of Korea. The victors soon fell out and Japan and Russia had to fight a war to decide which should get the much-desired Port Arthur despite the fact that it was Chinese. This war was fought mainly in Chinese territory although China protested its neutrality. As Japan won the war, it increased its territory on all sides. It now seemed only a matter of time until the Chinese Empire would be entirely extinct, despite the best efforts of the United States.

But in 1910-1911 the Chinese at last realized that it was their own corrupt government which was principally to blame for this. At this time a revolution broke out whereby the Emperor was deposed and China became a republic. China now let it be known that it was going to take its place among the nations of the world as a great self-respecting state, willing to assume its international obligations and demand its international rights. It seemed to the Americans that China was now about to set its own house in order. The Chinese now asked the United States to send its political advisers to help regulate the Chinese political machine. It only appeared to the Americans that China needed years of leadership. Since the amount of indemnity which the United States had extracted from China for the "Boxer Uprising" proved more than enough to satisfy the claims, the United States set an example of international decency by returning

the unused portions with instructions to spend it on education. Young Chinese students promptly came to the United States to study and have done excellent work, particularly in the great American universities, and especially in international and public law. It is in these subjects that the New China will first of all have to be informed in order to secure its rights in international society.

The services of President Roosevelt to the cause of peace in bringing Russia and Japan to a conference within the United States in 1905 have received universal recognition, and doubtless constitute a notable diplomatic achievement, though how far the result was due to other influences it is not yet possible to say. The success of the move was at any rate a gratifying recognition of the growing importance of the United States in world politics, particularly in the affairs of the Pacific Ocean. Not only did the president appeal with great force and in the interest of the civilized world to the Emperors of Russia and Japan to open direct negotiations with each other, but when the commissioners met he kept in constant touch with them, advising them and compromising their differences.[15]

At last a treaty was reached in which Russia and Japan agreed to evacuate Manchuria, with the exception of the Liaotung Peninsula and to restore it to China; the Russian leases of Port Arthur, Talienwan and adjacent territories,

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[15] John Latané, America as a World Power, p. 118.

and territorial waters were to be transferred, with the consent of China, to Japan.[16]

The United States made a proclamation of arbitration with China in 1908 which was as follows:

ARTICLE I

> Difference which may arise of a legal nature or relating to the interpretation of treaties arising between the two contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the permanent Court of Arbitration, established at The Hague by the convention of the 29th of July, 1899, provided, nevertheless, that they do not affect the vital interest, the independence, or the honor of the two contracting States, and do not concern the interests of the third parties.

ARTICLE II

> In each individual case the High Contracting Parties before appealing to the Permanent Court of Arbitration shall conclude a special agreement defining clearly the matter in dispute, the scope of the powers of the arbitrators, and the periods to be fixed for the formation of the Arbitration Tribunal and the several stages of the procedure. It is understood that such special agreements will be made on the part of the United States by the President of the United States by and with the advice and consent of the Senate thereof.

ARTICLE III

> The present convention shall remain in force for the period of five years from the date of the exchange of ratifications.

ARTICLE IV

> The present convention shall be ratified by the high contracting Parties, and the ratifications thereof shall be exchanged at Washington as soon as possible.[17]

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[16] Foreign Relations, 1905, pp. 807-828.

[17] Foreign Relations of the United States, 1909, pp. 95, 96.

CHAPTER III

CHINA AND THE OPEN DOOR POLICY

China had utterly lost her financial independence by 1916. For the European bankers who loaned the money insisted on supervising not only the spending of the money, but also the collection of the revenue which went to pay back the loans. This was the situation of semi-independence in which the new rulers of China found themselves placed. They could neither fix nor collect their own import duties.

Even before the actual establishment of the republic in China, plans for governmental reorganization and for the building of railways were under way. This meant the opening up of even greater fields for activity by the western powers. It also meant the spending and borrowing of more money. When President Taft undertook to direct the American foreign policy, he decided to depart somewhat from the American policy of strict non-participation in these loans which always became political issues. In so far as lending money to China destroyed her independence, he would not undertake to force American money on China. But he saw clearly that China needed railroads and he knew that America, above all other nations, had the genius and the capital for building them. The state department had always said that it would not go beyond ordinary diplomatic protests to protect Americans who risked their capital by investing it in China. The United States government would not assume responsibility for,

nor would it guarantee, any American commercial or industrial enterprise in China.[1]

This had been an avowed policy which both Republican and Democratic administrations had upheld. The United States would not invest in China for the sake of getting that unfortunate nation into her hands. It was contrary to her policy of no foreign entanglements, but more than that, it was a violation of the political ideals which entitled China to the independence that the United States demanded for herself.[2]

But was not the altruistic policy of the United States a little too much like leaving China to the tender mercies of European powers who had already shown little consideration for her?

Taft and his secretary of state, P. C. Knox, came to the conclusion that by refusing to support American bankers in their Chinese investments, the United States were doing China no good and were merely excluding China and the United States from the benefits of American investments there. Then President Taft announced to Congress, December 3, 1912:

> In China the Policy of encouraging financial investment to enable that country to help itself has had the result of giving new life and practical application to the open-door policy. The consistent purpose of the present administration has been to encourage the use of American capital in the development of China by the promotion of those essential reforms

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[1] Foreign Relations of the United States, 1897, p. 56.
[2] John Bassett Moore, Digest of International Law, VI, 288.

to which China is pledged by treaties with the United States and other powers. . . .

> The hypothecation to foreign bankers in connection with certain industrial enterprises, such as the Hukuang railways, of the national revenues upon which these reforms depended, led the Department of State early in the Administration to demand for American citizens participation in such enterprises, in order that the United States might have equal rights and equal voice in all questions pertaining to the disposition of the public revenues concerned. The same policy of promoting international accord among the powers having similar treaty rights as ourselves in the matters of reform, which could not be put in practical effect without the common consent of all, was likewise adopted in the case of the loan desired by China for the reform of its currency. The principal of international cooperation in matters of common interest upon which our policy has been based has admittedly been a great factor in that concert of the powers which has been so happily conspicuous during the perilous period of transition through which the great Chinese nation has been passing.[3]

In other words, Taft thought that the doctrine of isolation was in conflict with the doctrine of the open door, and he was going to follow the open door idea. American bankers were requested by the United States government to share in the loan to China, in which the other participants were to be Great Britain, France, Germany, Russia, and Japan. The conclusion was unavoidable that the United States was not going out of its way to get American bankers to invest in China, it would also protect them there as had been done before by Europe but never by the United States. This might involve the use of military force.[4]

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[3] Congressional Record, XLIX, 1, 9.

[4] George A. Finch, "American Diplomacy and the Financing of China," American Journal of International Law, IX, 25.

However, before the date could be consummated the Democratic administration of President Wilson took over the department of state and forced the American bankers to withdraw. President Wilson, on looking over the situation, decided that the proposed six-power consortium was frankly going to deprive China still further of its independence, and he did not want to have the United States share in any such scheme which he believed so contrary to its old policy of keeping out of the scramble for the control of China. He explained:

> The conditions of the loan seem to us to touch very nearly the administrative independence of China itself, and this administration does not feel that it ought, even by implication, to be a party to those conditions. The responsibility on its part which would be implied in requesting the bankers to undertake the loan might conceivably go the length in some unhappy contingency of forcible interference in the financial and even in the political affairs of that great oriental state, just now awakening to a consciousness of its power and of its obligations to its people. The conditions include not only the pledging of particular taxes, some of them antiquated and burdensome, to secure the loan, but also the administration of those taxes by foreign agents. The responsibility on the part of our government implied in the encouragement of a loan thus secured and administered is plain enough and is obnoxious to the principles upon which the government of our people rests.
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> The government of the United States is not only willing, but earnestly desirous, of aiding the great Chinese people in every way that is consistent with their untrammeled development and its own immemorial principles. The awakening of the people of China to a consciousness of their responsibilities under free government is the most significant, if not the most momentous, event of our generation. With this movement and aspiration the American people are in profound sympathy. They certainly wish to participate and participate very generously, in the opening to the Chinese and to the use of the world the almost untouched and perhaps unrivaled resources of China.

> The present administration will aid and support the legislative measure necessary to give American merchants, manufacturers, contractors, and engineers the banking and other financial facilities which they now lack and without which they are at a serious disadvantage as compared with their commercial rivals. This is its duty. This is the main material interest of its citizens in the development of China. Our interests are those of the open door - a door of friendship and mutual disadvantage. This is the only door we care to enter.[5]

If Taft thought the open door policy more important than the isolation policy, Wilson believed that we should not secure the open door at the expense of an even older principle of American foreign policy, that of refusing to do anything to injure the independence of other countries. To Wilson such a plan was "obnoxious to the principles upon which the government of our people rests." Denied the support of their government, the bankers withdrew.[6]

But the great European War turned the principles and policies of all nations upside down. The Japanese rushed into the war ostensibly to comply with the promise they had made England in the Anglo-Japanese alliance, but actually to shove Germany out of Kiao-Chow and Shantung and get them for themselves. Again, a war was fought for Chinese territory, for control of Chinese lands, when China was neutral. Then while Europe was distracted with its life and death struggle, the Japanese pushed their advantage in China. After capturing the German leaseholds in China in 1914, the

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[5] Foreign Relations of the United States, 1913, pp. 170, 171.

[6] Willoughby, op. cit., pp. 501-511.

Japanese in 1915 presented the Chinese government with certain demands which, if accepted, would virtually have made China the vassal state of Japan. The world was thinking of something else. Europe was in the agony of its own troubles, and the United States had elected to keep its hands off China. The celebrated "Twenty-One Demands" which Japan made upon China in 1915 and which China agreed to for the most part gave Japanese economic concessions in China, gave her control over the administration of Chinese affairs, and practically put Japan in a position where if China was going to borrow any more money it would have to get Japan's permission and then borrow it - from Japan. Moreover, Japan extracted from China the promise that it (China) would agree in advance to whatever the peace conference which ended the war did in disposing of Shantung. Then Japan sewed up the European powers with promises to give Shantung to it (Japan) when the war was over. China sold itself to Japan more effectively than it has ever surrendered its freedom to any European power. News of these events was carefully concealed by the Japanese, and China was not well enough organized to get the ear of other powers of the world, even if they had been in a position to hear.[7]

Throughout the months while the Japanese-Chinese negotiations were in progress, there was curiosity in many quarters, apprehension in some, and hope in a few as to what

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[7] Stanley K. Hornbeck, Contemporary Politics in the Far East, pp. 304-334.

the United States government would do. China sought to secure some intimation that the United States could be counted on to back her in opposition to the demands. In the third week in March, Chinese and Japanese press dispatches reported that the United States government had asked questions of the Japanese government with regard to the demands, and the Japanese papers reported that the Japanese government had replied stating that the demands did not in the least infringe upon the principles of equal opportunity and the preservation of the integrity of China, while Japan stood to guarantee these principles with all her forces.[8]

Whatever may have been the truth of these reports, and whatever the attitude assumed and the efforts made by the American government, no intimation with regard to the policy of the government was given to the people of the United States until May 6, upon which date Secretary of State William Jennings Bryan gave to the press in Washington the following statement:

> In order that there may be no misunderstanding of the position of the United States in reference to the negotiations pending between China and Japan, this announcement is made:
>
> At the beginning of the negotiations, the Japanese government confidentially informed this government of the matters which were under discussion and accompanied the information by the assurance that Japan had no intention of interfering with either the political independence or territorial integrity of China, and that nothing that she proposed would discriminate against other powers having treaties with China or interfere with the open door policy to which the leading powers are directed.

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[8] Ibid., p. 341.

> This government has not only had no thought of surrendering any of its treaty rights with China, but it has never been asked by either Japan or China to make any surrender of these rights. There is no abatement of its interest in the welfare and progress of China and its sole interest in the present negotiations is that they may be concluded in a manner satisfactory to both nations and that the terms of the agreement will not only contribute to the prosperity of both of these Oriental empires but maintain that cordial relationship so essential to the future of both and to the peace of the world.[9]

After the Japanese and Chinese had reached their agreement on May 9, the United States government sent identical notes on May 11 to the two governments, of which that to China read as follows:

> In view of the circumstances of the negotiations which have taken place and which are now pending between the Government of Japan and the Government of China, and of the agreements which have been reached as a result thereof, the Government of the United States has the honor to notify the Imperial Japanese Government that it cannot recognize any agreement or undertaking which has been entered into or which may be entered into between the governments of China and Japan, impairing the treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy relative to China, commonly known as the "open door" policy.[10]

Ambassador Reinsch had to guard the open door, and he did it remarkably well. But the United States government would take no other action than to recommend that China and Japan go slowly. After Japan was entirely through and had by threats of military force bullied the Chinese government into agreeing to the outrageous demands, the United States notified China that it would not recognize any agreement

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[9] Foreign Relations of the United States, 1915, p. 143.
[10] Ibid., p. 146.

which impaired treaty rights or violated the open door. The only hope for China was the fact that she had been sold out by an unrepresentative government, and the people of China had neither been consulted nor had they consented to Japan's demands.[11]

The Chinese apparently saw that their salvation now lay in getting the whole story exposed at the peace table at the end of the World War. In 1917 the United States entered the World War and invited China among other neutrals to break off neutral relations with Germany. At first the Japanese were not enthusiastic about China's getting into the war, as they did not want their sins exhibited at a peace conference. But as they had England and France committed to give them Shantung, the Japanese finally agreed to get enthusiastic about welcoming China into the war. The Japanese in fact tried to deal with Russia to get concessions as a price of their being able to persuade China to enter the war, when they found the United States had already accomplished that task. Then came quickly the question of who would finance China to take her part in the war. European powers were now in the third year of war and utterly incapable of lending money to outsiders. Japan was willing to lend money, on the usual terms which would have put China under deeper obligation to her.[12]

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[11] Munghieu Bau, The Open Door Doctrine, pp. 75-83.
[12] Samuel F. Bemis, Diplomatic History of the United States, pp. 75-90.

At this point President Wilson realized that a vast change had come over the world since he pulled the American bankers out of the consortium in 1913. Two nations in the world had gotten vastly rich as a result of the war because they had sold quantities of goods to Europe and Europe would pay almost any price. The United States and Japan had virtually passed the stage of being debtor nations to the stage of being great creditor nations. Especially had the United States assumed the leadership in world finance, and New York was now the Mecca to which the powers of the earth sent suppliants begging more and more money to help them fight the war. So, following the lead of President Taft, Wilson reviewed the idea of the consortium and in June of 1918 invited the American bankers to participate in a loan to China. Step by step the United States was forced to abandon its classic position of being unwilling to support its investors in China. The American bankers consented to lend to China, but the United States was thereby placed in a position where it must give her investors in China more than mere diplomatic support.[13]

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15 George A. Blakeslee, China and the Far East, pp. 112-119.

CHAPTER IV

FUTURE OF THE OPEN DOOR IN CHINA

The successful application of the Open Door Doctrine requires the fulfillment of three essential conditions.

One of the first conditions is the cooperation of China. Unless China obeys the doctrine, it cannot be successful. China can grant special privileges and thus violate the principle of the equal opportunity of trade, with the result that the powers discriminated against will be obliged to claim similar and equivalent privileges, in which case the United States will be helpless to check the powers from a scramble. The protest of Hay against the grant to Russia, through a corporation, of the monopoly of the industrial development of Manchuria was based specifically on this ground.[1]

China may voluntarily alienate or barter away or forfeit its territory and sovereignty, in which case the United States will be powerless to assist in any way, much as it might wish to do so.[2]

China may let extravagance, corruption, civil dissension, and militarism so infest and strangle her government as to render her bankrupt, in which case the United States, regretting to intervene, will be compelled, in conjunction with other powers, to take over the finances of China and,

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[1] Foreign Relations of the United States, 1912, p. 26.
[2] Bau, op. cit., p. 183.

by doing so, practically destroy its administrative integrity.[3]

China must cooperate with the United States in the application of the open door policy by an observance of the principles of the equal treatment of all powers and of the preservation of her own integrity.[4]

The United States has merely stated its attitude and policy toward the open door doctrine and has asked the other powers interested to do likewise. It does not pledge the enforcement of its policy by military or naval forces. It is doubtful if the United States will ever fight for China unless China fulfills the obligation placed upon her by defending her integrity to the utmost ability.

Article X of the Covenant of the League of Nations asserts:

> The members of the League undertake to preserve against external aggression the territorial integrity and existing political independence of all members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.[5]

The second condition necessary for the successful application of the open door policy is the direct participation of the United States in the international affairs of China. This is necessary, because, unless the United States

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[3] Ibid., p. 184.
[4] Merideth Cameron, "American Recognition Policy Toward China," Pacific Historical Review, II (1933), 214.
[5] Congressional Record, 66 cong., 1 sess., LVI, 2352.

participates in the affairs and sees that the open door doctrine is observed, the other powers will fall back into the practice of insisting on closed spheres, or degenerate into the old international struggle for concession. This was clearly shown after the withdrawal of the American group from the sextuple consortium in 1913, when in the absence of a leader to uphold the open door policy, the powers resorted to another struggle for concessions in China. In addition, the withdrawal hindered the investment of American capital in China and thereby reduced the trade that necessarily follows the loan.[6]

Furthermore, from the point of view of Chinese national interests, the withdrawal of the United States left China without a disinterested friend to help her in dealings with other powers.

The third condition necessary for the successful application of the open door doctrine is the cooperation of the Powers interested. This condition means that, unless all the other Powers observe the open door doctrine, any Power promising to do so is not bound by the obligation assumed.

The successful application of the open door policy, therefore, depends upon the fulfillment of these three essential conditions: the cooperation of China, the direct participation of the United States, and the cooperation of the Powers interested. In view of the present state of

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[6] Foreign Relations of the United States, 1914, p. 186.

world politics, the lack of any of these conditions will render the application of the doctrine in China unsatisfactory, if not entirely unsuccessful.

It is interesting to note that these three essential conditions for the successful application for the Open Door Doctrine have all been provided for at the Washington Conference. In the Nine-Power Treaty, China is made a party thereof and is obligated to observe the canons of the Open Door Doctrine just as much as the United States or any other signatory or adhering party. China agrees not to enter into any treaty, agreement, arrangement, or understanding with any Power or Powers that would impair the principles of her own integrity and equal opportunity of trade.[7]

In dealing with the application for economic rights and privileges from governments and nationals of all foreign countries, it undertakes to be guided by the principle of debarring the practice of spheres of influence, monopolies, and preferences infringing the rights of other nationals or frustrating the application of equal opportunities of trade by virtue of the scope, duration, or geographical extent of the concession.[8]

With respect to its own integrity, China declares that when it is a neutral, it will observe the obligations of neutrality.[9]

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[7] Senate Document No. 126, Art. II, 67 cong., 2 sess., p. 895.
[8] Ibid., Art. III, p. 895.
[9] Ibid., Art. VI, p. 896.

In accordance with the recommendation of the Committee on Pacific and Far Eastern Questions, the following declaration on the part of China was made in the sixth plenary session of the Washington Conference:

> China upon her part is prepared to give an undertaking not to alienate or lease any portion of her territory or littoral to any Power.[10]

In the Nine-Power Peace Treaty, the United States, in conjunction with the other powers, is obligated to participate directly in the maintenance of the Open Door Doctrine. It is not only to observe it, but is also to communicate fully and frankly with the other contracting powers whenever a situation arises which involves the application of the doctrine or the provisions of the treaty.[11]

The Powers have conditioned the observance of the Open Door Doctrine by the qualification that all the other nations should likewise accede thereto, which, in actual interpretation and practice, has meant that as soon as any power should violate the doctrine, the other powers would no longer be bound to the undertaking.

The Open Door policy has not been effective and binding. But, now, as an outcome of the Washington Conference, the powers have not only affirmed, reasserted, revitalized, specified, and amplified the doctrine, but also solemnly undertaken not to violate its principles, regardless of the observance of the other powers, thus abandoning the original

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[10] Ibid., Feb. 4, 1922, p. 170.
[11] Ibid., p. 896.

reservation of qualification which had rendered the doctrine ineffective and non-obligatory.

> The contracting powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or individually, or collectively, with any power or powers, which would infringe or impair the principles stated in Article I.[12]

At least this much can be said for American policy. The United States has not forced its loans on China. The Chinese have taken the position that if the United States will not help them, they will be forced to rely upon Japan, which would mean subservience to Japan. Japan, instead of following up the lead of the United States, seems to have chosen rather to follow the very worst precedents in European practice, coercing an unwilling China into sacrifices beyond its strength and creating an attitude of distrust. It is not likely that China will much longer endure the international obligations which have been forced upon it. When the time comes for China to throw off those obligations, the United States will have cause to congratulate itself, for it has always stood for equal commercial opportunity in China, for Chinese independence, and for cooperation with the European Powers only insofar as that cooperation was for the mutual benefit of China and the Powers.

China desired the surrender of the former German leasehold of Kiaochow, now held by Japan, and also the economic control of the whole province of Shantung which had resulted

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[12] Ibid., Art. II, p. 896.

from this lease. Although the American public firmly supported China's demand that Japan return the territory promised to her three years ago, yet here also it was not in a position to understand the complexity of the question. The Chinese Delegation found themselves in danger of antagonizing American opinion by insisting on what the general public would call quibbling but what the Chinese knew to be of vital importance. The Chinese were against direct negotiations with Japan, for Japan would insist on the retention of economic privileges which would mean in reality retention of political control.[13]

A resolution was introduced into the Senate by Senator Thomas J. Walsh calling on the President of the United States for information as to the problems taken to solve the problem of Shantung. The President of the United States and the Japanese Delegation now realized that the Senate would never ratify the naval treaties if the question of Shantung was not settled. The Japanese agreed to come to terms in regard to Shantung but only after they had received some form of assurance that no pressure would be placed upon them in regard to Manchuria and Siberia. As a result they gave up their demand that China should negotiate a loan for the payment of the railroad and also their right to control the railroad after a period of years. The American Delegation now exerted pressure on the Chinese to accept a compromise

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[13] Raymond L. Buell, The Washington Conference, pp. 244, 245.

on the ground that the differences separating them from the Japanese were small. The Chinese realized that they could not wreck the Conference on what the general public would consider quibbling, so they accepted the compromise.[14]

An agreement was reached between Japan and China at the Washington Conference which provided for the return to China of the former German leasehold and fifty kilometers zone in Shantung and the withdrawal of Japanese troops and gendarmes; China was to purchase the Tsinan-fu Railway for $30,000,000, but there was to be appointed a Japanese traffic manager subject to the direction of the Chinese managing director and a Japanese accountant.[15]

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[14] Buell, Ibid., p. 261.
[15] Senate Document No. 166, 67 cong., 2 sess., XXI, 1-14.

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