

VII.

What Japan's Policy with England should be.

I do not wish to be understood to say that the policy of Japan, in presence of the dangers that threaten her from England and the advantages which an identification of interests with Russia appears to present, should be one of uncompromising opposition to the former, or of blind confidence in the latter. This is far from my mind. I realise as much as any one the embarrassment which she would create for herself by the adoption of such an attitude. She is weak as yet, and this new burden, added to the ones she already has to bear, would tend to still more increase that weakness and delay her in the onward march in which

it is so important for her to progress. Her port is ahead, and she will reach it in safety if she can only steer her course through the reefs that now surround her ship of state. What I wish her to do is simply to follow a judicious and independent policy with every one. Regarding England, her course is very clear. She should not assume a hostile attitude towards her, but should be careful not to yield too easily to the pressure under which she has been placed by her, whereby she would lose her independence of interior action and absolute equality of exterior relationship, without which she can never hope to become strong or occupy in the sisterhood of nations that place which she is fitted for and ought to occupy. She should say to England: "We shall

"no longer tolerate being placed by you on a level with China. You say that you want the interior of the Empire opened to your capital and enterprise. We can allow this if you will only consent to our conditions, or to such other conditions as you may yourselves propose, and which will prove satisfactory to us. Now, if we understand it, the matter rests thus. We have already said that, in our opinion, we ought to stand in your estimation in quite a different light from China. In that country, you have to deal with a government and caste who are opposed to the introduction of Western ideas among them, because of a mortal hatred, born with them, of innovations of any sort, they being convinced that, from the day these ideas began to

"progress among the people, they will
"begin to decline and finally be lost.
"In Japan you have quite a different
"spectacle. The government of this coun-
"try are truly anxious to bring their peo-
"ple into close contact with those of
"the West, that they may be aided
"in the work of ameliorating their
"individual condition and developing
"the resources of their country by for-
"eign skill, cooperation and capital.
"But they are apprehensive that, if
"they open their country at once, and
"without restrictions at first, their
"people, owing to their ignorance of
"foreign ways, arts and appliances
"must see the better portion of the
"results of their combined efforts
"remain in the hands of their
"foreign associates. The government of
"His Imperial Majesty is now

"endeavouring to diffuse the necessary
"knowledge among the people by means
"of the native press and numerous
"schools established in every part of
"the country. In the native papers
"the great political questions of the
"day are freely discussed by local
"writers, who are thus fitting them-
"selves to be public advisers and
"party leaders, and are gradually in-
"itiating the country to a higher
"state of political organization that
"will render the coming generation
"capable of meeting the visitors of
"the most enlightened countries on
"an equal footing. In the schools,
"foreign languages and the elements
"of Western sciences, given in books
"illustrated with plates and printed
"in the Japanese language are taught,
"and the knowledge so diffused will

"spread the more rapidly that, in Jap-
"an, everybody, even the women (which
"is not the case, not only in China,
"but in some Western countries) know
"how to read and write. To accomplish
"this great pacific revolution, our august
"sovereign, in one day, heroically and
"of his own free will, abdicated in
"favor of the nation almost divine
"rights, while the Daimios renounced
"their hereditary privileges, the loss of
"which has plunged more than one
"of them into a state of almost com-
"plete destitution - and all this simply
"because of a feeling of duty towards
"their former vassals and their native
"land.

"As soon as the great social and
"political change now in progress shall
"be complete, the country may safely
"be thrown open to the people of the

"West in the same manner as the
"West has been thrown open to the
"Japanese. But to revoke the restrictions
"which yet oppose the free intercourse
"between the two races before the
"proper time to do so has arrived, would
"probably lead to disputes and conflicts
"which, in the long run, might cause
"the whole work of reform to stop short,
"and bring about complications between
"the governments interested and Japan
"whereby the good relations now ex-
"isting between them might be des-
"trayed. If the delay which the gov-
"ernment of Japan needs in which
"to complete her task of initiation
"seems too long, then half measures
"must be resorted to. On one hand,
"it is very plain that, under the
"present treaties with their low tariffs
"and the ex-territorial clause, the opening

"of the country cannot take place;
"and on the other hand, it is no less
"clear that, even with a new code
"of liberal laws, foreign governments
"could not at once trust the lives,
"the liberty and the wealth of their
"people to the mercy of the native
"tribunals; for, while suitable laws
"could easily be framed, it would
"be impossible to educate in one day
"men who would be capable of apply-
"ing them. Another difficulty is
"that the dignity of the government
"should be preserved in the eyes of
"the people; and if, under these ter-
"ritorial clause, foreigners, after their
"admission into the interior, were
"to be amenable to no other courts
"than those of their own country, or
"to mixed tribunals, as is the case in
"Turkey and Egypt, the distinction

"made in their favor would be mis-
"understood by the people, who would
"see in it but an assumption of
"superiority on their part which
"nothing could justify. If, they would
"say, 'our ways, customs and laws
"are so distasteful to foreigners, why
"are they not kept away from our
"shores? Why do they not remain at
"home?' and nothing could persuade
"them but that they had come against
"the will of their authorities, for whose
"weakness in allowing their behests
"to be so disregarded, they would feel
"at least disrespect, if not contempt.^(a)

"In this position, we are willing to

(a). Another paramount difficulty. Ex-territorial jurisdiction is administered by consuls, who, in many cases, are traders, importers and agents for manufacturers, engineering companies, etc. They would surely be more or less allied with the foreigners sent to develop the country, etc. Then, in case of difficulty, that sort of justice would be administered.

"examine and revise all the projects
 "of codes that have been proposed by
 "the Department of Justice, and as much
 "as possible fuse them into a new code,
 "that will harmonize with the changes
 "under which you are desirous that
 "Japan should live. We shall entrust
 "the execution of these laws (to which
 "we propose that your people will
 "submit whenever they come to reside
 "in our country) to as competent tri-
 "bunals, composed of both native and
 "foreign officers, as we can find.
 "Now the new circumstances under
 "which these reforms will place you
 "although not entirely similar to
 "those under which you live in
 "your own country, ought certainly
 "not be more distasteful to you
 "than those in which you would be
 "placed in America, in the different

"countries of Europe, or in Persia,^(a)
 "in which you consent to live from
 "time to time, and to whose laws
 "you are required to strictly submit.
 "In furtherance of this plan, we
 "propose to select from among such
 "foreigners as speak Japanese, a few
 "men acceptable to both ourselves
 "and the foreign ministers, who would
 "be appointed to sit on the bench with
 "the native judges, for say ten years,
 "and who would be irremovable and

(a). The treaty between the United States and Persia (December 13, 1853) which, in respect to the subject of jurisdiction is similar to the British treaty, reads thus:

Art. V. All suits and disputes arising in Persia between Persian subjects and citizens of the United States, shall be carried before the Persian tribunal to which such matters are usually referred at the place where a consul or agent of the United States may reside, and shall be discussed and decided according to equity in the presence of one employe of the consul or agent of the United States.

Art. III. x x x The merchants of either nation who shall engage in the internal commerce of either country, shall be governed in respect to such commerce by the laws of the country in which such commerce is carried on.

"thus free from all other influences
"than those of their own consciences.
"Wish them would be associated foreign
"legal men, who would also be vremo-
"vable, whose mission would be to
"aid in the interpretation of the code,
"and whose assent to the decisions of
"the courts would be required before
"they could be enforced. These would
"constitute the circuit courts, that is,
"the courts that would sit at fixed
"times at various places in the coun-
"try to judge cases both civil and
"criminal that might be brought
"them. The decisions of these courts
"could be appealed from them to
"courts of appeal, constituted on the
"same plan, and located at Tokio,
"Osaka and Nagasaki; or to a
"supreme court sitting at Tokio. These
"courts would not only decide in

"foreign, but in every case; and, in
"this way, foreigners and natives would
"be placed on an equal footing. The
"foreign element introduced in the
"judicial system could not be understood
"by the natives to be a partiality
"on the part of the government to-
"wards foreigners, but as a means
"of applying a system of laws much
"more liberal than the old one,
"and by which the natives would
"profit equally with the foreign com-
"munity. Its origin being foreign,
"it would seem reasonable that
"foreigners should be called upon
"to aid in inaugurating it in the
"country. In fact, the presence of for-
"eigners in such courts, could no
"more hurt the pride of the nation
"than can their presence in the
"various branches of the public service

"and the private establishments of
"trade, where foreign aid has been
"secured by the employment of persons
"of foreign birth.

"Regarding the close relations, both
"social and commercial, between you
"and our people, which must be the
"natural result of the opening of the
"whole of our country to you, the
"purpose to place no restrictions what-
"ever upon them, provided you will
"agree that all contracts of association
"between your people and ours for
"the carrying on of any sort of
"business, either of mining, farming
"or manufacturing, shall, to be valid,
"be first approved by both the na-
"tive and foreign judges of the
"circuit court of the locality in
"which such contracts shall be made,
"and that the action of the judges

"themselves in such matters shall
"be limited by carefully drawn up
"regulations, issued by the government
"at the advice of our high Consultation
"Board, ^(a) and commissions composed of
"both natives and foreigners, whose
"experience in such matters of business
"as the regulations shall have reference
"to will be a sufficient guarantee
"that none of the points to be con-
"sidered will be omitted. For the next
"few years, the present system of
"administering justice at the treaty ports
"may remain unchanged.

"In the new treaties, also, some changes
"calculated to meet our own requirements
"will have to be made, before we can
"consent to their revision. The opening
"of the interior to your people will

(a) - see page 122 further on.

"necessarily entail very great expense),
 "and we cannot see any source of in-
 "terior revenue upon which we can
 "draw to cover it. And besides, we
 "need large sums of money for the
 "improvement and extension of our
 "army, of our navy, for coast defences,
 "for the establishment of large lines
 "of communication for the convenience
 "of trade, and which, once established,
 "will tend more than anything else
 "to complete the unification of our
 "country and more closely identify the
 "interests of the Eastern countries with
 "those of the West. We have extensive
 "wilderlands which we intend converting
 "into pastures; ^(a) we have our large

(a) - See my memoros. Nos. 16-19 and 21. concerning the importance of this subject. There is one thing, however, which I did not mention in those memoros, and that is, the importance of introducing goats and cows into this country as a means of increasing its population, which

"cities which we propose to improve; and
 "we have a world of other things to do
 "which require a great deal of capital

I find has remained stationary for the past 200 years. This fact I explain by two causes - one, the food consumed by the people of the interior, and the other, the unusual length of time that children in Japan remain at their mothers' breast. The food of the people inland consists, in some instances, of rice and salt fish, and in others, of millet alone. Under such a regime, the milk of the women in some parts of the country is made exceedingly poor, as is evidenced by the scabs on the heads and the sores on the bodies of the children they are nursing; and even of such milk they have but a limited supply, as may be shown by the pictures, illustrative of their condition, which they suspend at the doors of Buddhist temples, both before and after being cured. Under these unfavorable circumstances, the mortality of children is much greater in Japan than in other countries, where not only do the population have better food, such as potatoes, milk and meat, but where the milk of cows and goats can always be given to children, while, in Japan, ^{not only they cannot resort to such resources, but} there are ~~many~~ ^{many} villages which contain not more than three women who are furnished with milk, and who have to supply not only their own children but those of their neighbors and friends as well.

Salt fish and millet not being food that the stomachs of infants can digest, and there being no animal milk in the country to boil with the rice and prepare a more delicate dish for them, they must be nursed for four or five years; and I have met one person who told me that when he was eight years old he was still at his mother's breast. Now a woman cannot generate when she is nursing a child, and the consequence is that where, in other countries, a woman would have five or six or even nine children, in Japan she has but three or four.

"which Capital we propose to procure
 "by a reasonable increase of our tariff on
 "imports and exports; and what this increase
 "shall be we ask you to allow us to deter-
 "mine for ourselves, in the same way as
 "do other nations in the exercise of their
 "sovereign liberty. ^(a)

We have thus given you the outlines

(a) - It is likely that England will refuse this. But still an increase for ten years to come might be obtained, and the privilege of raising the tariff at will after that time reserved by Japan. To give an idea of the necessity there is for Japan to resort to a protective tariff, I will show what that system has produced in Russia. In one of his pamphlets, Mr. Cobden told his countrymen that, in the free trade period, 1815 to 1824 - Russia had been so entirely dependent upon foreigners that the stoppage of intercourse with them would have had the effect of reducing a portion of her people to absolute wretchedness. Today, however, her printed cloths are so good and cheap that they have superseded British goods of the kind in Eastern markets throughout Central Asia and China. The same can be said of her woollen goods sold in China, Afghanistan, Persia and on the northwest borders of India. Her manufactures in the precious metals are celebrated throughout the world for elegance and beauty of design. Her productions in leather are unrivalled. For the manufacture of one article, namely, sugar from beet root, Russia possesses more establishments than any other country in the world. She has also done much in cotton spinning, while the manufacture of silk has assumed considerable proportions at Moscow. And all this has been accomplished in less than fifty years. [For details, see Barry's Russia in 1870. London. 1871.]

"of our programme. Should you accept
 "in principle, we will hasten to give you
 "our aid in settling the details of it, so
 "that it may go into operation in one
 "year from the date of the revision of
 "the treaties."

Should England refuse to accept these conditions, I would propose that efforts be made to induce other powers, (whose shipping is less important than that of England, and who, therefore, would have less interest in refusing an increase in the rates of tariff on imports and exports) to revise their treaties upon such a basis. ^(a) When England will see that some countries are permitted to found industries in the interior

(a) - Mr. Bingham expressed his willingness and asserted his power, one year ago, to begin negotiating for the revision of the treaties independently. The advances made by him, however, were said to have been rejected by Mr. Terashima.

and thereby derive all the benefits which such a privilege would confer upon them, and of which she seems anxious to get the monopoly, it is very likely that she will be more easy to deal with and may ultimately come to terms. But if she should not, it would be best to maintain the strictest status quo with her. Grant her all she is entitled to under the old treaty, but nothing more. She is far from being indispensable to Japan, and so long as she acts justly towards her, she would not dare to attack her. She is not the only country where money, skilful engineers and goods may be obtained. Japan can make all the loans she requires in Holland and Germany; she can get cloths, as good and as cheap as those derived from the British markets,

from both France and Germany; France and the United States will send her all the machinery she wants; and the day has already come when the United States can supply her with all the iron ships she may need until such time - which I hope will not be far distant - when she can build them for herself.

I do not think it would be a very difficult task to induce the foreign representatives to separate from England in all their diplomatic dealings with Japan. If they have been brought to unite with her, it was, perhaps, as much Japan's fault as their own. With the exception of the British minister, who is seldom changed, the members of the diplomatic body do not often remain more than two years at their post. Although,

since France has desisted from her former unfortunate policy regarding the extension of Catholicism in this country, and the other powers have shown no disposition to press the religious question, very few occasions for differences arise, still the foreign ministers sometimes have cases to adjust at the Department of Foreign Affairs; and, as they are here but for a short time and are naturally anxious to mark their passage by some distinction attached to their names, whenever they meet with any rebuff at the Department, they seldom neglect to resort to the artificial process of cooperation with England, having unfortunately been taught, at the early period of the opening of Japan, that, by so doing, they can succeed in achieving what

they would fail to accomplish by the more natural means of regularly conducted diplomatic negotiations.

I should think it would be worth the while of H. J. M.'s government to be as liberal to these ministers as they can afford to be, and neglect no opportunity of conceding to them everything that she can consistently concede when asked for individually, although the same may have been previously denied them when asked for jointly. Should this policy not have the desired effect, and the annoyances resulting from irregular and offensive treatment at their hands continue, the remedy, when personal representations are unsuccessful, should lie with the government, and this failing, with public opinion, which, both in Europe and America,

reigns almost supreme. But this last tribunal is not reached by ordinary means.

Appeals to public opinion, and the creation of a public influence that may be made to control the most powerful forces, have, within the last half century, been undertaken chiefly by means of the press. The irresistible power that can be exercised by this engine, when properly directed, is shown by the effect it produces upon important events in Europe and America. By its agency, the overthrow of the Southern slave power in the United States was brought about. Upon its action the maintenance or overthrow of an English administration frequently depends. No British war could be undertaken at this day in opposition to its

voice; and no appeal for war, upon which it should combine, could be resisted. It is so deeply recognized as an instrument of control by European governments that every continental power finds it indispensable to maintain one or more "organs" for the continual presentation of its views in such light as shall best command the support of the nation at large. These exist alike in France, Germany, Austria, Russia and every established power. In many instances, the governments maintain these organs not only in their own dominions, but, more or less avowedly, in neighboring countries. In England, they are supported, not by the government, directly, such a course not being requisite or expedient there, but by the aid or interest

of powerful statesmen like Messrs. Leadstone, Disraeli and Bright. In the United States similar means are employed, though to a less extent.

The vehicles through which the public mind is thus addressed are regularly issued newspapers, which permanently represent the interests of a government, and occasional pamphlets prepared and circulated with regard to special questions which may require a broader treatment than can usually be afforded in hasty periodical publications. Respecting the value of the first of these in Japan, namely, an organ to place justly before the world the attitude of the government, its aspirations, its capabilities, its embarrassments caused by the hampering opposition

of foreign ministers - an opposition not now appreciated by the public of Western nations - and to maintain the probity of its intentions and the honor and dignity of its position, there can be no question. The injury already wrought by the malicious efforts of the foreign newspapers of Yokohama is deep and not easily calculable; for these journals, though feeble in ability, are nevertheless the only channels through which intelligence concerning Japan has reached Europe for many years. Some of them are published directly in the interests of the British government, and none of them have any other than British interests to serve. All of them are animated by a strange hostility to the progressive

course upon which Japan has entered. They are circulated to a considerable extent in the cabinets and in other influential circles in Europe, and the calumnies and falsehoods with which they are frequently charged, meeting with no contradiction from any source, are accepted as undisputed facts. In the United States the case is happily somewhat different, for it appears to have been a labor of spontaneous good will on the part of a few American visitors to Japan to provide the newspapers and magazines of that country with true pictures of the condition of affairs - the effects of which have been in some instances agreeably manifested. But these have not been sufficient to meet the desired end. What is

obviously required is the existence of an organ for the complete illustration of modern Japanese principles and ideas which shall not only act immediately upon the movements of foreign representatives here, but shall, by sufficient distribution in the capitals of Europe and the various political and intellectual centres, tend to create a new interest in, and a more complete comprehension of, the Japanese situation. In regard to the details of such a publication, it may be suggested that it should consist of two distinct parts, the official and the unofficial; the first to be reserved for the promulgation of laws, decrees, regulations, notifications, and the strict expression of the government views on given

subjects of great importance, for instance, official statements contradicting false reports against the government or disapproving intentions falsely and maliciously attributed to it, such statements having often to be made in cases of important negotiations, interior troubles or wars abroad; and the second to be open to all classes of enlightened contributors, and to contain discussions or exposures of views contrary to those given by papers hostile to the government on all subjects of general interest. The combination of these two parts in the same journal would relieve the government from any annoyance that might otherwise be caused by interference or suggestions on the part of foreign ministers. The official portion should contain only

concise and formal statements of fact, which could not be disputed or objected to on any grounds. The unofficial would be open for the discussion of these facts and for arguments based upon them. If it should ever occur that these discussions and arguments should take a direction not wholly agreeable to a foreign minister, and that he should adopt so extraordinary a course as to complain of them to the government, the obvious answer would be that the government could not be held responsible for anything excepting the authorized official part of the paper, and that the unofficial was not within its control. Moreover, it could be added that the unofficial part being open to all communications, the minister would

be entirely at liberty to express his own views through it in any way that might suit his convenience.

The whole scheme would be the more important to Japan that very little concerning the country being known abroad, the public there is the more easily deceived. For instance, I remember seeing, two years ago, in the "New York Times", one of the leading papers of America, a statement to the effect that the government of Japan, in inaugurating their system of reform, were tyrannizing over the people; that, with one stroke of the pen, they had actually abolished the use of tatamis; and that the people who had no furniture had thereby been thrown into a state of discomfort which threatened to manifest itself in

scenes of disorder throughout the whole empire. When I was in Peking two months ago, H. B. Mc's minister, Mr. Wade, told Mr. Pitman that all he knew of the Formosa question had been gleaned from the Japan "Herald" and "Mail"; but after Mr. Pitman had given him copies of the "Tokai Journal", in which opposite and more correct views were to be found, he changed his views considerably. Now if, at a comparatively short distance from Tokai, and in a city like Peking where the Formosa question ought to be pretty well known, not only public opinion, but the mind of a man like Mr. Wade, who has spent forty years in China, could be so greatly influenced by newspaper reports, what

must be the case with the people in Europe and America and with the governments there when such matters as concern the revision of the treaties, the extraterritorial clause, inland trade and travel, jurisdiction, &c. &c., are tacked of by hostile parties?

The utility of pamphlets concerning questions of political importance is not less definite. They have been employed with great effect in the elucidation of subjects which the masses of people in all countries have not sufficient time to investigate for themselves, and which require a more elaborate and formal exposition than the columns of a newspaper could naturally afford. The present Prime Minister of England, Mr. Disraeli,

secured his first footing in the public affairs of his country through pamphlets written by him nearly forty years ago, and his chief assistance in his steady rise to power was the publication of a series of works which are political pamphlets on a large scale. Mr. Cobden, Mr. Gladstone, all the leading statesmen of England, have either been frequent authors or inspirers of such works. For the purposes required by Japan, they would be doubly effective, as influencing opinion both at home and abroad at the same time. They could contain in a condensed form the results of general investigations, and would furnish, by notes, the means of promptly verifying the information thus given. An example which may partially illustrate their efficacy appears in the recent

preparation of a paper on the Simo-rosaki Indemnity, which, although intended by the writer to act especially upon the Congress of the United States, will have, in the event of its publication in Japan, the effect of revealing many important historical truths that were not before known to the people at large, and which will serve as justification for resistance to outrageous demands of the kind from foreign representatives in future. But, as a rule, pamphlets written for government purposes should appear without the authors' names and wish nothing to identify the source from which they proceed. It may frequently happen that the government may entertain views upon public questions the expediency of presenting

which at a particular moment is uncertain; and before these views are hazarded, it often desires to ascertain how they will be received by both its own people and the governments abroad. Such pamphlets, adroitly issued, are the means of saving the government from many false moves. Napoleon III was in the habit of having such papers issued before deciding upon any of the great moves by which his reign was signalized. ^(a)

Both the editor of the official organ and the author of the anonymous

(a).- The effect that may be produced by a work of this kind was exemplified in the pamphlet "Is Aboriginal Formosa a part of the Chinese Empire?" the origin of which was not avowed, but which was understood by the Chinese to have a certain weight of authority, and which, while maintaining throughout views which the Chinese government was adverse to recognizing, contained a suggestion at the close which opened to their minds the possibility of an alternative which the efforts of Mr. Okubo finally compelled them to adopt.

pamphlets should receive their inspirations from the highest spheres of the government, and should be selected from among those in whom the most implicit confidence and trust could be placed. Too much stress can not be attached to the importance of ascertaining with absolute conviction the trustworthiness of these assistants. It is not enough that they be men of integrity and ability, but they should, if possible, be selected from among those whose education and experience have led them to view the political situation and necessities of Japan with sympathetic eyes and with similar feelings to those held by her own most advanced public men. An instance of the misfortune of confiding to the discretion of persons who, whatever their skill as writers, have been

reared in a political school hostile to the interests of this country, is seen in the case of the editor of the "Japan Mail," who has done so much mischief in misrepresenting the government, both in his own paper which is partially supported by Japan, and in the "London Times," to which powerful journal he contributed letters condemning and misstating the action of the administration throughout the Formosa difficulties - as the most bitter of its declared antagonists.

Conducted upon this principle, not only would such an organ contribute to the promulgation of desirable information concerning Japan among people abroad, but it would also act as a sort of regulating power to the native

press, which, owing to the unlimited liberty of action (I may almost say license) which is allowed to it, is apt to sow the seeds of error and discord among the masses of the people, who, but just freed from the irresponsibilities of the feudal system, are not yet in a fitting frame of mind to resist the evil influences of such a strong power as that of a free press. By establishing a government organ as a wise guide, these adverse influences may yet be averted, while, if they are allowed to go on, repressive measures, such as those which have had to be resorted to in Europe, and which too often have proved insufficient and tyrannical, will have to be adopted in a few years. Among the Japanese,

organized, as they still are, into a huge family, the warning and care of a paternal government would be likely to do more good than would the stronger discipline in vogue among countries constituted on the principles of individual responsibility like the nations of the West.

As regards the territorial clause, if it is to be maintained much longer and the treaties un-revised on the plan proposed above, a special stipulation should be agreed on with foreign powers compelling the foreign papers in Japan to emulate the reserve in which the native papers shall be kept regarding discussions of government matters, and penalties should be provided for against

them in cases of wilful pre-
varication.