1993

To His Excellency
Count Ito Hirobumi
Prime Minister and Minister of
Foreign Affairs etc.

Your Excellency.

Before all I must begin with expressing Your Excellency my most sincere and heartely thanks, that Your Excellency have been so exceedingly kind to finish my somewhat position in a way which accomplishes all what I could wish, and which is as honorable to me as it has been gracious. Indeed I have rather tried to do in an theoretical way what I could; yet it was impossible for me to engage myself in certain publications and political matters, being without instruction and not knowing the last intentions of Your Excellency. H. E. Count Inouye was so kind to send me my nomination as Conseillor of the Vienna legation and the desired appointment of 400 £ a year. I have immediately answered with my most obedient thanks, that I accepted; only that as it was natural, there ~~could~~ can be no formal titre of Counsillor. It was all that I wanted, since by that so very honorable nomination I presume, that not only Your

Excellency but also H. Ms Ambassador at Vienna will allow me to present such suggestions and ideas in political questions as the high J. Government would deem convenient to ask from me. I know that I am endebted to Your Excellency for that high distinction, and I dare say that I accept it doubly as an honor, since it comes from a hand which I respect and cherish as much as anything in the world!

But I must already in this letter beg your pardon if I allow to enter in a very serious question, which depends before all from the intentions of Your Excellency.

Already before the derangement of the Cabinet, the Chargé d'Affaires at Vienna, Mr Tanagassi, came to me and told me, that he had received from H. E. Count Inouye, a despatch, engaging him to arrange some publications in our Press relating to the last convention in the treaty question. He could not communicate to me the whole despatch since then I had not yet an official position; but I understood that H. E. Count Inouye was somewhat troubled by the eventuality, that those steps taken by H. Ms Government should be ~~troubled~~ misrepresented not only in the other European diplomatic circles but also in public opinion. Therefore it seemed to me that H. E. Count Inouye wanted some article about the new steps taken by H. J. Ms Government in the treaty revision; and I was quite willing to furnish a notice for the Allgem. Zeitung of

of Munich.

When I was arranging that, the newest change in the Ministry was announced here, and since I was so happy to see that the Foreign Affairs were now in the hands of Your Excellency. I could not but find it necessary to address myself before all to you, in order to obtain some ~~points~~, hints, whether the proposals of H.E. Count Inouye, should find your approbation.

Now, since I have been so greatly honored by your confidence, I dare allow me to express in a few words my opinion.

Before all and generally spoken, I must direct the attention of Your Excellency upon a fact, which is and may be in future of high consequence. I must state that the real state of Japanese affairs is nearly unknown to the whole public of Europe. It is true that the interest for Japan is very great and very common nearly in all the civilized states; but an acquaintance with Japan, sufficient to make out a somewhat clear judgment of any serious Japanese question, is scarcely existant. Therefore some independent but isolated articles about Japan will rather be useless; I allow me to suggest, that the communications about Japanese affairs should be systematically organised and well managed under one directive hand. That what Japanese interest wants, is a public opinion in

Europe; and there is scarcely any is so important and so easily understood as that of the actual treaty revision.

In beginning my endeavorings in that direction, I must allow me to expose to Your Excellency the principles on which after my humble opinion, in that great question the European publications should be founded, and by which the whole series of articles in different journals should be directed.

It is only too possible, that the adversaries of the whole development of Japan will, vis-à-vis the newest unsuccessful essays of treaty revision, try to convince public opinion of Europe, that it is Japan, which by fear an inconsistency always is ready to thwart the endeavors of the treaty powers to come to an end with that great question. They say and will say, that all difficulties which disorganise all negotiations, is the old aversion of Japan to let Europeans enter into the inner parts of Japan, and that thus the old principle of reclusion and repulsion is yet always stronger than the power of its most intelligent man. So they will try to excite the public opinion against Japan and find the excuse for their dilatory art in treaty revision not in themselves but in the resurrection of old Japanese principles.

Now there is nothing more useless than to explain that this is principally not true, nor is it of great practi-

cal use to contest with English writers or readers on that ground. Thus it becomes necessary to present the whole matter on quite another point de vue.

That, I think, must be the following.

All the different treaties contain two very different things, from which only the one is earnestly spoken of in the different articles about the whole treaty revision.

The first is the exterritoriality and all the differences which depend on it.

But the second is the import duty, which by those treaties have been fixed, so that, since there is no term fixed in the different treaties, really the Empire of Japan has lost in a certain degree its free sovereignty in duty matters.

By those very slight and narrow duties, the English trade has arrived at a certain monopoly in all industrial imports, and having occupied unto now the whole trade of Japan, excludes the concurrence nearly of all other nations.

By the cheapness of these treaty duties, England is therefore able to make nearly impossible all serious development of the indigene Japanese industry. And it is clear, that as long as those treaty duties stand, the position of England before all vis-à vis the growing Japanese industry will scarcely be changed.

Thus England has the highest industrial and commercial interest in sustaining all the old treaties in their actual form.

Every change in these treaties will by one way or other give back to Japan, that what makes the commercial force of every other Empire in the world, the autonomy in their legislation on duties.

Now as long as there existed not any Japanese industries, the matter seemed to be rather indifferent to Japan itself. And thus the old treaties have been concluded.

But now Japanese industry begins to set up the great principle that Japan herself must produce those merchandises for herself, for which unto now the Japanese must pay to England.

It is clear that by this powerful movement in Japan inevitably the day must arrive on which Japan takes back her lost autonomy and that the whole growing industry will ask with ever increasing force, that the treaties must be repealed, if ever there shall be a Japanese industry.

On the other Side the English interest will by any way or other, sustain the old treaties, perfectly understanding that as soon as the Japanese industry finds its greater development, the English trade will also find a very serious competitor.

Thus the only question for English Cotton-interest is the question, by what means the revision of treaty may be postponed for a period as far as possible.

Now England took good care never to say that she wanted to raise any difficulty on treaty revision, because she wanted to assure her domination in trade and import, but she began with that cleverness which belongs to a smart man of affairs, to make the exterritoriality the head point of interest.

She knows very well that not the system of duties but precisely that exterritoriality was that what most vexed the feeling of the Japanese nation and what appeared to be that what on the other side, seemed to put Japan in an inferior position to the Western powers. So she succeeded to raise the opinion as if Japan made difficulties in treaty-revision in order to support its old exclusion from Europe; and thus it was a very clver scheme, never to speak about the duties but only about exterritoriality.

In the mean time the Japanese Government endeavoured to present all possible securities for the strangers in case of repeal of the old treaties. But when it was very difficult to find out good arguments against the application of the principles of autonomy in duty-questions, it was very easy to raise an infinity of difficulties in question of exterritoriality and Japanese jurisdiction. And the negotiators of England, never speaking about duties, have only two

easily succeeded in transferring the treaty revision to the question of legislation in civil matters.

Now, I think that what is next wanted to the public opinion of Europe, is the understanding of that real question of the treaty revision and of the last convention. It seems to be necessary to show that England begins to fear two things in Japan. On the one side the development of the Japanese industry, which she can crush easily as long as the old treaties exist, but which will become serious as soon as the Japanese Government get back their lost autonomy in duty-affairs; since as soon as that arrives the Japanese Government will protect her own rising industry against the monopoly of England — On the other side England fears the German influence in Japan. But that is a question which I will not move in this memorandum.

Now, since there exists already a fixed convention about the renewal of treaty revision, it will be only left, for public exposition of the real state of things, to explain how much — perhaps too much — the Japanese Government has submitted to English pretensions in the question of treaty revision, and to state that Japan has gone as far as possible. I think that this exposed by several writers, and in a succession of

different articles during some years, will of not change totally public opinion, yet gain all those for the Japanese side, who now think that England is representative of European and not of her particular cotton-interest. Indeed I allow me to repeat, that the true state of things is very little known even to the leading men on the Continent of Europe.

Thus I allow me the question whether Your Excellency approves that above exposed stand point for the treating of those questions in the Press, and for the further explications.

Yet the serious consequence which lies in the matter itself is, that England never will by her own good will agree with any revision of treaties. She will think after two years about, all that as she thinks actually. And thus we will find, vis-à-vis the last fundamental question, whether the international law admits the repeal of a treaty without terms. Then it will be my office to treat that question after my best conscience in the highest interest of Japan, and it is possible that that time may happen sooner as we are inclined to think.

I should be most honored if I were so happy to obtain some information about all that from Your Excellency. It is too difficult to proceed in things so

serious without being certain of your higher intentions.

In the next month Viscount Fujinami will present to Y. E. the draft of the House-law of the Imp. House, which I have the honor to propose to you. Even so Mr. Matsuoka will propose the sketch of a Code of Civil procedure, and a Code of administrative justice which I have exposed to him. Viscount Kaïeda is always here and will yet stay some time, since my exposings seem to interest him very much. Mr. Foushi has made me the pleasure to come to me; he has asked some notices for the organization of Hokkaido which I will try to give him as good as I can. In the next day I expect Mr. Kato from the Min. of Finance, and Mr. Kawashima, supply for Mr. Magaki who is seriously ill.

Perhaps Your Excellency will have the great kindness to allow my son Ernest, Dr. in law, whom I have sent to Japan in order to study your beautiful country, to which I am now happy to be bound by so honorable ties, to present himself to you. He will stay about half a year in Japan and will be in the highest degree honored if Y. E. will favor him in his endeavors to initiate a strict commerce between Japan and Austria. Perhaps that he may be of some use after his return to Europe. I should be very happy if

it would be so.

I ask a thousand times your pardon for this long letter; but if there should be any question in European matters in which you should deem it suiting to give me some moments of your most precious time, Your Excellency knows that you can absolutely relie on me and my discretion.

I am with all my heart
Your Excellency's
Most obedient and gratiful

Signed Dr. Lorenz von Stein.

Vienna,
2d. September 1887.