

Railways and Diplomats

The Failure of the League of Nations to Settle the Manchurian Crisis, 1931–1933

This is a case study in the ethics of international governance during the ‘hinge years’¹ of the interwar period. It will be argued that, rather than being an early manifestation of appeasement, the League’s failure in Manchuria in the early 1930s was caused by a clash between the pre- and post-First World War ethical paradigms governing international affairs. A further investigation might conclude that Manchuria represented a link between the Wilsonian supranational idealism of the immediate post-war years and the classical instances of appeasement in the second half of the 1930s, but this step in thinking points beyond the scope of this essay. Instead, it is proposed that it is possible, through a focused summation of the external and internal situation of China at the time of the crisis and a close look at the work of the Lytton Commission to throw light on the moral and ethical environment that is likely to have pre-determined the failure of the League in deterring and/or reversing aggression in East Asia in the early 1930s.

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President Wilson’s lofty principles gave birth to the modern concept of a ‘global moral neighbourhood,’ upon which concept the League of Nations was built. But how did these principles fare in the case of the first serious challenge to the international order predicated on these ideals: The Manchurian Crisis of 1931–33? We have learnt from our history textbooks that the League failed to stop and reverse aggression in Manchuria for the following main reasons:

- it was constituted of *weak powers*; neither the United States nor the Soviet Union were members at the time;
- the League’s structure and organisation were inefficient;
- the League was Eurocentric;
- most countries were still in the grips of post-war reconstruction;
- the Great Depression made nations less co-operative;
- the more the League had failed the less authority it had;
- the members themselves betrayed the League and let it down;
- the League was fixated at the time on reaching an international disarmament agreement, the goals and spirit of which were contrary to taking coercive measures against a member state; and

1 Zara Steiner, *The Lights That Failed: European International History 1919–1933* (Oxford: Oxford University Press, 2007), ‘Part II. The Hinge Years, 1929–33,’ 633–816.

- the League faced militarist and fascist powers the like of which had not been contemplated at the time of drafting the Covenant.

I will argue that, while necessary, the above explanations are not sufficient to explain the outcome of the events of 1931–33 in the Far East. To understand the essence of the two clashing moral paradigms or *ethea* outlined in the first paragraph, we need to revisit the historical background of the Manchurian Crisis in considerable depth and detail. The British and other western European protagonists of 1931–33 whom we as posterity see and judge with the hindsight of both world wars as well as the Cold War, had gained social and professional experience in the Victorian and Edwardian periods, the cultural values of which had only recently been questioned as a result of the First World War. While this mere biographical circumstance did not relieve them of their responsibilities under international law, it certainly explains some of their instinctive reactions during this major upheaval in an increasingly interconnected world.

Background

Railways in China were the leading instrument of the coercive foreign powers (broadly: West Europeans, Russia and Japan) for penetration, control and prestige. No wonder that the ‘incident’ sparking the crisis under review occurred on the railways.

For the early 19th century British imperialists in particular, ‘China was the Eldorado never fully explored, whose riches in concessions and customers were immeasurable.’² The ‘Old China Hands’ were British expatriates resident in the treaty ports, many of whom learnt Mandarin, and adapted to the local ways. They were, as argued by Nathan Pelcovits in his seminal work *Old China Hands and the Foreign Office* (1948), an offshoot of the rose tinted folklore that grew up around the China trade among Lancashire textile magnates and Manchester cotton mill owners. ‘Another India along the Yangtze.’ But just as in India, British traders needed Government support. ‘Indianize the Manchu Empire’ was the message from the Old China Hands. By establishing a British protectorate over the Yangtze region, British traders would gain fiscal and administrative control in this vast region. Before the control, however, communication lines, means of penetration had to be established, railways to be built.

As early as mid-century, the Palmerstonian policy of forthright expansion was effectively reversed and replaced by caution. A parliamentary select committee report of 1847 and the Mitchell Report of 1852 stressed the pessimistic view that the self-contained nature of the Chinese economy would never allow an appreciable extension of her foreign trade: China was no India. Thus the British government began to pursue a policy of limited advances and conciliation from the 1860s. In 1869, the Board of Trade officially declared that the time had come for Great Britain to awaken from the China dream: the mercantile community had to be disabused of its illusions. Instead of colonial style trade

2 Nathan A. Pelcovits, *Old China Hands and the Foreign Office* (New York: King’s Crown Press, 1948), 3.

adventures, the Foreign Office would embark on a policy of 'treating China as a civilized state in international relations,' which led to 'bitter differences' between merchants and officials.³ Instead of an orderly retreat and retrenchment, however, British national interest was reignited by the appearance of foreign European competition. It was the menace of international rivalry that led to a renewed espousal of the mercantile philosophy of expansion. At the same time, the British and Chinese Corporation to whom the bulk of the railway concessions were granted accepted the official policy of limited commitments.

During the last years of the 19th century, in one of the last great imperial scrambles for spheres of influence, Germany had sought and asserted monopolies to build railway lines in territories north of the Yangtze River and on the Shandong Peninsula; the British asserted similar rights – and acquired informal recognition as the hegemon of investments – along the Yangtze valley and south of the Yangtze, while the French explored the possibilities of building railways in Yunnan to connect southern Chinese trade with French Indo-China.

The British and Chinese Corporation (BCC) received the unopposed go-ahead to build the Shanghai-Nanking Railway line, while the capital for the contentious Tientsin-Yangtze line was to be raised by Britain and Germany as a shared project: a German group would build and operate the section from Tientsin to Tsinan on the Shandong border, and a British consortium would do the same from Tsinan to Chinkiang on the Yangtze River. Meanwhile, the boundaries of Russo-British control had also been carved out.

In the aftermath of the Russo-Japanese war, China appeared to wake up from half a century of political slumber. Recognising the growing national hostility to 'political railways,' in July 1906, Sir Ernest Satow, British minister in Peking (earlier in Bangkok), intimated to the new British Foreign Secretary, Edward Grey, that 'the policies of "pacific penetration," "partition," "spheres of interest" are dead.'⁴ It was thought that the era of carving up China into spheres of influence was finally coming to an end.⁵ Yet, Satow, an accomplished orientalist, appears to have misconstrued the signs. Albeit in slightly altered form and without most of its former German component, the process continued throughout the inter-war years with an increasingly important part played by the Japanese, ostensibly as a co-equal with the European coercive powers who inherited several German territorial and trading concessions in the peace treaties after World War I.

Criticism of Japan's aims, methods and actions in China had come slowly and incompletely to the west Europeans who would become dominant in the League of Nations. The vision of the new world order as embodied in the League Covenant did not

3 Pelcovits, 3–6.

4 The National Archives, Kew, FO 371/35/18909, quoted in Thomas G. Otte, "The Baghdad Railway of the Far East": The Tientsin-Yangtze railway and Anglo-German Relations, 1898–1911, in Thomas G. Otte and Keith Neilson, ed., *Railways and International Politics: Paths of Empire 1848–1945* (London: Routledge, 2006), 128.

5 Otte, 120.

automatically result in the instantaneous espousal of those values by the member states. The United States did not share this difficulty. It had not been among the original coercive powers nor was it a member of the League. The Stimson Doctrine (non-recognition of states created as a result of aggression) could be issued in January 1932 without any inherent logical or moral contradictions.

The rise of the nationalist movement and the collapse of the imperial system in China were compounded by turmoil, indecision, factionalism, warlordism and foreign interference. The insecurity resulted in the *de facto* division of the Republic of China into a northern half where the old factional ways persisted and a southern part where Chiang Kai-shek (Jiang Jieshi) was beginning to emerge as the controlling force. By the end of 1927, the Nationalists had found it impossible to hold on to Peking as their capital and formally moved the seat of government to Nanking (Nanjing) in the south where they had local support, but some forty hours' train ride away from the northern capital. Peking or Beijing (北京), where the foreign legations remained sequestered in the so-called Legation Quarter, was renamed Peiping or Beiping (北平) in 1928.

For a time, the Nationalists had been penetrated by Russian Bolshevik agents, but they rid themselves of these in fraught struggles without help from the anti-Bolshevik leaders in the North and without foreign assistance during the fulcrum years of 1927–28. It was the Nationalist Kuomintang Government of Chiang Kai-shek that first began to assert China's sovereignty over the diverse territories comprising the new Republic; challenging the concessionaires' right to run the railways and the adjacent zones for their own profits and strategic control. Most notably, while in practice the Northern warlord Zhang Xueliang (the so-called Young Marshal) remained in charge of the North, Chiang's challenge to Zhang's authority became one of the central questions of the Sino-Japanese conflict in Manchuria.

The North and South division was compounded by further serious sectional differences. Shanghai, the capital of commerce and banking, dominated by the so-called International Settlement, comprised a world of its own. The three north-eastern provinces of Manchuria (itself divided into North and South) had been a separate political and ethnic entity for centuries. The province of Yunnan in the deep south-east bordering on French Indo-China and British Burma, a separate sultanate in the 19th century and descending into warlordism after 1911, continued to be remote from central government control, north or south. Hong Kong and Macau were not part of the sovereign territory of China. Add to the above the disputed quasi-independence of Tibet (1912–1951) and the sparsely populated Xinjiang regions (ruled by warlords and regularly under Russian encroachment) in the west as well as the mini enclave-concessions on the Pacific coastline and the mosaic of national, political, military and business interests and autonomies emerges that was unique in the world during the inter-war years.

Railways: The C.E.R and the S.M.R.

While for many years railway construction had been the single most important commercial undertaking in China, especially in Manchuria, the primary motive for this boom was, perhaps surprisingly, *not* commercial profit. The three historic coercive Powers: Russia, France and Germany, as well as the British, were constructing, owning and operating railway lines mainly for political and strategic reasons. Sergei Iulevich Witte, Russian Minister of Finance and the chief of the 'railway technocrats' who pioneered the Chinese Eastern Railway construction in Manchuria, once said that the railway was a 'leaven' which caused 'cultural fermentation' wherever it was built.⁶ Commercial exploitation seemed to be of secondary importance in the late nineteenth-century beginnings of the race to build.⁷ Only for the Japanese did control of rail communication bring, over and above strategic advantage, substantial economic wealth. Britain's colonial and semi-colonial involvement as well as its close ties with Japan complicated the overall picture further still.

The three north-eastern provinces of China – Liaoning (old name Fengtian also Mukden), Jilin and Heilongjiang – better known together as Manchuria, with the Liaodong Peninsula at its commercial centre – much of it long disputed between China and Imperial, and later Soviet, Russia as well as Japan – developed into the most hotly contested area of railway concessions. These concessions were acquired even before the commercial resources of the region had been explored. The private or public financing of the railway projects was also an important part of the developing rivalries. The grantees of the railway zones often challenged each other's rights and ability to control their zones, turning the railway zones into proxy conflict areas among foreign powers. The ramifications of the subject were such that British ministers in Peking⁸ and Tokyo as well as British consuls and vice-consuls in major Chinese cities such as Harbin, Mukden (Shenyang), Dairen (Dalian) and Shanghai received regular updates on railway construction in Manchuria and its political implications.⁹

6 David Wolff, *To the Harbin Station: The Liberal Alternative in Russian Manchuria, 1898–1914* (Stanford CA: Stanford University Press, 1999), 5.

7 Otte, 112.

8 The capital of the Republic of China was moved to Nanking (Nanjing) in early 1928 and the name of the northern city was changed from Peking (Beijing) to Peiping (Beiping) – a name first used in the 14th century – on 28 June 1928, only reverting to Beijing on 31 January 1949. The British Legation, which stayed in 'Peking' until 1936 (though the minister Miles Lampson's representatives spent most of their time in Nanking and Shanghai), was upgraded to embassy status in 1935. The Embassy was then formally relocated to Nanking during 1936–37 to reflect the political realities. Following the Japanese attack on Nanking, the Embassy moved to the temporary Nationalist capital Chongqing, with embassy offices also located in Shanghai (1937–45).

9 See, e.g., Foreign Office memorandum of 26 June 1926; 'Memorandum on the Manchurian Railway Construction' with detailed map supplement, by W.R. Connor Green, 1 October 1927, Enclosure in Lampson to Chamberlain, 4 October 1927, BT 60/11/4, No. 49; and Frank Roberts's (Far Eastern Department) noted railway memorandum for Francis Lindley, the

The South Manchurian Railway (SMR) was originally a branch line (spur) of the China Far East Railway (Chinese Eastern Railway – CER) built by the Russians between 1898 and 1903 from Harbin to Dalian and Lüshun (Port Arthur), running north to south through Changchun¹⁰ and Mukden, the old capital of Manchuria. The line south of the city of Changchun, was transferred to Japanese control after the Japanese victory in the Russo-Japanese War in 1905 and was thence administered and operated through the South Manchuria Railway Company within the South Manchuria Railway Zone (largely coinciding with the Kwantung (Guangdong) Lease Territory) protected by the regular Japanese troops, the so-called Kwantung Army. The question of control over the remaining sections of the Chinese Eastern Railway then developed into a hugely contested set of strategic issues between Imperial, and later Soviet, Russia;¹¹ imperial, and later republican, China; the local Manchurian-Chinese authorities; Japan, as well as the western creditor powers (mainly France) who supplied the capital to set up the financing constructions that allowed the railway development to take place.

Japan, which had long-acquired vested interests in Manchuria, in the name of the new 'positive policy' introduced by the Tanaka government, sent troops to Shantung (Shandong) thereby warding off the Nationalists from what the northerners called the sacred soil of Manchuria. One leading Japanese politician, Prince Konoye, a Japanese delegate at Paris Peace Conference, who believed in supporting the spirit of the League of Nations, also thought Japan was 'perfectly entitled to aggrandize [its] Chinese territory to meet the needs of its own exploding surplus population' and that 'it was only natural for China to sacrifice itself for the sake of Japan's social and industrial needs.'¹²

Armed conflict broke out in 1929 between Soviet Russia and China over the Chinese Eastern Railway in Manchuria when the Kuomintang seized the Manchurian Chinese Eastern Railway. A Soviet military intervention forced the Chinese to accept restoration of joint Soviet-Chinese administration of the railway. By the early 1930s, there were twelve separate railway systems criss-crossing Manchuria, where the Japanese government was still maintaining a controlling presence supported by around 30,000 regular troops. The railway boom in Manchuria appeared to be endless as both the old political rivalries and the growing thirst for trade in China's inland resources through concession ports pointed in this direction.

It had been in such circumstances that Manchuria developed into the power vacuum in which the Japanese could act with little or no Chinese, western or even Soviet interference. Yet, amidst all the complications and obfuscation, the international legal

British Ambassador in Tokyo: 'Sino-Japanese Relations in Manchuria and the Mukden Negotiations on Manchurian Railway Problems,' 27 July 1931 (sent to Lindley on 6 October 1931), Rohan Butler, J. P. T. Bury, eds., *Documents on British Foreign Policy*, Second Series, vol. VIII (London: HMSO, 1960) (hereafter: *DBFP*), 646–50.

10 Changchun, renamed as Hsinking (Xinjing), became the capital of the Japanese client state of Manchukuo in 1932.

11 The Soviet Union sold the Chinese Eastern Railway to Japan in March 1935.

12 Jonathan Fenby, *Chiang Kai-shek: China's Generalissimo and the Nation He Lost* (New York: Carroll & Graf Publishers, 2004), 201.

presumption remained that China was a single national entity with the Young Marshal (Zhang Xueliang) exercising nominal civilian authority in Manchuria in a more or less hopeless endeavour to somehow please the Japanese whilst maintaining Chinese sovereignty. Chiang Kai-shek himself remained a mere spectator of the events that unfolded in Manchuria in the early 1930s.

The diplomat presiding over Sino-British relations amidst these intricate conflicts from 1926 to 1933 was Sir Miles Lampson (later Lord Killearn). The British mission in Peking had Legation status, only to be upgraded to Embassy status in 1935, so Lampson was British minister in China. Like his predecessors, he initially sympathised with Japanese claims and extraterritorial rights as being similar to those of the British, and only gradually adopted a moderately pro-Chinese Nationalist stance following the September 1931 attacks.

The notoriously unequal Sino-British treaties had come under review ('rendited' in Lampson's terminology) by that time. Extraterritoriality was slowly coming to an end. By following this path, British diplomacy could not avoid collision with the entrenched British trading community residing in Shanghai and the Treaty Ports conjuring up the same dilemma that had bugged Lampson's predecessors since mid-Victorian times. Lampson freely admitted in 1933 that 'It cannot be claimed that the policy pursued by His Majesty's Government during the past seven years is popular with the British communities of the Treaty Ports, who have grown up under the semi-colonial conditions prevailing in China in the past.'¹³

The Japanese acquisition of the southern part of Manchuria as a result of Tokyo's victory in the 1904–5 Russo-Japanese War, the division of the Chinese Eastern Railway into two parts, with Japan obtaining the 400-mile railway line connecting Port Arthur and Dailan with the interior began the lengthy series of events that culminated in the September 1931 Mukden Incident and the subsequent formation of the puppet state of Manchukuo under Japanese tutelage. During this twenty-six year period, Japan's principal agency of colonial transformation was railway construction under the control of a quasi-official corporation known as the South Manchuria Railway (SMR) Company. The SMR not only provided the scaffolding and the flesh for Manchukuo but helped shape the Japanese imperial ethos, combined with the 'material and technological resources that made Japan's experiment in "imperial socialism" on the continent possible.'¹⁴

Having embarked on the colonial project, Japan began a campaign to encourage immigration to the new lands. In this context, the Southern Manchurian Railway Company produced its own travelogues and a large number of silent films designed to advertise Manchuria to prospective business investors. Especially after the Mukden incident,

13 'Sir M. Lampson's review of events in China, 1926–1933,' Lampson to Sir John Simon, Peking, August 24, 1933, *DBFP*, Second Series, vol. XI (hereafter: 'Lampson's Review'), 590.

14 Y. Tak Matsusaka, 'Japan's South Manchuria Railway Company in Northeast China, 1906–1934,' in Bruce Elleman and Stephen Kotkin eds., *Manchurian Railways and the Opening of China: An International History* (Armonk, NY: M.E. Sharpe, 2010), 52.

the film unit of the Southern Manchurian Railway Company began to produce propaganda films such as *The Railway and New Manchuria* (1936) and *Pioneering Shock Troops* (1936), showing the founding of the new Manchukuo state, the enthronement of Pu Yi (China's erstwhile emperor) as head of state, as well as scenes of a peaceful land criss-crossed by luxurious trains; homes and classy hotels, mining, shipping, and other attractive business opportunities. The land was open to Japanese immigration and settlement.

Mukden

When the Young Marshal Zhang Xueliang proved less accommodating than the Japanese expected, the Kwantung Army Lieutenant Colonel Ishiwara Kanji proposed 'a fabricated pretext for military action' to overthrow him. 'It is Japan's divine mission to assist the Chinese people,' added Ishiwara, who wanted to engage the Chinese in an anti-Western crusade. 'The four races of Japan, China, Korea and Manchuria will share a common prosperity through a division of responsibility: Japanese political leadership and large industry; Chinese labour and small industry; Korean rice; and Manchurian animal husbandry,' declared the general.¹⁵

On the night of September 18, 1931, at around 22:00 hours, Japanese officers of the Kwantung Army, stationed there under the terms of an agreed lease, blew up a section of the South Manchurian Railway line at Liutiaohu just north of Mukden. The line was owned by the Japanese themselves. The explosion was designed to overturn an express train that was to come twenty minutes later but the damage was comparatively slight so the train somehow managed to pass through, helped by acceleration on a downward slope. According to the contemporary Japanese version, as later recorded in the Lytton Report, on arrival, the Japanese patrol was fired upon first by an attacking body of about five or six from the fields on the east side of the line, then by a larger group of several hundred. The Lytton Commission later established that these shootings never took place. Much to the contrary, there had been night manoeuvres conducted by the Kwantung Army around the same area for four consecutive nights before September 18, and as the Kwantung Army claimed that Chinese soldiers had sabotaged the railway, Chinese troops garrisoned in the nearby Main North Barracks came under Japanese artillery fire within an hour.¹⁶ The garrison, under orders from the Nationalist government as well as Zhang Xueliang to avoid all confrontation with Japan, put up no resistance. It is important to note in advance that the League Commission accepted the Chinese version of these events and not the Japanese one. Adding that even if the Chinese had anything to do with the explosion, 'the military operations of the Japanese troops during this night [...] cannot be regarded as measures of legitimate self-defence.'¹⁷

15 Fenby, 201–202.

16 Chushichi Tzuzuki, *The Pursuit of Power in Modern Japan, 1825–1995* (Oxford: OUP, 2000), 281.

17 'League of Nations: Appeal by the Chinese Government. Report of the Commission of Enquiry' (hereafter: 'Report of the Commission of Enquiry'), Geneva, 4 September 1932, Royal Society of Asian Affairs Archive, London, M/186, 71.

The incident quickly escalated into a wider conflict: within five months most major cities in the three provinces of Manchuria had come under Japanese control. In March 1932, the puppet state of Manchukuo was established, which the League of Nations refused to recognise. The Mukden Incident was subsequently labelled as the beginning of the Pacific War.

The League of Nations Commission of Inquiry

The Chinese government appealed to the League of Nations for help on 21 September 1931 and made a second appeal under articles 10, 11 and paragraph 9 of article 15 of the Covenant of the League on 29 January 1932. The Chinese representative to the League of Nations expressed the view that 'the best method that may be devised by the Council for securing the prompt and complete withdrawal of the Japanese troops and police and the full re-establishment of the *status quo ante* is the sending of a neutral commission to Manchuria.'¹⁸ Because of the procrastination of the Japanese delegate,¹⁹ any resolution for sending an international commission of Inquiry was only adopted on 10 December.

It is important to stress at this point that Chinese membership of the League had had a chequered past. The Kuomintang government initially recoiled from the obligations and limitations imposed by the Covenant and there was talk in the early 1920s of Chinese withdrawal from the League. The relationship changed fundamentally after the appearance on the scene of an unlikely interlocutor in the proceedings: Ludwig W. Rajchman, the Polish Director of the Health Department of the League who espoused Chinese nationalism with unusual vigour taking a lead role in schemes for the economic reconstruction of China. This description of Rajchman's role in one of Lampson's reports makes interesting reading. It also shows Lampson's ambivalent attitude to Chinese nationalism and to the League itself:

[Rajchman] made it his duty to act as propagandist for Geneva and who also incidentally espoused the cause of Chinese nationalism with what was deemed by some unseemly zeal. There thus developed a new and welcome tendency on the part of the Chinese Government to turn to the League of Nations for technical assistance in the task of national reconstruction; and when the conflict in Manchuria occurred and China, appealing to the Council, made of Geneva a sounding box for her grievances against Japan, the

18 'Report of the Commission of Enquiry': Resolution of the Council of the League, 30 September 1931, 6.

19 Unanimity was required for the decisions of both the Assembly and the Council of the League of Nations. However, in cases of disputes the consent of the parties to the dispute was not required for unanimity. Where the reference of a dispute was made to the Assembly, a decision required the consent only of the majority of the Assembly, but including all member states of the Council.

League of Nations, hitherto largely unknown to the Chinese people, became a household word amongst the literate throughout the country.²⁰

While the League agreed to set up a commission of inquiry, it is important to add that the international climate was not unequivocally on China's side. Like the UN today the League's opinion equalled the opinions of its members, especially those of the great power members. We learn from Miles Lampson's reports that the international community was far less convinced of the rights and wrongs of the case that we tend to see it today. Except in the United States, Western opinion of the Chinese nationalist movement was lukewarm at best. It had only been a few years before that Western military forces were deployed to quash the Boxer Rebellion, followed by the collective punishment of China for the uprising. Meanwhile, Japan, a formal ally of Britain from 1902 to 1923, had been allowed to enjoy the spoils of its victory over China in 1895 and over Russia in 1905. In alliance with the Entente Powers during the First World War, Japan played a decisive part in securing the sea routes in the Pacific and Indian oceans for the Royal Navy and Allied merchant shipping, using every opportunity also to strengthen and expand its spheres of influence in China. The Paris Peace Conference transferred to Japan the privileges held previously by Imperial Germany in the province of Shandong.

These antecedents make it easier to understand why the realities and values of the post-WWI international order in the Far East were only absorbed by Western diplomats gradually and also why, for instance, the brief Japanese attack on Shanghai which followed the Mukden incident was not condemned by the majority of the Western community. They were 'strongly inclined to take the view that the Japanese and the Chinese should be left to fight out their differences without outside interference and that it would be to the advantage of foreign interests if the Japanese forces were left free to chastise the Chinese, to clear the Shanghai area of Chinese troops.'²¹

While the dangers inherent in the Japanese aggression in Manchuria dawned on the Europeans, the mechanisms of the League under articles 10, 11 and 15 began to roll into action for the first time. On 14 January 1932, the President of the Council, Aristide Briand, appointed, on the recommendation of the governments whose nationals they were, the members of the commission as follows: Count Luigi Aldrovandi-Marescotti (Italy), General Henri Claudel (France), the Right Honourable Victor Bulwer-Lytton, the 2nd Earl of Lytton (Great Britain), Major General Frank Ross McCoy (United States),²² and Dr Heinrich Schnee (lawyer and colonial civil servant, Germany). On 21 January, Lord Lytton was unanimously elected Chairman of the Commission by the other four members and officials were appointed to assist the work of the Commission in Geneva.

²⁰ 'Lampson's Review,' 595.

²¹ 'Lampson's Review,' 587.

²² The appointment of a prominent American military expert to the Commission was a token of the expanding US involvement in the League under the presidency of Herbert Hoover.

The long voyage by ship delayed the Lytton Commission which arrived in Tokyo on 29 February 1932. Eight days were spent in the Japanese capital with daily conferences, including talks with the Japanese business community. They were told about the rights, interests and historic associations of Japan in Manchuria. It was at the end of the Lytton Commission's stay in Japan that the entire area of Manchuria, its historic three provinces, were renamed Manchukuo by the Japanese authorities and on 9 March 1932 a puppet government was installed with Henry Pu-yi, the former emperor of China, as its head. The new entity was recognised only by the governments of Italy and Nazi Germany; the rest of the world still considered Manchuria legally part of China. Undaunted by the apparent pre-emption of its activity, the Commission carried on to accomplish its remarkable tour of the regions affected by the conflict. They reached Shanghai on March 14 where they intervened to obtain an armistice between Japanese and Chinese forces. Arriving in Nanking on March 26, they held several rounds of negotiations with the Kuomintang government. After an eventful journey north, they arrived in Beiping where they met Chinese military commanders who had just been ousted from Manchuria; entering Manchuria itself on April 20 where they stayed for six weeks until June 4. In the new puppet state, the Manchukuo authorities objected to the presence of Dr Wellington Koo, the remarkable Chinese statesman²³ who joined the Commission as the Chinese Assessor, their objections were only withdrawn after the Commission's arrival in Changchun, the northern terminus of the official Japanese railway area.

In Manchuria, the Commission visited Mukden, Jilin, Harbin, Changchun, Dairen (Dalian), Port Arthur, Anshan, Fushun and Jinzhou (to study the Jinzhou Operation of the Japanese army in November 1931, preliminary to escalation). A separate trip was organised to Tsitsihar in the north-west (Heilongjiang). Almost all of these place names had been changed by the Japanese either to Japanese names or old medieval Chinese usage by the time of the visit. Conferences were also held with Kwantung Army officials.²⁴

Unattributed Film Footage

One of the main recent sources for studying the Lytton Commission's activities in Manchuria is a sixty-five minute long 16mm propaganda film with caption cards in English which was probably prepared by the film unit of the Southern Manchurian Railway Company under the title *Investigation of the Lord Lytton Mission into the Manchurian*

23 Wellington Koo, who represented the Republic of China at the League of Nations during the time of the Manchurian crisis, had been Prime Minister of the Republic in 1924, 1925–26, and acting president in 1926–27.

24 Meanwhile, in Geneva, a Committee of Nineteen was set up in March 1932 for the purpose of supervising the steps to be taken for the settlement of the dispute in accordance with the anticipated recommendations of the Lytton Committee. The Committee of Nineteen was composed of the President of the Assembly (Nicolae Titulescu and later Paul Hymans), the chief delegates of the 12 members of the Council and those of Colombia, Czechoslovakia, Hungary, Portugal, Sweden and Switzerland.

Incident. The uncut film footage is hosted on the website of the University of Heidelberg.²⁵ The film is not accompanied by any certified information regarding its provenance, but given its extremely tendentious character, it is almost certainly a Japanese propaganda device. It presents the League of Nations commission as emissaries of the world bestowing the new state of Manchukuo with a diplomatic legitimization, part of the founding myth of the puppet state of Manchukuo. Yet, in the midst of enthusiastic flag waving for Manchukuo and title cards denouncing the local Chinese forces as bandits and criminals, there are glimpses of members of the visiting Commission, including Lord Lytton, showing moments of frustration and even exasperation. Lytton complained later about being 'treated as prisoners' in Mukden. The film footage also proves that in spite of the ubiquitous Japanese minders, the Commission carried out its fact finding work meticulous and conscientiously. This is particularly in evidence at the railway embankment at Liutiaohu near Mukden where the original explosion had taken place and where the Commission reconstructed the events of September 1931 with painstaking care. For a few seconds (near the 48th minute of the film footage), we see a recently erected signboard which reads: 'Manchurian Incident. Explosion Site. Occurred on the night of the 18 September of the 6th year of Shōwa [the reign of the Emperor Hirohito].' The sign with its unmistakable message of foreign occupation is in Japanese and only appears very briefly – the international audience is unlikely to notice or understand it.

The Report's Findings

The Report of the Commission was drafted in Peiping from 20 July to 4 September 1932. Its members tirelessly processed and collated 1550 letters received in Chinese and 400 in Russian. It concluded that the events were 'not a simple case of the violation of the frontier of one country by the armed forces of a neighbouring country, because in Manchuria there are many features without an exact parallel in other parts of the world.'²⁶ Not least because Russian interests (which couldn't be ascertained by the Commission) were also involved. Japan's economic interests in Manchuria were substantial and had to be recognised. Furthermore, there was no question of returning to the *status quo ante* as that would only have led to a repetition of the events witnessed recently.

The most important recommendations of the Report were as follows.

- a) New treaty relations between China and Japan: 'A re-statement of the respective rights, interests and responsibilities of both China and Japan in Manchuria in new treaties.'

25 See <http://kjc-sv030.kjc.uni-heidelberg.de/V/player/> – originally located in the Library of Congress, Washington D. C.

26 'Report of the Commission of Enquiry': Chapter IX, 'Principles and Conditions of Settlement,' 126.

- b) Manchurian autonomy: 'The government in Manchuria should be modified in such a way as to secure, consistently with the sovereignty and administrative integrity of China, a large measure of autonomy designed to meet the local conditions and special characteristics of the Three Provinces.'
- c) Internal order and security against external aggression: 'The internal order of the country should be secured by an effective local gendarmerie force, and security against external aggression should be provided by *the withdrawal of all armed forces other than gendarmerie*, and by the conclusion of a treaty of non-aggression between the countries interested.'
- d) 'International co-operation in the internal reconstruction of China, as suggested by the late Dr. Sun Yat-sen.'²⁷

The Japanese Response

In their counterclaim, entitled 'Observations on the Report of the Commission of Enquiry...' submitted to the League on 21 November 1932, the Japanese government argued that the Commission did not know how to assess the evidence. Above all because 'the struggles of the rival militarists, have become ingrained and endemic' and because 'China is not an organized state, [it] is in a condition of complete chaos and incredible anarchy.' Therefore, the country's government is not in a position to represent it. Also, as the Report itself recognised, 'the Chinese boycotts have become a definite expression of a hostile attitude on the part of China towards Japan.' The Kuomintang are unilateralists, revolutionaries, have declared war on all foreigners, as a result of which 'Japan has suffered more than any other Power from this lawless condition.' Manchuria in particular does not fall under the jurisdiction of the Kuomintang government, 'it had never been subject to its sway.' Misgovernment under Zhang Xueliang had become endemic. Japan occupies a special position in Manchuria, 'in which she must defend herself with uncommon energy against military attack.' The Japanese response, while making rather far-fetched allusions to the Kellogg-Briand Pact (1928) and the Battle of Navarino (1827), points out that the Report made no acknowledgement of the 'great work of civilization' accomplished by Japan in Manchuria through the agency of the South Manchurian Railway Company. The 'Observations' maintain that the Chinese soldiers in the North Barracks at Mukden engineered and carried out the explosion. To the Report's claim that the Japanese military response 'cannot be regarded as measures of legitimate self-defence,' the Japanese delegation responded that 'it was entirely impossible to accept this gratuitous opinion.' In any case, 'Japan cannot afford to leave her relation with [the new state of] Manchukuo in a state of instability, therefore, it cannot withdraw its troops. By

²⁷ 'Report of the Commission of Enquiry': Chapter IX, 'Principles and Conditions of Settlement,' 130–131, my emphasis.

doing so, it would destroy the current conditions of peace and order there and open the floodgates to 'a new era of disputes and difficulties.'²⁸

The League Assembly Votes

Before the report could be voted on by the Assembly, Japan announced its intention to push further into China. The Report was adopted and thus Japan's 'Observations' effectively rejected by a vote of 42 to 1 in the Assembly on 24 February 1933, only Japan voting against. Paul Hymans, presiding, announced it was unanimous, since the vote of interested parties did not count.

Therefore, despite Japan's high standing in the League, the Lytton Report attributed most of the blame to Japan for the events in Manchuria, effectively declaring Japan to be the aggressor and demanding that Manchuria be returned to the Chinese. While these points were being established and debated, there was constant escalation of hostilities on the ground.²⁹

Instead of removing its troops from China, on 24 February 1933, the Japanese delegation withdrew from the League of Nations Assembly. The formal withdrawal took effect on 27 March 1933. Technically, in accordance with the League Covenant, two years were required to make a withdrawal final, and therefore Japan would be held responsible for the fulfilment of her international obligations until the spring of 1935, but this was not seriously followed up in Geneva at the time.

Great Power Scepticism

As the representative of the key foreign power in China, Miles Lampson's advice to the Kuomintang government was that 'they would be well advised to cut their losses over Manchuria, come to terms, without compromise of principle, with Japan, and concentrate on internal reconstruction.'³⁰ As late as the summer of 1933, Lampson opined that the British 'may to some degree have to adjust our policy to the future actions of Japan.'³¹ His further assessment of Japanese policy betrays an ambivalent attitude to the value of League diplomacy:

Japan, having left the League of Nations on 24 February 1933 on the account of the impossibility of reconciling her China policy with the views of Geneva, has made it clearly and unequivocally known that she objects to and disapproves of China receiving the co-operation and assistance of the League. At the same time, she is making every effort to get on terms again with China

28 'Observations on the Report of the Commission of Enquiry Appointed by the Resolution of December 10, 1931 of the Council of the League of Nations,' 21 November 1932, The National Archives, Kew, FO 262/1802.

29 'League of Nations Assembly Report on the Sino-Japanese Dispute,' *The American Journal of International Law* 27.3, Supplement: *Official Documents* (July 1933), 119–153.

30 'Lampson's Review,' 588.

31 'Lampson's Review,' 591.

and to wean the latter from the affectations of the West. One can thus foresee an intensifying struggle between the League of Nations and America, on the one hand, and Japan on the other, for the privilege of assisting China to her feet – with perhaps rather different ideas as to the posture she should adopt when she has found them.³²

An even more serious degree of scepticism towards the League's role and its very *raison d'être* can be read in the dispatches of Sir Francis Lindley, the British Ambassador in Tokyo from 1931 to 1934. Lindley's detailed arguments, dated 24 February 1933, for instance, quite openly belittle the value of League diplomacy while reasserting the hard logic of pre-war Great Power settlements:

- [1] As soon as the Manchurian trouble broke out in September 1931, it was clear to any observer who knew the temper of Japan and had experience of foreign policy that the only course of wisdom was for China to agree with her adversary quickly. [...] But the juridical [international law] point of view held ever since with a tenacity which can best be described as theological, prevailed; and it was laid down that the presence of Japanese troops on Chinese soil gave Japan such an unfair advantage in negotiating that China could not be advised to accept the Japanese offer. The 'principles of the League,' instead of being followed with that circumspection for the peculiarities of the case which political prudence, common sense, and above all a regard for British interests, demanded, were applied as if they had descended on Geneva directly from Heaven. No compromise with those principles was possible, however grievous the consequences for all concerned. Foreign policy in the Far East cannot be conducted on such lines without disaster.
- [2] I am aware that these strong expressions of opinion may be thought as unbecoming as they are unusual in an official dispatch. My excuse, and I believe my justification, is that during my tenure of the post of Ambassador in Tokyo, with all its unique advantage for judging events, I have entirely failed to bring home to His Majesty's Government the danger to the Empire of drifting into open antagonism with Japan over Manchuria. [...] I blame myself grievously for any failure to convince His Majesty's Government of the risks they were running by allowing matters to take their course according to the fixed and immutable principles of the League.³³

³² 'Lampson's Review,' 596.

³³ Sir Francis Lindley (Tokyo) to Sir John Simon, 24 February 1933, FO 676/138. A minute (signature unclear but possibly by V A L Mallet of the Far Eastern Department of the Foreign Office) dated 22 March 1933 warns: 'Sir F. Lindley is surrounded by the *Tokyo* atmosphere

Not a ringing endorsement of the international legal order by the British Ambassador. Sixty-one years old when he wrote this dispatch, forty-eight at the time of the foundation of the League of Nations, Lindley could be considered as a mature diplomat, at the height of his career. Yet the contrast between the old diplomacy and the new with its Wilsonian moral overtones visibly unsettled him. He also noted, significantly, that his views were shared 'by every well-informed mission in Tokyo.' Yet, it was not only Lindley's scepticism in Tokyo (who might have gone slightly 'native') but also the British Minister in Peking's (de facto in Nanking) impatience with the Chinese that point to a culture of resistance to recognising the *modern* meaning of Japan's recent actions. On 6 February, Lampson suggested that 'the Chinese are fast becoming almost hysterical,' comparing them to 'a "mad dog" which on slightest provocation will snap at anyone in their path – if in any way we get drawn in between them and their indignation against Japan.'³⁴

Torn between the old diplomatic paradigm and the new, Lampson's analysis from China often reads like a colonial narrative, seeing the Japanese as just one of the traditional foreign coercive powers with legitimate interests in China: 'The foreign powers have in the past had occasion to chastise the Chinese and have been able thereafter to resume friendly relations on a footing of possible increased mutual respect,' wrote Lampson in one of his dispatches in the aftermath of Mukden. The Japanese sympathies of an old Far Eastern are unmistakable:

So far things have not gone well for the Japanese, but at the time of writing it seems possible that their policy may after all, at least as far as Manchuria is concerned, be justified by its results. If so, the moral will be that it is a question, when embarking on strong action against Nationalist China, of being prepared to continue and see the business through.³⁵

The British minister went so far as to hint at approval of the successful Russian intervention in 1929 to retain their control of the Chinese Eastern Railway, which may have provided 'the example which the Japanese sought to emulate in September 1931' and that '[t]o no small extent has Japan been the victim of historical circumstances in

which naturally colours his views. [Others] may be affected equally by the China environment! So it lies with H.M.G. to hear both & come to their own conclusions. // *Personally*, I have always felt that the danger of a *clash* with us was very greatly exaggerated. I frankly do not believe in anything of this kind. But I *do* hold that our plighted word cannot lightly be gone back upon.'

34 Lampson to Simon, 6 February 1933, *DBFP*, Series II, Vol. XI, Doc. 293, 308–309.

35 'Lampson's Review,' 593–94.

Manchuria, and the future alone can decide whether her adventure will return the dividends for which she hopes.³⁶ Adding the proviso elsewhere that 'our moral and material positions in China are at this moment at stake. [...] If we seem in any way to condone injustice or try to shield Japan the effects might well be deplorable and world-wide.'³⁷

Aftermath

Notwithstanding the considerable initial resistance to the findings and recommendations of the Lytton Report, Western opinion began to shift in the aftermath of Japan's lightning attack on Jehol Province, adjacent to Manchuria to the west, in January 1933. While the Chinese military resistance was quickly overcome by superior Japanese forces, the largely German trained Kuomintang Army evinced a new spirit and efficiency which now had to be reckoned with.³⁸ The Province of Jehol had been created by the Republic of China in 1923 to form a buffer zone between what may be called China proper and the foreign-dominated three Manchurian provinces. Following the Japanese occupation of Jehol – an extension of their earlier operations in Manchuria, the 'Empire of Manchukuo' annexed Jehol and called it the Province of Rehe. The seizure of Jehol permanently poisoned relations between Japan and China and pointed towards worse to come. The impression was that the ulterior aim of Japan was the detaching under a pro-Japanese regime of the whole of North China from the Nanking-led South. Such a prospect could not to be contemplated positively by any Western government. At the same time, by reaching far into Northern China, the Japanese overextended their line of communication which resulted in an armistice agreement on 31 May 1933 which saved Peiping from falling to the Japanese forces throughout the Second World War.

Conclusion

The fact remains that, according to its Covenant, the League should have responded by enacting economic sanctions or by asserting its will by the use of force on the aggressor and it did neither. True, economic sanctions would have been largely ineffectual because the United States, a non-League member, could continue to trade with Japan. The League could have assembled a coercive armed force, but major powers like Britain and France were too preoccupied with their own affairs, such as keeping control of their extensive colonies and economic reconstruction. Above all, neither was at heart convinced of the rights and wrongs of the case. The decision to do nothing boiled down to the fact that the most powerful members of the League themselves had not yet embraced the ethos of international governance that had inspired the very foundation of the League of Nations back in 1920.

³⁶ 'Lampson's Review,' 594.

³⁷ Lampson to Simon, 6 February 1933, *DBFP*, Series II, Vol. XI, Doc. 293, 308–309.

³⁸ The inadequate coordination between the German military mission attached to the Kuomintang government and the German Legation in the immediate aftermath of Hitler's accession to the chancellorship of Germany deserves attention in this respect but lies beyond the scope of this paper.

But what did Lord Lytton, the dedicated and conscientious chairman of the League's mission whose name became synonymous with the international peace making effort, think of the aftermath? While clearly dedicated to the League's aims and principles, he too seems to have judged these events through the spectacles of a bygone age, or perhaps an age that never was and never came. Lytton, who was awarded the Order of the Garter in 1933 no doubt in recognition of spearheading the supreme diplomatic exercise on behalf of the League, was strongly opposed to economic sanctions and even more to military action against Japan. Applying such methods would, in his view, only have exacerbated the conflict. Instead, he believed that if Japan, thus disgraced, had been left alone to reflect on its aggression, Japanese public opinion would turn against the militarists who would then have to change their policy. Lytton, a disciple of the American educationalist and psychotherapist Homer Lane (1875–1925) who advocated 'creative love' as a means of resolving conflict situations, also a prominent peace campaigner and executive of the League of Nations Union, as well as a previous Parliamentary Under-Secretary of State for India who 'believed in preparing India for responsible government' well before the half-hearted Government of India Act (1935),³⁹ could not have thought and acted differently.

Postscript

Japan was therefore left in effective possession of Manchuria until the Soviet Red Army took over the area at the end of the Second World War and returned it to Chinese control as represented by Mao's communists, who, in turn, kept the Kuomintang well out of the three provinces. For a time, the main street in Mukden was renamed Stalin Prospekt. Russian Soviet troops only left Manchuria in 1955.

39 Jason Tames, 'Lytton, Victor Alexander George Robert Bulwer, second earl of Lytton (1876–1947),' *Oxford Dictionary of National Biography* (Oxford University Press, 2004); online edition, Jan 2008 (<http://www.oxforddnb.com/view/article/32169>, accessed 19 July 2016).