

國際聯盟調查團對於中日問題報告書節要



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中日爭議調查團報告書係於一九三二年九月四日在北平簽字除緒言外計分十章對於種種問題之特殊研究均載入報告書附件內此外尚有一附錄載明該團所取之行程所會見之人物姓名表及中日雙方所提交該團之文件此項附錄及關於特殊研究之附件容後公布

緒言 緒言首述中國因一九三一年九月十八日瀋陽事件發生而將中日爭議提交國聯行政院時中國之要求係於一九三一年九月十一日依國聯盟約第十一條提出之情形國聯所採之行動及依一九三

一年十二月十日之決議指派調查團

該調查團由左列各員組成之

馬柯迪伯爵(義)

克勞特將軍(法)

李頓爵士(英)

官  
6/3.1  
AA1

MG  
K264.2  
35



07795

麥考益少將(美)

希尼博士(德)

在一九三二年二月三日該調查團啟程經由美國來遠東之前曾在日內瓦舉行兩次集會並經一致選舉李頓爵士爲調查團主席嗣經日本政府及中國政府指定參與代表如左

中國前國務總理前外交部長顧維鈞

日本駐土耳其大使吉田

國聯秘書廳股長哈斯嗣被任爲調查團之秘書長在調查團進行工作之時並有各專門家供其顧問在該調查團啓行之前數日中國政府曾於一月二十九日依照國聯盟約第十條第十一條及第十五條提出更進一步之要求及於一九三二年二月十二日請求行政院依國聯盟約第十五條第九項之規定將中日間之爭議提出國聯大會討論自此以後該調查團即未從行政院得有任何訓令故仍本十二月十日之行政院決

議解釋其本身之任務如左

一 審查中日間之爭議

包括此項爭議之原因發展及在調查時之現狀

二 考慮中日爭議之可能的解決辦法

務須對於兩國之根本利益予以調和

調查團對於其自身使命所具之概念 調查團工作及旅程之綱領以及報告書之計畫均決於該團對於其自身使命所具之概念其概念如次

(一) 中日兩國在滿洲之權益實爲此次爭議之根本原因該團對於此項權益曾加以敘述以作此次爭議之歷史背景

(二) 對於爭議發生前最近發生之特殊爭端加以考察并對一九三一年九月十八日以後事件進展之情況加以敘述在研究此項爭議之過程中該團聲明對於已往行動之責任堅持較輕而對於尋求防止將來再發生此類行動之方法堅持較重

(三) 最後該團對於各項爭執點加以考慮並依據該團認爲足以永久解決此次衝突并恢復中日間好感之原則提出建議數條而報告書即告結束

旅程：在未達滿洲以前該團曾與中日兩國政府及代表各方意見之人物發生接觸以求確定各方利益之性質該團於二月二十九日行抵東京三月十四日至二十六日停留於上海三月二十六日至四月一日在南京再在中國續行於四月九日抵北平然後前往滿洲在該地勾留至六月四日歷時六週中間曾巡視該地各重要城市最後調查團於六七兩月中再度赴北平東京各一次後即於七月二十日留居北平而在該地從事於報告書之起草

現時爭執之背景 第一第二第三章說明九一八瀋陽事變之發生乃歷年輕微衝突之結局足以顯出中日關係日趨緊張如欲澈底了解兩國間最近爭議之真相必須明瞭最近兩國間之關係例如中國民氣之發達日本帝國及舊俄帝國之拓展政策最近蘇聯共產主義之廣播中日蘇三國經濟及國防策略上之需要凡此諸端皆認為研究滿洲問題之重要事實九一八以前中日兩國在滿洲之若干主要交涉亦有敘述之必要蓋必如此然後可以確定滿洲何以成爲爭議之焦點以及將來彼此爭議平息雙方

根本利益如能真正調和爲求此項爭議永久解決起見何種問題值得研究

### 第一章 中國近年發展之述要

支配中國之重要原素卽爲中國自身徐徐之進行之近代化今日之中國乃係一正在演進之國家其國家之一切生活均在在顯出一過渡之現象政治上之波瀾內戰社會及經濟上之不安以及其相緣而生之中央政府之脆弱均係爲一九一一年革命以來中國之特殊現象凡此種種情形均足使彼與中國發生接觸之各國蒙受不利之影響而於其改善以前又必將繼續威脅世界之和平以構成世界經濟不景氣之一原因本章將釀成此種種現象之過程簡單申述如滿清之推翻民國首數年之狀況一九一四一九二八年間之內戰與政潮孫中山先生之組織國民黨一九二七年南京中央政府之成立中央政府與其反對分子之競爭共產主義在華之發展以及中央政府在中國南部與共黨組織之衝突均有簡要之陳述

由該項簡要之陳述以觀卽可知分離力之在中國現仍具有權威此等不能黏合之原

因則以大多數民衆除於中國與外國間呈極度緊張狀態時均係側重於家族或地方觀念而不重國家觀念現在雖已有若干領袖不復拘拘於此種狹窄之思想但欲有真正國家之統一則必以大多數民衆具有國家觀念爲前提

至於在中國之共產主義則又與在他國之情形不同蓋共產主義之在中國並非如在他國僅爲一種政治上之主義爲若干現存政黨中之黨員所信仰亦並非一種特別政黨之組織黨與其他之政黨爭奪政權中國之所謂共產黨則實係對國民政府爲實際之對抗者不特此也由共產戰爭所產生之擾亂則更因中國正在內部改造之困難時期而增加其嚴重過去十一月間且更因特別重大之外患而愈增其糾紛蓋共產問題之在中國實與一較大之問題即國家改造之問題有不可分離之關係

中國當此過渡時期具有此不能避免之政治的社會的智識的及道德的種種紊亂情形雖不免使友邦失望且產生忿恨之念足以爲和平之危險調查團却認爲雖有此種種困難遲滯與失敗中國方面實已有許多之進步試將現在中國之情況與一九二二

年中國之情況兩相比較即可知此言之非誣現在中國中央政府之權力在若干省分固仍屬薄弱但中央政權要并未被否認至少要未被明白否認如果中央政府能照此維持則各省行政軍隊及財政要均可逐漸使其具有國家性質總之現政府對於改造之努力雖不免有若干之失敗實已有甚多之成就

現代中國之民族主義固係其經過此過渡時代之正當的現象良以一國國民既有國家統一之覺悟則當然具有一種對外解放之願望但在中國則於此種願望之外因有國民黨之勢力遂更引入一種極力反對外國勢力之不規則的色彩本章即申述中國民族主義中所包含之重要的要求以及各國對於此種要求之態度而尤以關於領事裁判權之放棄及其對於維持中國法律秩序之關係為尤詳中國前於華盛頓會議時即早已踏入以國際合作解決中國困難之途徑果克遵循此途繼續邁進則自華會以來之十年中中國殆早已可有具體之進步惟不幸因排外宣傳之熱烈遂頓使進步遲滯其中如經濟抵制及將排外宣傳導入學校兩事進行太猛遂以造成本案發生時之特殊空氣



日本爲中國最近之隣邦且爲其最大之顧客其因中國流行之情形所遭逢之損害自較其他之各國爲鉅不過此項問題雖使日本受有較他國更鉅之影響要非僅爲一日問題且也現在之極端的國際衝突如能由國聯予以滿意之解決則正可使中國相信國際合作政策之利益比項國際合作之政策固係導源於華盛頓而於一九二二年發生極優良之影響者也

## 第二章 滿洲之狀況及其與中國其他部份及俄國之關係

本章敘述一九三一年九月前滿洲一般的狀況及其與中國其他部份及俄國之關係稱東三省爲一廣大膏沃區域四十年前幾未開闢迄今人口仍形稀少對於解決中日人口過剩問題極佔重要位置河北山東兩省之貧民移殖於東三省者以數百萬計日本則將其工業品及資本輸入滿洲以換取食糧及原料若無日本之活動滿洲不能引誘并吸收如此鉅額人民若無中國農民及工人之源源而往滿洲亦不能如此迅速發展但滿洲雖極需要合作因有前述理由初則成爲日俄競爭區域繼則成爲中國與其

## 兩強隣之衝突地方

當初中國對於發展滿洲甚少努力幾令俄國在該處有管轄之權即在樸資茅斯條約重新確認中國在滿洲之主權後在世界人士眼光中仍認日俄兩國在東三省之經濟活動較中國本身爲顯着同時中國數百萬農民之移殖確定該處將來永爲中國之所有當日俄國致力於劃分利益範圍時中國農民即占有土地故目下滿洲之屬中國已爲不可變易之事實自一九一七年俄國革命後中國對於東三省之管理及發展開始積極進行近年來更欲計劃減削日本在南滿之勢力此種政策使衝突益形擴大至一九三一年九月衝突達於頂點

本章又敘述張作霖及張學良時代對於滿洲之政策及統治狀況張作霖屢次對於北京政府宣告獨立但此宣告並不表示張氏或滿洲人民願與中國分離其軍隊之入關不能與外兵侵略相比擬實則不過參加內戰耳在一切戰爭及獨立時期中滿洲仍完全爲中國領土張作霖雖不贊成國民黨主義但深盼中國之歸於統一其對於日俄兩

國利益範圍之政策證明若彼能將兩國在該處之勢力加以肅清彼必爲之對於蘇俄之利益範圍幾乎告厥成功并提倡建築鐵路政策其結果即將南滿鐵路與其若干供給食料區域之聯絡切斷自張作霖神秘被害案發生後張學良不顧日本之勸告與南京方面及國民黨更爲密切聯絡一九二八年十二月宣告服從中央政府實則在滿洲之武人統治制度依然存在與從前無異但在國民黨勢力之下黨義宣傳及抗日活動更爲緊張

一九三一年九月前關於東三省濫用私人官僚腐化及行政窳敗之普遍狀況調查團獲得重要的申訴但此種情形不爲東三省所獨有在中國其他各部亦有同樣狀況或且過之雖有上述行政上弊病但在中國亦有數處地方努力改良行政其成績頗有可觀在教育市政及公用事業方面尤多進步其更可特別留意者在張作霖及張學良統治時代關於滿洲中國人民及利益其經濟富源之發展及組織較從前確有顯著之進步

本章復敘述自訂立建築中東鐵路合同及一八九六年同盟協約後所有俄國及滿洲經過情形之各階段一八九八年租借遼東半島於俄國一九〇〇年俄國佔據滿洲日俄戰爭及樸資茅斯條約一九一七年俄國革命及一九一八年至一九二〇年協約各國對俄干涉在滿洲之影響一九二四年之中蘇協定張作霖對於蘇俄利益採取侵略政策後之事變一九二九年蘇俄武力侵入滿洲北部及使中俄恢復原狀之一九二九年十二月伯力議定書均一一敘述最後一九〇五年後日俄關於滿洲問題之關係亦加以說明

自樸資茅斯條約至俄國革命時期日俄在滿洲之協調政策因俄國革命及協約出兵西伯利亞而終止加以蘇維埃政府態度對於中國民族希望與以猛烈的興奮日本或認蘇維埃政府將擁護中國恢復主權之奮鬪此種進展使日本對於俄國舊有之憂慮又復發生北滿邊境外進入危險之可能常使日本不能忘懷北方共產學說及南方國民黨反日宣傳或相聯絡益使日本渴望在兩者之間介以一與兩者不生關係之滿洲

近年來蘇俄在外蒙古勢力之擴張及中國共產黨之發展均使日本憂慮日益加增云

### 第三章 一九三一年九月十八日以前中日關於滿洲之爭執

本章敘述一九三一年九月十八日以前中日間關於滿洲之主要爭執近廿五年來滿洲與其餘中國部分關鍵益密而同時日本在滿洲之利益亦逐漸增加滿洲之爲中國之一部本無待證明惟在此部份之內日本得有非常權利且是項權利限制中國主權之行使至一種程度時使中日兩國不得不發生衝突是項權利根據於繼朴資茅斯條約而訂立之一九〇五年中日會議東三省事宜條約一九一五年之條約即所謂二十一條者以及各種鐵路合同試檢閱是項權利之細目即知在滿洲境內中日間政治經濟法律關係之非常性質矣如斯情勢世界各國無可比擬一個國家在鄰國領土內竟能享受範圍如此廣大之經濟及行政權利可謂絕無而僅有矣此種情勢祇有在兩種條件之下或者可以維持而不至於引起不斷之紛爭其條件惟何其一即出於雙方自由志願並同意承受其一即出於雙方在經濟政治事項上曾經詳細考慮之合作政策

非然者其結果決不能免於突衝也

本章並敘述從一九三一年九月以前數年來中日兩國政府之態度及政策上表現之中日在滿洲根本利益之衝突中國認滿洲爲糧食策源地及國防第一線而日本之態度則異是日本要求在滿洲享有特殊權利過去歷史及情緒之聯想戰略之成見經濟利益愛國觀念國防心理與夫條約上特殊之權利凡此種種皆造成日本要求滿洲特殊地位之原因也是項要求與中國主權衝突並與國民政府減少外人現有之特殊權益及抑止是項權益將來擴充之企圖亦不能相容而日本所持享有特殊利益之要求在日日本間有解釋謂爲維持滿洲之和平秩序起見遇必要時日本有干涉之權者

是項雙方態度及政策之根本衝突遂引起兩國當局關於有效或認爲有效之各項複雜條約之解釋及適用上之種種具體爭執是項爭執中之較重要者在本章內曾經分析列舉如關於一九〇五年中日會議東三省事宜條約之爭執並行線問題關於各種鐵路合同之爭執關於一九一五年條約之爭執如日本人民在滿洲居住及商租土地

權南滿鐵道地帶內之行政權領館警察行使某種權力朝鮮人民之地位等皆是也  
至一九三一年而中日兩國間關係益呈緊張萬寶山案朝鮮暴動排斥華僑案中村大尉被殺問題等於是聯翩發生非偶然也

一九三一年八月杪中日間關於滿洲之關係因種種糾紛與不幸事件而緊張至於極度雙方抗爭各有是處亦曾用外交常用之方式企圖解決種種問題但因長時間遷延不決之故日本方面竟不復再能忍耐尤以日本軍界爲甚當時曾要求中村案立刻解決軍人團體如帝國在鄉軍人會鼓動日本輿情尤爲有力於是解決一切中日懸案必要時用武力解決等口號遂囂騰於日本民衆之口矣

#### 第四章 一九三一年九月十八日以後滿洲事變之序述

第四章敘述此種日益增長之緊張情形如何達到九月十八夜之爆發關於九月十八夜之事變中日兩方持論不同互相抵觸

調查團儘量接見在事變發時及在事變發生不久以後旅居瀋陽各外籍代表包括報

館訪員其結果乃得下列之結論

關於九月十八日瀋陽事變之結論（中日雙方軍隊感情之緊張無待疑義）

此節述  
告書原文報

（依據調查團所得種種確切之說明則可知日方係抱有一種精密預備之計畫以因應該國與中國方面萬一發生之敵對行爲）

（一九三一年九月十八夜該項計劃曾以敏捷準確之方法實行之）

（中國方面依照其所奉訓令並無進擊日軍亦並無在特定時間及地點危害日僑生命財產之計畫對於日本軍隊並未作一致進行或曾經許可之攻擊日方之進攻及其事後之軍事行爲實出中國方面意料之外）

（九月十八日下午十時至十時三十分之間在鐵路上或鐵路附近確曾有炸裂物爆發之事惟鐵路即使受有損害但事實上並未阻碍長春南下列車準時之到達且即就鐵路損害之本身而論實亦不足以證明軍事行動之正當）

（是晚日方之軍事行動不能視為合法自衛之辦法）（惟當地官佐或以爲彼等之行



爲係出於自衛調查團於說明上開各節時並不將此項假定予以擯斥)

後來之軍事行動。本章繼述日本軍隊在滿洲之配置及其在九月十八夜及以後之行動凡關九月十八日至十九日長春之佔領九月二十一日吉林之佔領十月八日錦州之轟炸及起自十月中終於十一月十九日日軍佔領齊齊哈爾之嫩江橋戰事均有詳細之溯述其時天津又於十一月八日及二十六日發生事變關於該項事變之陳述頗有參差且不明瞭本報告書中則解釋此項事變對於東省情況之影響並述久厲天津日租界之廢帝潛赴旅順又叙明一九三二年一月三日錦州被佔之經過

本章復繼續追述日軍在北滿之軍事動作包含今年二月五日哈爾濱之被佔直叙至本年八月底之軍事動作爲止其中曾詳叙在東省各地之混戰此項戰地大率仍爲中國正式軍隊及非正式軍所佔有由日軍及偽組織軍隊與之對峙調查團對於此項戰事認爲無法敘述其確切之狀況良以中國當局關於是項仍在東省與日軍對峙之軍隊當然不願露洩確切之情報而在日本方面則對於此等仍與日軍爲敵之軍隊之數

目與戰鬥力則又喜故意爲之貶損也

一九三二年九月初間之軍事狀況 調查團並表示在最近之將來滿洲之一般狀況能否預期其變更殊覺不能遽斷在報告書脫稿之際戰事尙在繼續且蔓延甚廣至關遼熱邊境之軍事動作該報告書以爲該地戰區之推廣實爲難於逆料之事不可不計慮者也

## 第五章 上海

本章敘述自二月二十日起迄日本軍隊最後撤退時止之上海戰事國聯所派領團委員會亦於此結束其報告調查團謂該團於三月十四日抵上海實一機會蓋以職務言雖可無庸繼續領團委員會之工作亦不必對此地方事件作特別之審查但既已抵滬對於和緩空氣之造成或亦不無裨益調查團分析中日雙方最後簽訂之協定後曾表示意見謂上海事件對於滿洲形勢確發生重大影響因中日戰事深入全國人心結果使中國抵抗之心愈堅同時在滿洲地方自接上海消息後頓使現在散處各地之抗日

軍隊精神爲之一振本章末段敘述一九三二年二月一日之下關日艦開砲事件此案中日雙方報告大相逕庭

## 第六章 滿洲國

本章敘述(滿洲國)分爲三部第一部(「新國成立」之過程)首述日本佔領瀋陽後所發生之混亂情形次述瀋陽及各省秩序及行政之逐漸恢復又次述「新國」之成立廢帝溥儀之被命爲臨時執政三月九日在長春就職之典禮及(滿洲國)組織下之一切法令此段以下列文字作結束

(自一九三一年九月十八日以後日本軍事當局之行動在軍事民事上均以政治作用爲目標逐步以武力佔領東三省由中國治權之下遞次奪去齊齊哈爾錦州哈爾濱最後並及於所有滿洲境內之重要城市並在每次佔領之後即將該處行政機關改組由此可知在一九三一年九月以前滿洲毫無獨立運動其所以有此運動者乃日本軍隊在場所致也)

(一羣日本文武官吏現任與退職者均有圖謀組織並實施此項運動以爲解決九月十八日以後滿洲局面之辦法)

(以此爲目的該員等利用某某等華人之名義及行動又利用不滿以前政府之少數居民)

(由此亦可知日本參謀部最初或不久已知可以利用此項獨立運動因此該部對於獨立運動之組織者予以援助及指揮)

(以各方面所得之一切證據而論本調查團認爲「滿洲國」之構成雖有若干助成份子但其最有力之兩種份子厥爲日本軍隊之在場及日本文武官吏之活動蓋以本調查團之判斷若無此二者則新國決不能成立也)

(基此理由現在之政權不能認爲由真正及自然之獨立運動所產生)  
本章第二部述現在之(滿洲國)政府由基本法及行政立場上詳察其組織並及於財政教育司法警察陸軍金融情況等等又述如何接收鹽政海關及郵政之情形最終乃

列入調查團對於本案之評判在此段中調查團宣稱（滿洲國）政府之計畫列有若干開明之改革其實行不僅利於滿洲即中國之其餘部分亦屬相宜而在事實上此種改革已多見於中國政府計畫之中然調查團意見以爲（滿洲國）實施此種改革計畫之時期雖短及對於其已施步驟雖已予以相當注意然仍認爲並無象徵足以證明該「政府」在事實上能實施甚多改革例如業經頒布之預算及錢幣改良計畫其實施之前途似有嚴重之阻碍在一九三二年之不安定及擾亂情形之下澈底的改革計畫安定情況及經濟繁榮決難實現

至於該（政府）其各部名義上之領袖雖係住居滿洲之中國人但其重要之政治行政權則仍操諸日本官吏及日人顧問之手該「政府」之政治的及行政的組織不僅予此項官吏及顧問以供獻技術上意見之權抑且予以實行管理及指揮行政之機會此輩固不受東京政府之訓令其政策亦非與日本政府或關東軍司令部之政策常相符合但遇重要問題時該官吏與顧問於新組織成立之初期稍有自主行動之能力者已漸

受脅迫遵照日本當局意旨行事此當局者因其軍隊佔領滿洲土地而（滿洲國政府）又依賴該軍隊維持其對內對外權威同時（滿洲國）管轄下之鐵路又委託南滿鐵路株式會社代行管理最後又以有日本領事駐在各重要城市以通聲氣以故無論遇何事機彼日本當局者均有運用其絕大力量之方法（滿洲國政府）與日本當局間之聯絡新近因派遣專使更覺密切此專使雖未正式授權但已駐在滿洲都城以關東租借地總督之名義管轄南滿鐵路株式會社同時兼行外交代表領事及駐軍總司令之職權（滿洲國）與日本之關係前此頗不易解說但據調查團所得之最近消息日本政府有不久即將此項關係加以確定之意向今年八月二十七日日本代表曾致函調查團謂武藤專使已於八月二十日離東京赴滿洲抵滿後即與「滿洲國」開始談判締結日本與滿洲間之基本友誼條約日本政府認此項條約之締結爲對「滿洲國」之正式承認本章第三部分論及滿洲居民對於（新國家）之態度調查團首說明在當時情況之下搜集此項證據頗多困難良以因防範實在或想像的危險而加諸調查團之特殊

保獲頗足使一般證人望風却走諸多華人甚至有不敢與調查團團員一面者以故與各界接談殊匪易非秘密約會不可然調查團仍排除萬難除與各官長公開談話外仍得達到與商人銀行家教員醫師警察職工等私人談話之目的

調查團並曾接到書信一千五百餘件其中有親手交來者但大多數係由郵局展轉遞到如此得來之消息均於可能範圍內向中立方面加以復證調查團次解釋其所接觸之各羣民衆之心理狀態最後下一結論謂少數團體間或有擁護（滿洲國）者但（一般華人均異其趨此所謂（滿洲國政府）者在當地華人心目中直是日人之工具而已）

#### 第七章 日人之經濟利益與華人之經濟絕交

本章對於中日間之鬥爭認為不僅屬於軍事性質抑且屬於經濟性質中國以抵制貨物船舶暨銀行等事為反抗日本之武器其目的在與日方完全斷絕經濟及財政之關係

調查團於既經指出日本以發展工業及輸出製成物品爲解決日本人口問題主要方法之一並經調查日本之在華經濟與財政利益後即進行研究經濟絕交之運動調查團以爲華人所利用之經濟絕交係導源於一世紀以來之習慣其因此所得之訓練及心理態度與國民黨所代表之現代民族主義相混合遂以構成今日經濟絕交之運動其影響中日關係自物質與心理兩方面觀察俱甚重大

#### 結論

調查團已得有結論以爲華人之經濟絕交既屬普遍且有組織發端於強烈之民族情緒而強烈之民族情緒又從而鼓舞之然此項經濟絕交有團體主使之指揮之該項團體能發之亦能收之且有威嚇之方法以實行之在組織方面雖包括多數個別團體在內而重要支配之機關厥爲國民黨至關於經濟絕交之方法調查團聲明非法舉動常所不免但於此對於直接反對日本僑民之舉動與意在損害日人利益因而反對違背經濟絕交章程之中國人民舉動二者要應分別觀察第一種之情事與往昔之經濟絕



交相比現已較爲少見而第二種之情事則層見疊出調查團之意見以爲中國政府因未曾充分制止此種舉動且對於經濟絕交運動並曾予以某種直接援助之故應負責任調查團並未提議謂政府機關援助經濟絕交之運動係屬不正當之事但僅願表而出之者卽官方之鼓勵不無含有政府之責任耳

中國政府宣稱經濟絕交係抵禦強國武力侵略之合法武器尤以在仲裁方法未經事先利用之事件中爲然此說就調查團之意見引一性質更廣之問題中國人民在不以越出國家法律範圍之條件下其個人拒絕購買日貨或以個人行動或團體行動宣傳此項意見之權無人可予否認然而單獨對於某一國家之貿易實行有組織之抵制是否合於睦誼抑或與條約義務不相抵觸乃係一國際法之問題而不在于調查團調查範圍之內爲舉世各國之利益計調查團希望此項問題應及早加以討論並以國際協約加以規定

本章結論稱以中日貿易之互相依賴及雙方之利益而言經濟接近實有必要但兩國

間政治關係一日不圓滿以至於一方採取武力一方則採取經濟抵制力量以相扼持則一日無接近之可能

#### 第八章 在滿洲之經濟利益

本章簡單討論在滿洲之經濟利益注重中日兩國關於此項利益之詳細研究另有特別說帖附於報告書之後該項說帖涉及種種問題如投資日本與滿洲之經濟關係中國與該區之經濟關係日本移民滿洲之機會中國移民於滿洲之影響鐵路與貨幣問題等等調查團於本章中表示深信中日兩國在滿洲之經濟利益就其本身離開近年來政治事件而言應入於互諒合作之途不應發生衝突欲求滿洲現在富源以及將來經濟能力之充分發展雙方修好實爲必要

調查團並聲明門戶開放之原則不獨就法律觀點言卽就實際觀點言要均必須維持此項原則之維持乃日本滿洲及中國其他各部之福也

#### 第九章 解決之原則及條件

前章之復述 中日問題之本身用公斷方式非無解決之可能然因各該國政府處理此問題尤以滿洲問題爲甚使兩國關係益臻惡化遂致衝突遲早不能避免業於本報告書之前數章述明中國乃一由政治上之糾紛社會上之紊亂與夫因過渡時代所不可避免之分裂趨勢而進展之國家亦經大概叙及日本如何急欲使滿洲與中國政府分離中國中央政府權力薄弱致受重大之影響及日本如何急欲使滿洲與中國政府分離亦經闡明試稍一研究中俄日三國政府在滿洲之政策即可知以前東三省地方政府雖對中國中央政府宣布獨立非僅一次特其人民悉與中國人固未嘗有與中國脫離之意最後吾人曾悉心詳查自一九三一年九一八以來之真確事件並曾發表吾人對此之意見

問題之複雜 現在吾人可對於過去之感想作一結束而集中注意點於將來凡閱過前章者必明瞭現在衝突中之問題並不如尋常所擬議者之簡單實則此項問題異常複雜而惟深悉一切事實及其歷史背景者始足以表示一正確之意見良以此案既非

此國對於彼國不先利用國際聯合會盟約所定和平處理之機會而遽行宣戰之事件亦非此一鄰國以武力侵犯彼一鄰國邊界之簡單案件實因滿洲具有許多特點非世界其他各地所可確切比擬者也

此項爭議係發生於國際聯合會兩會員國間涉及領土之遼闊與法德兩國相埒雙方均認有權利與利益於其間而其權益中爲國際公法所明白規定者僅有數端耳又該領土在法律上雖爲中國不可分之一部其地方政府實具有充分自治性質得與日本直接談判事件而此類事件乃此次衝突之根源也

滿洲情況非他地所可比擬

日本管有一條鐵路及由海口直達滿洲中心之一段土地約有一萬兵士保護該地日本並主張依照條約於必要時有增兵至一萬五千之權對於在滿洲之日僑亦行使其本國裁判權領事警察之設置遍於東三省

解釋之不同

上述各節爲辯論此問題者所必須考慮其事實爲未經宣戰現有一大部分地面向爲中國領土顯無疑議者竟爲日本武力強奪佔領且因此種行爲使其與中國分離並宣布獨立焉此案經過所採之步驟日本謂爲合於國際聯合會盟約非戰公約及華盛頓九國條約之義務而實則各該約之意義正在防止此種行爲且此種行爲開始於提出報告於國際聯合會之初而完成於嗣後之數月乃日本政府以爲此種行爲與其代表在日內瓦九月三十日及十二月十日所提出之保證相符合爲此項行動作辯護者謂一切軍事行動爲合法之自衛運動該項自衛權利在上述各項國際條約中既均有包含卽國聯行政院亦未有任何決議加以取消至於替代中國在東三省之行政組織之新組織則謂係當地人民之行動自願獨立而與中國分離另組政府此種真正之獨立運動自不爲任何國際條約或任何國聯行政院之決議所禁止且是項事實之發生已將九國條約之引用予以重大之改易並將國聯正在調查事件之性質完全變更此種辯護論調實使該項衝突頓形複雜與嚴重本調查團之任務並不在就該案作辯論但

欲設法供給充分之材料使國聯能得一適合於爭議國雙方之榮譽尊嚴暨國家利益之解決辦法僅恃褒貶不足以達此目的必須從事於調解之切實努力吾等曾力求滿洲事件過去之真相而坦白說明之並承認此僅爲一部分之工作且非最要部分我等在調查期間曾迭告雙方政府願以國聯之力助兩國調解爭端且決定向國聯建議以適合於公道與和平之辦法保持中日兩國在滿洲之永久利益不能認爲滿意之解決辦法

(1) 恢復舊狀

由上述各節觀之可以明瞭如僅恢復舊狀並非解決辦法因此次衝突原係發生於在去年九月前所存在之各種情形之下故今日如將各該情形恢復原狀亦徒使糾紛重見是僅就該案全部之理論方面著想而未顧及其局勢之真相者也

(2) 維持「滿洲國」

從前述兩章觀之維持及承認滿洲之現在政體亦屬同樣不適當因我等認爲此種解

決辦法與國際義務之主要原則不合並與遠東和平所繫之兩國好感有碍且違反中國之利益不顧滿洲人民之願望兼之此種辦法日後是否可以維護日本永久之利益亦尙屬疑問滿洲人民對於現時政體之情感如何可無疑義（中國亦決不願接受以東三省與本國完全分離之辦法作爲一種最後之解決卽以遠處邊陲之外蒙古與滿洲相比擬亦欠切當因外蒙古與中國並無經濟上與社會上之密切關係且人口稀少大部分均非漢人而滿洲之情形則與外蒙古大異現今在彼方耕種之數百萬漢人竟使滿洲成爲關內中國之天然延長且從種族文化及國民性情各方面言之東三省之中國化程度直使其與其鄰省河北山東無異因其大部分之移民均來自該兩省也）且就已往之經驗可以證明從前在滿洲當局曾對於中國其他各部至少華北之事務有重大之影響且佔有毫不容疑之軍事上與政治上之便利無論在法律上或事實上將該省等自中國他部割離日後恐將造成一嚴重難解之問題使中國常存敵意並或將引起繼續抵制日貨之運動本調查團曾接到日本政府關於該國在滿洲重大利益

之一明晰而有價值之聲明書關於日本對於滿洲經濟上之依賴前章已經論及本調查團不必再爲之鋪張本調查團亦不主張日本因經濟關係而得享有經濟甚至政治管理權但吾人仍承認滿洲在日本經濟發展上之重要性日本爲該國經濟發展之必要要求建設一能維持秩序之鞏固政府吾人亦不以爲無理但此種情況惟有一合於當地民意而完全順乎彼等之情感及志願之管理機關始能切實擔保吾人更信惟有在一種外有信仰內有和平而與遠東現有情形完全不同之空氣中爲滿洲經濟迅速發展所必要之投資始可源源而來現雖有人口過剩增加之苦日本似尙未充分使用其現有之便利以從事於移民日本政府迄今尙無大規模移民滿洲之計劃但日本確欲利用再進一步之實業計劃以謀農業危機及人口問題之解決此種實業計劃需要更大經濟出路而此種廣大而比較可靠之市場日本僅能在亞洲尤其在中國始能獲得日本不僅需要滿洲市場卽全中國市場亦在需要之列而中國之鞏固與近代化自能使生活程度抬高因而使貿易興奮並增加中國市場之購買力



中日間此種經濟之接近固與日本有重大之利益與中國亦有同等之利益蓋中國藉此經濟上及技術上與日本合作可獲得建設國家主要工作上之助力中國若能抑制其國家主義難堪之趨勢並俟友好關係恢復後切實擔保有組織之抵貨運動不再發生則於此項經濟接近大有裨助在日本一方面若不用使中國友誼及合作成爲不能之方法以圖謀使滿洲問題脫離中日全部問題而單獨解決則此項經濟接近亦當易於實現

使日本決定其在滿洲之動作及政策者經濟原因或較次於其切身安全之顧慮尤其日本文武官員常謂滿洲爲日本之生命線常人對於此種顧慮可表同情並欲諒解其人因欲預防萬一而不惜冒重大責任之行動與動機但日本欲謀阻止滿洲被利用爲攻擊日本之根據地並欲於滿洲邊境被外國軍隊衝過之某種情形下日本得爲適當之軍事佈置吾人對此種種固可承認然吾人仍不無懷疑者無期限之軍事佔據滿洲致預財政上之重責是否爲抵制外患之最有效方法耶設遇外患侵襲之時日本

軍隊受時懷反側之民衆包圍其後有包含敵意之中國試問日本軍隊能不受重大之困難否耶爲日本利益計對有安全問題亦可考量其他可能的解決方法使更能符合現時國際和平機關之基本原則並與世界其他列強間所締結之協定相類似日本甚或可因世界之同情與善意不須代價而獲得安全保障較現時以鉅大代價換得者爲更佳

國際利益中日兩國以外世界其餘列強對中日爭議均有重大利益亟應維持例如現行各種多方面條約前已提及又此問題之真正及最後之解決必須適合世界和平機關所依據之根本條約再華府會議各國代表所提出之主張現仍有效列強現時所持之權利主張與一九二二年時同卽仍以扶助中國建設維持中國領土主權完整爲保持和平之必要條件各種分解中國之行爲必致立即引起國際間之競爭此種國際競爭如與相異的社會制度間之衝突同時發生則將更形激烈要之對於和平之要求在世界各地皆然偷國聯規約及非戰公約原則之實施在某地失其信仰卽在世界任何

處所皆減少其價值及功能

蘇聯之利益 調查團對於蘇聯在滿洲之利益範圍未能獲得直接之報告而蘇聯政府對於滿洲問題之意見亦未能臆斷但雖無直接報告而蘇聯在滿洲之舉動及在中東路暨中國國境外北部及東北部領土上之重要利益均不容忽視故解決滿洲問題時倘忽略蘇聯之重大利益則此項解決必不能持久且將引起將來和平之決裂事極顯然

結論 倘中日兩國政府均能承認彼此主要權利之性質並願在彼此間維持和平樹立睦誼則上述各節足以指示問題之解決途徑至恢復一九三一年九月以前狀態之不可能前已述及之矣一種滿意合式之制度必須就現有制度改進不能採極端變動我人將在次章提出若干種建議以貫徹斯旨茲先規定適當解決所採之原則於下

適當解決之條件

(一) 適合中日雙方之利益 雙方均爲國聯會員國均有要求國聯同樣考慮之權利如

某種解決雙方均不能取得利益對於和平前途毫無善果

(二) 考慮蘇聯利益 倘僅促進相鄰二國間之和平而忽略第三國之利益則匪特不公亦且不智更非和平之所要求

(三) 遵守現行多方面之條約 某種解決必須遵守國聯盟約非戰公約及華盛頓九國條約之規定

(四) 承認日本在滿洲之利益 日本在滿洲之權利及利益乃不容漠視之事實倘某種解決不承認此點或忽略日本與該地歷史上之關係亦不能認為適當之解決

(五) 樹立中日間之新條約關係 中日二國如欲防止其未來衝突及回復其相互信賴與合作必須另訂新約將中日兩國之權利利益與責任重加聲叙此項條約應為雙方所同意之解決糾紛辦法之一部分

(六) 解決將來之有效辦法 為補充上開辦法以圖便利迅速解決隨時發生之輕微糾紛起見有特訂辦法之必要

- (七) 滿洲自治滿洲政府之改組 應於無背於中國主權及領土完整之範圍內使其享有自治權以求適合於該三省之地方情形與特性新民政機關之組織與行爲務須具備良好政府之要件
- (八) 內部須有秩序並須安全以禦外侮滿洲之內部秩序應以有效的地方憲警維持之至爲實現其足禦外侮之安全起見則須將憲警以外之軍隊掃數撤退並須與關係各國訂立互不侵犯條約
- (九) 按勵中日間經濟協調之成立爲達到此目的中日二國宜訂新通商條約此項條約之目的須爲將兩國間之商業關係置於公平基礎之上並使其與兩國間業經改善之政治關係相適合
- (十) 以國際合作促進中國之建設中國政局之不穩定既爲中日友好之障礙及爲其他各國所關懷遠東和平之維持既爲有關國際之事件而上述辦法又非待中國具有強有力之中央政府時不能實現故其適當辦法之最終要件厥惟依據孫中山博

### 士之建議以暫時的國際合作促進中國之內部建設

上述辦法實行後結果之預測現在情勢之改變如能包括上述意見及滿足上述條件則中日二國當可將其困難解決而兩國間之密切諒解及政治合作之新時代或將由此開始如二國間不能成立協調則無論具有何種條件之解決辦法必將毫無效果可言即在險象橫生之今日而上項新關係之能否出現仍難預期是則吾人之所不容諱言者少年日本現正力主對中國採取強硬政策及在滿洲採取澈底政策凡爲此項主張之人靡不對於九一八以前之延宕政策以及搔不着癢處之手段表示厭倦彼輩現甚急躁及缺乏耐心以求其目的之達到現在日本一切適當方法亦尙在尋求中經與主張積極政策最力之輩就中尤曾於一般具有確定不移之理想及對之終身學取實其而至於身任樹立「滿洲國」之奇巧工作之先鋒而亦不恤者加以注意接近之後本團遂不得不承認此問題之核心自日人方面言之純爲日人對於新中國之政治發展及此種發展之未來趨勢表示焦慮此種焦慮已使日人採取種種以統制上項發展與左右上項趨勢爲目的之行動俾日人之利益得以安全及其帝國國防戰略上

之需要得以滿足但日本輿論已有一空洞的覺悟深知日本對滿洲及對滿洲以外之中國絕無採取兩個分離的政策之可能是故繼以滿洲之利益爲主眼日人亦或可對於中國民族精神之復興表示同情的歡迎亦或可視之爲友引導其進程而畀之以幫助但使日人此舉足使中國不另乞外援則日人已樂出此也

中國有識之士既已承認建設與近代化爲該國之根本問題亦即該國之真正國家問題則彼等不能不確認此種業已開始且有如許成功希望之建設及近代化政策之完成實有賴於一切國家培植友好之關係而與彼在咫尺之大國維持良好之關係尤屬重要在政治上及經濟上中國均需要列強之合作而日本政府之友善態度及在滿洲方面之經濟合作尤爲可貴中國政府應將基於新喚醒之民族主義之一切要求——即使正當而且急切——置於此種國家內部建設之最高需要之下

#### 第十章 審查意見及對於行政院之建議

向中日兩國政府直接提出解決現時爭議之建議非本調查團之職責但爲便利兩國

間目前爭議原因之最後解決 引用白里安向行政院說明組織本調查團之決議時所用之言 本調查團特於此將研究結果建議於國際聯合會以爲聯合會適當機關起草提交爭議國之確定方案時之幫助此項建議之用意在表明前章所設條件足以適用之一端耳建議性質僅涉及廣泛之原則至於細目則留待補充如爭議國願意接受基於此種原則之解決方法時儘有修正之餘地假令日本在日內瓦方面尙未考慮本報告以前已經正式承認滿洲國此爲不容忽視之可能的事實吾等工作決不因此而喪失其價值吾等深信本報告書所載建議對於行政院將未爲滿足中日兩方在滿洲之重大利益而爲之決定或向兩國所爲之建議將有所裨助

吾等以此爲目的故一方面顧及國聯原則及關於中國一切條約之精神及文字以及和平之普遍利益而在另一方面仍不忽視現存之實況及正在演化中之東三省行政機關爲世界和平之最高利益計無論將來將發生若何之事態行政院之職責終將爲決定如何始能使本報告中之建議推行并適用於現在發展中之一切事件以期利用



現正在滿洲醞釀之一切正當勢力或爲理想或人力或爲思想或行動藉謀獲得中日間長久之諒解請當事雙方討論解決辦法首先建議國聯行政院應請中國政府暨日本政府依照前章所示之綱領討論兩國糾紛之解決

顧問會議此項邀請如經接受第二步即應及早召集一顧問會議討論并提出詳密之建議設立一種特殊制度以治理東三省

此項會議可由中日兩國政府之代表暨代表當地人民之代表團兩組組成之該兩代表團一由中國政府規定之方法選出之一由日本政府規定之方法選出之如經當事雙方同意亦可得中立觀察員之協助

如該會議有任何特殊之點不克互相同意時該會議可將此意見參差之點提出於行政院行政院對此當設法覓得一同意之解決辦法

同時於顧問會議開會期中所有中日間關於各該國權利與利益所爭論之事件應另行討論倘經當事雙方同意亦可得中立觀察人員之協助

吾等末後提議此項討論與談判之結果應包括於下列四種文件之中

- 一、中國政府宣言依照顧問會議所提辦法組織一種特殊制度治理東三省
- 二、關於日本利益之中日條約
- 三、中日和解公斷不侵犯與互助條約
- 四、中日商約

在顧問會議集會之前應由當事雙方以行政院之協助對於該會議應行考量之行政制度之方式先行協定其大綱此際所應考量之事件如下

顧問會議之集會地點代表之性質是否願有中立觀察人員

維持中國領土行政完整之原則及准許東省有高度之自治

以一種特殊憲兵爲維持內部治安唯一辦法之政策

以所擬各種條約解決所爭各項事件之原則對於所有曾經參加東省最近政治運動之人員准予特赦

此種原則大綱既經事先同意關於其詳細辦法得以最充分可能之審擇權留諸參加顧問會議或磋商條約之代表至再行訴諸國聯行政院之舉僅得於不能同意時行之此項程序之優點此項程序之各種優點中可稱道者在於此項程序既與中國主權不相違反仍可採取實際有效之辦法以適應滿洲今日之局勢同時爲今後因應中國內部現狀之變遷留有餘地例如在滿洲最近所已提議或已實際施行之某種行政與財政之變更本報告書中所已注意者如省政府之改組中央銀行之設立以及外國顧問之雇用等等此類特點顧問會議或可因其利便而予以保留又如依照吾等所提議而選出滿洲居民代表出席顧問委員會之方法亦可爲現政體與新政體遞嬗之協助此項爲滿洲而設之自治制度擬僅施行於遼寧<sup>奉天</sup>吉林黑龍江三省日本現時在熱河省<sup>東內蒙古</sup>所享有之權利當於關係日方利益之條約中加以說明

茲將四項文件依次討論如下

(一) 宣言

顧問會議之最後提議當送交中國政府由中國政府以該項提議列入宣言之內轉送國際聯合會及九國條約之簽字各國國聯會員國及九國條約之簽字國對於此項宣言當表示知悉而是項宣言將被認為對於中國政府有國際協定之約束性質

此項宣言嗣後倘須修改其條件當依照上述之程序彼此同意於宣言本身中預爲規定

此項宣言對於中國中央政府在東三省之權限與該地方自治政府之權限加以劃分保留於中央政府之權限茲提議保留於中央政府之權限如下

(一) 除特別規定外有管理一般的條約及外交關係之權但應了解中央政府不得締結與宣言條款相違反之國際協定

(二) 有管轄海關郵政鹽務所之權或於可能範圍內有管轄印花稅及烟酒稅行政之權關於此類稅款之純收入中央政府與東三省政府間如何公平分配當由顧問會議決定之

(三) 有依照宣言所規定之程序任命東三省政府行政長官之權至少初步應當如此至  
出缺時或以同樣方法補充或以東三省某種選舉制度行之當由顧問會議合意議  
定并列入宣言之內

(四) 對於東三省行政長官爲頒發某種必要訓令以保證履行中國中央政府所締結關  
於東三省自治政府管轄下各事項之國際協定之權

(五) 顧問會議所合意議定之其他權限

地方政府之權限凡一切其他權限均屬於東三省自治政府地方民意之表示

應計劃某種切實可行之制度以期獲得人民對於政府政策所表示之意見或即襲

用自昔相沿各機關如商公所及其他各市民機關亦可

少數民族應訂立某種規定以保護白俄及其他少數民族之利益

憲兵 茲提議由外國教練官之協助組織特別憲兵爲東三省境內之唯一武裝

實力該項憲兵之組織或於一預定時期內完成之或在宣言內預定程序

規定其完成時期該項特別隊伍既爲東三省境內唯一武裝實力故一俟組織完成其他一切武裝實力卽應退出東三省境內所謂其他一切武裝實力包括中國方面或日本方面之一切特別警隊或鐵路守備隊

#### 外國顧問

自治政府行政長官得指派相當數額之外國顧問其中日本人民應佔一重要之比例至細目應依上述程序訂定並於宣言內聲明之各小國人民有被選之權與大國同

行政長官得就國聯行政院所提名單中指派國籍不同之外籍人員二名監督(一)警察及(二)稅收機關該二員在新政體草創及試行期內當掌有廣泛權限顧問權限當在宣言中規定之

行政長官就國際清理銀行董事會提出之名單中當指派一外國人爲東三省中央銀行之總顧問至於僱用外籍顧問及官員一節實與中國國民黨總理及現今國民政府之政策相符吾等希望中國輿論對於在東省方面外人權利與勢力之複雜及其實際

狀況不難認識爲謀和平及善良政治起見不能不有特殊之處置須知此間所提議之外籍顧問及官員及在組織新制度時期內應有特別廣泛權限之顧問純爲代表一種國際合作之方式此項人員之選出應在中國政府所能接受之狀態內行之且須與中國主權不相抵觸經指派後此項人員應認自身爲雇用國政府之公僕與在過去時期內關稅及郵政或國聯與中國合辦之專門機關所雇用之外籍人員相同

關於此節內田氏於一九三二年八月二十五日在日本議會演說中之一段可予注意（我國政府自明治維新以後雇用多數外籍人員爲顧問或正式官吏在一八七五年前後其數目超過五百人之多）

當有一點可注意者即在中日合作空氣中指派較多日籍顧問可使此項官員貢獻其特別適合於當地情形之訓練與學識此項過渡時代所應抱之最後目的乃爲造成一種純粹中國人之吏治使無雇用外人之需要

## （二）關係日方利益之中日條約

中日間擬議之三種條約商訂人自應有完全審擇之權但於此處略示訂約時所應議之事項無不爲無益

提及東省方面日方利益及熱河省日方一部分利益之條約自必涉及日僑之某種經濟利益及鐵路問題此項條約之目的應爲

1. 東省經濟上之開發日方得自由參加但不得因此而取得經濟上或政治上管理該地之權

2. 日本在熱河省現在享有之權利予以維持

3. 居住及租地之權推及於東省全境同時對於領事裁判權之原則酌予變更

4. 鐵路使用之協定

在南滿與北滿間雖並未訂有固定界線但日本人民之居住權向僅限於南滿及熱河日本人民行使此項權利之態度常使中國方面認爲不能容受因是而發生不斷之齟齬與衝突在納稅及司法方面日本人民及朝鮮人民俱認爲享有領事裁判權之待遇



關於鮮民方面實另有特殊規定不過此項規定未能完善致常爲爭執之焦點就調查團所得證明吾等相信若不附有領事裁判權中國願將現在有限制之居住權推及於東省全境因附帶領事裁判權之結果認爲可在中國境內造成一日本民族之國家也

居住權與領事裁判權關係密切至爲明顯而在東三省司法行政及財務行政未達到較前此更高之程度以前日本不欲放棄領事裁判權地位其事亦同樣明顯

於是有調和方法二種其一現有之居住權及其附帶之領事裁判權地位應予以維持其範圍應加以擴大俾在北滿及熱河之日本人民及朝鮮人民均得享受但無領事裁判權其二在東三省及熱河省內之任何地方日本人民應予以居住權及領事裁判權而朝鮮人民則僅有居住權而無領事裁判權是兩項建議各有優點亦各有可以嚴重反對之處果能將東北各省之行政效率增高使領事裁判權不復需要此則本問題最滿意之解決方法也本調查團以是建議地方最高法院應延用外國顧問至少二人其

一須爲日本國籍其他法院延用顧問亦殊爲有利法院審理涉及外國人之案件時顧問對於各案之意見不妨公布本調查團以爲在改組期間財務行政方面參以外人之監督亦殊屬相宜本調查團討論中國宣言時關於此節業已有所提議矣

更進一步之保障可依和解條約設立公斷法院以處理中國政府或日本政府以政府名義或其人民名義所提出之任何聲訴

此項複雜與困難問題之裁決必須歸諸議訂條約之當事國但現時所取之保護外國人制度苟施於多如朝鮮人之少數民族在朝鮮人數目繼續增加及其與中國人民密接雜處情形之下發生刺激之機會因而引致地方意外及外國干涉殆爲必然之事爲和平利益計此項衝突之源應於消弭

日本人民之居住權利如有任何推廣應在同樣條件之下適用於其他一切享有最惠國條款利益之國家之人民祇須此類享有領事裁判權人民之國家與中國訂立同樣條約

鐵路 關於鐵路在過去期中中國與日本之鐵路建造者及當局者缺乏合作不知成就一廣大而互利之鐵路計劃此在第三章中已論之矣將來苟欲免除衝突則在現時擬議之條約中必須加以規定使已往之競爭制度歸於消滅而代以關於各路運費及價目之共同諒解此項問題在本報告書之附件特別研究第一號內另有討論在本調查團之意以爲有兩種可能之解決此兩種解決可擇一而行或可視爲達到最後解決之步驟

第一種方法 範圍較爲限制係中日鐵路行政之業務協定足以便利彼此合作者中日兩國可根據合作原則協議管理在滿洲之各有鐵路制度並設一中日鐵路聯合委員會至少加以外國顧問一人其行使之職務則類若他國現行之理事會然至於更澈底之救濟方策莫若則將中日兩國之鐵路利益合併如雙方能同意於此種合併辦法即爲中日兩國經濟合作之真實表記使中日得有經濟上之合作固爲本報告書目的之一且此種合併辦法一方面既可保障中國之利權一方面又可使滿洲一切鐵路得

有利用南滿鐵路專門經驗之利益而援照近數月來應用於滿洲鐵路之制度引伸推用當亦可無困難且將來更可藉此闢一種範圍較廣之國際協定新徑途將中東鐵路包含在內此種合併方法之較詳釋明現雖載在附件之內祇能視爲一種舉例其詳細計劃惟有由雙方直接談判始可產生耳鐵路問題如此解決則南滿鐵路全爲純粹的營業性質特別警察保安隊一旦完全組成鐵路得有保障則可使護路警撤退而節省一種極大開支此項辦法如果實行特別地產章程及特別市政制度應即在鐵路地域範圍內預先制定成立俾南滿鐵路與日本國國民之既得利益得有保障

如能遵循以上途徑議訂條約則日本在東三省與熱河之權利可有法律根據其有益於日本至少當與現有之條約協定相同而在中國方面亦當易于接受如一九一五年等條約與協定所給予日本一切確定讓與未爲此項新條約所廢棄或變更者中國方面對之當不致再有承認之困難至於日本所要求之一切較爲次要之權利其效力可發生爭執者當以協定解決之如不同意應照了解條約中所載之辦法解決之

## 一、中日和解仲裁不侵犯及互助之條約

本條約之內容因已有許多先例及現行成案可稽自可不必詳細敘述

照此條約應設一和解委員會其職務專爲幫助中日兩方解決兩政府間所發生之任何困難並設一公斷庭以具有法律經驗及明瞭遠東情形者組織之凡中日兩國間關於宣言或新條約之解釋以及其他由和解條約所列舉之爭執均應歸諸公斷庭辦理復須依照加入約文內之不侵犯及互助各規定締約國雙方同意滿洲應逐漸成爲一無軍備區域以此爲目的應即規定俟憲兵隊組織完竣後締約國之一方或第三者對無軍備區域之任何侵犯即認爲侵略行爲其他一方如遇第三者攻擊時則雙方有權採取認爲應行之任何辦法以防衛無軍備區域但並不妨害國聯行政院依照盟約處理之權

倘蘇聯共和國政府願意參加於此種條約之不侵犯及互助部分時則此須相當之條款可另行列入一種三方協定

#### 四中日商約

商約自應以造成可以鼓勵中日兩國盡量交易貨物而同時並可保護他國現有條約權利之情形爲目的此項條約並應載入中國政府擔認在其權力之內採取一切辦法禁止並遏抑有組織之抵制日貨運動但不妨害中國買主之個人權利

評論 以上關於擬議之宣言及各種條約目的之建議及理由係提供國聯行政院之考慮無論將來協定之細目爲何最要在儘早開始談判並應以互信之精神行之

#### 本調查團工作業已告竣

滿洲素稱天府之國沃野萬里一年以來迭經擾攘當地人民創鉅痛深恐爲前此所無中日關係已成變相戰爭瞻念前途可勝憂慮其迭成此種景况之情形本調查團於本報告書中已言之矣

國聯應付本案其嚴重之情勢及解決之困難盡人皆知本調查團正在結束報告之際報章適載中日兩國外交部長之宣言披閱之餘各有要旨一點茲特爲揭出

八月二十八日羅文幹先生在南京宣稱中國深信將解決現在時局之合理辦法必以不背國聯盟約非戰公約及九國條約之文字與精神與夫中國之主權同時又確能鞏固遠東永久之和平者爲必要條件

八月三十日據報內田伯爵在東京宣稱政府認中日關係問題較滿蒙問題更爲重要

本調查團以爲結束報告莫妙於重述此兩項宣言所隱伏之意思此種意思與本調查團所搜集之證據及本調查團對本案之研究暨其判斷如是之確切相同故敢信此種宣言所表示之政策倫述爲有效之應用當能使滿案達到圓滿之解決不特有裨於遠東兩大國之利益卽世界人類亦胥受其賜焉

At the moment of concluding our Report we read in the press two statements by the Foreign Ministers of China and Japan, from each of which we would extract one point of the utmost importance.

On August 28th Mr. Lo Wen-kan declared at Nanking:

“China is confident that any reasonable proposal for the settlement of the present situation will necessarily be compatible with the letter and spirit of the Covenant of the League of Nations and the anti-war Pact, and the Nine Power Treaty, as well as with China’s sovereign power, and will also effectively secure a durable peace in the Far East”.

On August the 30th Count Uchida is reported to have declared at Tokyo:

“The Government considers the question of Sino-Japanese relations as more important than the question of Manchuria and Mongolia”.

We cannot close our Report more appropriately than by reproducing here the thought underlying these two statements, so exactly does it correspond with the evidence we have collected, with our own study of the problem, and consequently with our own convictions, so confident are we that the policy indicated by these declarations, if promptly and effectively applied, could not fail to lead to a satisfactory solution of the Manchurian question in the best interests of the two great countries of the Far East and of humanity in general.

*Note*:—In view of their importance, Chapters IX and X have been reproduced in full.



as possible the exchange of goods between China and Japan, while safeguarding the existing treaty rights of other countries. This treaty should also contain an undertaking by the Chinese Government to take all measures within its power to forbid and repress organised boycott movements against Japanese trade, without prejudice to the individual rights of Chinese consumers.

#### Comments.

The above suggestions and considerations regarding the objects of the proposed Declaration and Treaties are submitted for the consideration of the Council of the League. Whatever may be the details of future agreements, the essential point is that negotiations should be begun as soon as possible and should be conducted in a spirit of mutual confidence.

Our work is finished.

Manchuria for a year past has been given over to strife and turmoil.

The population of a large, fertile and rich country has been subjected to conditions of distress such as it has probably never experienced before.

The relations between China and Japan are those of war in disguise, and the future is full of anxiety.

To have reported the circumstances which have created these conditions.

Everyone is fully aware of the gravity of the problem which confronts the League of Nations, and of the difficulties of the solution.

difficulties as they arise between the Governments of China and Japan. It would also establish an Arbitration Tribunal composed of persons with judicial experience and the necessary knowledge of the Far East. This tribunal would deal with any disputes between the Chinese and Japanese Governments regarding the interpretation of the Declaration or of the new treaties, and with such other categories of disputes as might be specified in the Treaty of Conciliation.

Finally, in conformity with the provisions for Non-Aggression and mutual Assistance inserted in the Treaty, the contracting parties should agree that Manchuria should gradually become a demilitarised area. With this object it would be provided that after the organisation of the gendarmerie had been effected any violation of the demilitarised territory by either of the parties or by a third party would constitute an act of aggression entitling the other party, or both parties in the case of a third party attack, to take whatever measures might be deemed advisable to defend the demilitarised territory, without prejudice to the right of the Council of the League to take action under the Covenant.

If the Government of the U.S.S.R. desired to participate in the Non-Aggression and Mutual Assistance section of such a treaty, the appropriate clauses could be embodied in a separate tripartite agreement.

#### *4. The Sino-Japanese Commercial Treaty.*

The Commercial Treaty would naturally have as its object the establishment of conditions which would encourage as much

vided by the special corps of gendarmerie, when once this body was fully organised, would enable the railway guards to be withdrawn, thus saving a considerable item of expense. If this is done, it would be well that special land regulations and a special municipal administration should previously be instituted in the Railway area in order to safeguard the vested interests of the South Manchuria Railway and of Japanese nationals.

If a treaty on these lines could be agreed upon, a legal basis for Japanese rights in the Three Eastern Provinces and in Jehol would have been found which would be at least as beneficial to Japan as the present Treaties and Agreements and one which would be more acceptable to China. China might then find no difficulty in recognising all the definite grants made to Japan by such Treaties and Agreements as these of 1915, unless abrogated or modified by the new treaty. All minor rights claimed by Japan, the validity of which may be open to dispute, should be the subject of agreement. In case of disagreement resort should be made to the procedure outlined in the Treaty of Conciliation.

3. *The Sino-Japanese Treaty of Conciliation and Arbitration,  
Non-Aggression and Mutual Assistance.*

It is not necessary to describe in any detail the subject matter of this Treaty, of which there are many precedents and existing examples.

Such a treaty would provide for a Board of Conciliation whose functions would be to assist in the solution of any dif-

possible solutions, which could be considered either as alternatives or as stages to one final solution. The first, which is the more limited in scope, is a working agreement between the Chinese and Japanese railway administrations, which would facilitate their co-operation. China and Japan might agree to manage their respective railway systems in Manchuria on the principle of co-operation, and a joint Sino-Japanese Railway Commission, with at least one foreign adviser, might exercise functions analogous to those of Boards which exist in some other countries. A more thorough remedy would be provided by an amalgamation of the Chinese and Japanese railway interests. Such an amalgamation, if it could be agreed upon, would be the true mark of that Sino-Japanese economic collaboration, to secure which is one of the objects of this Report. While safeguarding the interests of China, it would place at the disposal of all the railway in Manchuria the benefit of the great technical experience of the South Manchuria Railway and could be evolved without difficulty from the system which has been applied to the railways of Manchuria in the last few months. It might even pave the way in the future to some wider international agreement which might include the Chinese Eastern Railway. Though a fairly detailed description of such an amalgamation is to be found in the appendix as an example of the sort of thing that might be done, only direct negotiations between the parties could evolve a detailed scheme. Such a solution of the railway question would make the South Manchuria Railway a purely commercial enterprise, and the security pro-

The decision of this complicated and difficult question must rest with the parties negotiating the Treaty, but the present system of foreign protection, when applied to a minority group as numerous as the Koreans, who are, moreover, increasing in number, and who live in such close touch with the Chinese population, is bound to produce many occasions of irritation, leading to local incidents and foreign intervention. In the interests of peace it is desirable that this fruitful source of friction should be removed.

Any extension of the rights of settlement in the case of Japanese would apply on the same conditions to the nationals of all other Powers which enjoy the benefits of a "Most Favored Nation" clause, provided that those Powers whose nationals enjoy extraterritorial rights enter into a similar treaty with China.

#### **Railways.**

As regards railways, it has been pointed out in Chapter III that there has been little or no co-operation in the past between the Chinese and Japanese railway builders and authorities directed to achieving a comprehensive and mutually beneficial railway plan. It is obvious that if future friction is to be avoided, provisions must be made in the Treaty at present under discussion for bringing to an end the competitive system of the past, and substituting a common understanding as regards freights and tariffs on the various systems. The subject is discussed in the special Study No. 1, annexed to this Report. In the opinion of the Commission there are two possible

Two methods of compromise have suggested themselves. One is that the existing rights of settlement, accompanied by extraterritorial status, should be maintained and that such rights should be extended both to Japanese and Koreans in North Manchuria and Jehol without extraterritorial status. The other is that the Japanese should be granted the right to settle anywhere in Manchuria and Jehol with extraterritorial status, and that the Koreans should have the same rights without extraterritorial status. Both proposals have some advantages to recommend them, and both have rather serious objections. It is obvious that the most satisfactory solution of the problem is to make the administration of these Provinces so efficient that extraterritorial status will no longer be desired. It is with this object that we recommend that at least two foreign advisers, one of whom should be of Japanese nationality, should be attached to the Supreme Court, and other advisers might with advantage be attached to other Courts. The opinions of these advisers might be made public in all cases in which the Courts were called upon to adjudicate on matters in which foreign nationals were involved. We also think that in the period of reorganisation some foreign supervision of the administration of finance is desirable, and, in dealing with the Declaration, we have presented some suggestions to that effect.

A further safeguard would be provided by the establishment, under the Treaty of Conciliation, of an Arbitration Tribunal to deal with any complaints which the Chinese or Japanese Governments might bring in their own names or in those of their nationals.

2. The continuance in the Province of Jehol of such rights as Japan now enjoys there;
3. An extension to the whole of Manchuria of the right to settle and lease land, coupled with some modification of the principle of extraterritoriality;
4. An agreement regarding the operation of the railways.

**Japanese rights of settlement.**

Hitherto the rights of settlement of Japanese nationals have been confined to South Manchuria, though no definite boundary line between North and South Manchuria has ever been fixed, and to Jehol. These rights have been exercised under conditions which China found unacceptable, and this caused continued friction and conflicts. Extraterritorial status as regards taxation and justice was claimed both for the Japanese and the Koreans, and in the case of the latter there were special stipulations which were ill-defined and the subject of disputes. From evidence given before the Commission we have reason to believe that China would be willing to extend to the whole of Manchuria the present limited right of settlement, provided it was not accompanied by extraterritorial status, the effect of which, it was claimed, would be to create a Japanese State in the heart of a Chinese territory.

It is obvious that the right of settlement and extraterritoriality are closely associated. It is, however, equally clear that the Japanese would not consent to abandon their extraterritorial status until the administration of justice and finance had reached a very much higher standard than has hitherto prevailed in Manchuria.

following passage in the speech of Count Uchida in the Japanese Diet on August 25, 1932, is of interest:

“Our own Government, since the Meiji Restoration, have employed many foreigners as advisers or as regular officials; their number, for instance, in the year 1875 or thereabout, exceeded 500”. The point must also be stressed that the appointment of a relatively large number of Japanese advisers, in an atmosphere of Sino-Japanese co-operation, would enable such officials to contribute the training and knowledge specially suited to local conditions. The goal to be kept in view throughout the period of transition is the creation of a civil service composed entirely of Chinese, who will ultimately make the employment of foreigners unnecessary.

2. *The Sino-Japanese Treaty dealing with Japanese Interests.*

Full discretion would of course be left to those who will negotiate the three suggested treaties between China and Japan, but it may be useful to indicate the matters with which it is suggested that they should deal.

The treaty dealing with Japanese interests in the Three Eastern Provinces and with some Japanese interests in the Province of Jehol would have to deal principally with certain economic rights of Japanese nationals and with railway questions. The aims of this Treaty should be:—

**Aims of the Treaty.**

1. The free participation of Japan in the economic development of Manchuria, which would not carry with it a right to control the country either economically or politically;



administration, would be made by the Chief Executive from a panel submitted by the Council of the League. These two officials would have extensive powers during the period of organisation and trial of the new regime. The powers of the advisers would be defined in the Declaration.

The appointment of one foreigner as a general adviser to the Central Bank of the Three Eastern Provinces would be made by the Chief Executive from a panel submitted by the Board of Directors of the Bank for International Settlements.

The employment of foreign advisers and officials is in conformity with the policy of the founder of the Chinese Nationalist Party, and with that of the present National Government. It will not, we hope, be difficult for Chinese opinion to recognise that the actual situation and the complexity of the foreign interests, rights and influences in these provinces require special measures in the interests of peace and good government. But it cannot be too strongly emphasised that the presence of the foreign advisers and officials here suggested, including those who, during the period of the organisation of the new regime, must exercise exceptionally wide powers, merely represents a form of international co-operation. They must be selected in a manner acceptable to the Chinese Government and one which is consistent with the sovereignty of China. When appointed they must regard themselves as the servants of the Government employing them, as has always been the case in the past with the foreigners employed in the Customs and Postal administration or with the technical organisations of the League that have collaborated with China. In this connection the

Government, possibly through the traditional agency of the Chambers of Commerce, Guilds, and other civil organisations.

**Minorities.**

Some provision should also be made to safeguard the interests of White Russians and other minorities.

**Gendarmerie.**

It is suggested that a special gendarmerie should be organised, with the collaboration of foreign instructors, which would be the only armed force within the Three Eastern Provinces. The organisation of the gendarmerie should either be completed within a period to be specified in advance, or the time of its completion should be determined in accordance with a procedure to be laid down in the Declaration. As this special Corps would be the only armed force in the territory of the Three Eastern Provinces, its organisation, when completed, should be followed by the retirement from this territory of all other armed forces, including any special bodies of police or railway guards, whether Chinese or Japanese.

**Foreign Advisers.**

An adequate number of foreign advisers would be appointed by the Chief Executive of the autonomous Government, of whom a substantial proportion should be Japanese. The details would be worked out by the procedure described above, and would be stated in the Declaration. Nationals of small States, as well as of the Great Powers, would be eligible.

The appointment of two foreigners of different nationalities to have supervision of (1) the constabulary, and (2) the fiscal

2. The control of the Customs, the Post Office, and the Salt Gabelle, and possibly of the administration of the stamp duty and the tobacco and wine taxes. The equitable division, between the Central Government and the Three Eastern Provinces, of the net income from these revenues, would be determined by the Advisory Conference.
3. The power of appointment, at least in the first instance, of the Chief Executive of the Government of the Three Eastern Provinces in accordance with the procedure to be laid down in the Declaration. Vacancies would be filled in the same way, or by some system of selection in the Three Eastern Provinces, to be agreed upon by the Advisory Conference and inserted in the Declaration.
4. The power of issuing to the Chief Executive of the Three Eastern Provinces such instructions as might be necessary to ensure the carrying out of the international engagements entered into by the Central Government of China in matters under the administration of the autonomous Government of the Three Eastern Provinces.
5. Any additional powers agreed upon by the Conference.

**Powers of the local government.**

All other powers would be vested in the autonomous Government of the Three Eastern Provinces.

**Expression of local opinion.**

Some practical system might be devised to secure an expression of the opinion of the people on the policy of the

would be dealt with in the Treaty on the subject of Japanese interests.

The four Instruments can now be considered seriatim:—

**1. The Declaration.**

The final proposals of the Advisory Conference would be submitted to the Chinese Government, and the Chinese Government would embody them in a Declaration which would be transmitted to the League of Nations and to the signatory Powers of the Nine Power Treaty. The Members of the League and the signatory Powers of the Nine Power Treaty would take note of this Declaration, which would be stated to have for the Chinese Government the binding character of an international engagement.

The conditions under which subsequent revision of the Declaration, if required, might take place would be laid down, in the Declaration itself as agreed to in accordance with the procedure suggested hereabove,

The Declaration would distinguish between the powers of the Central Government of China in the Three Eastern Provinces and those of the Autonomous Local Government.

It is suggested that the powers to be reserved to the Central Government should be the following:—

**Powers to be reserved to the Central Government.**

1. The control of general treaty and foreign relations not otherwise provided for; it being understood that the central government would not enter into any international engagements inconsistent with the terms of the Declaration.

When once these broad principles have been agreed upon before hand, the fullest possible discretion as regards the details would be left to the representatives of the parties at the Advisory Conference or when negotiating the treaties. Further reference to the Council of the League of Nations would only take place in the event of failure to agree.

**Advantages claimed for the procedure.**

Among the advantages of this procedure, it is claimed that, while it is consistent with the sovereignty of China, it will enable effective and practical measures to be taken to meet the situation in Manchuria as it exists today, and at the same time allow for such modifications hereafter as the changes in the internal situation in China may warrant. Notice, for instance, had been taken in this Report of certain administrative and fiscal changes which have either been proposed or actually carried out in Manchuria recently, such as the reorganisation of provincial governments, the creation of a central bank, the employment of foreign advisers. These features might be with advantage retained by the Advisory Conference. The presence at the Conference of representatives of the inhabitants of Manchuria, selected in some such way as we have suggested, should also facilitate the passage from the present to the new regime.

The autonomous regime contemplated for Manchuria is intended to apply to the three provinces of Liaoning (Fengtien), Kirin and Heilungkiang only. The rights at present enjoyed by Japan in the province of Jehol (Eastern Inner-Mongolia)

1. A Declaration by the Government of China constituting a special administration for the Three Eastern Provinces, in the terms recommended by the Advisory Conference:
2. A Sino-Japanese Treaty dealing with Japanese interests;
3. A Sino-Japanese Treaty of Conciliation and Arbitration, Non-Aggression and Mutual Assistance.
4. A Sino-Japanese Commercial Treaty.

It is suggested that, before the meeting of the Advisory Conference, the broad outlines of the form of administration to be considered by that body should be agreed upon between the parties, with the assistance of the Council. Among the matters to be considered at that stage are the following:—

The place of meeting of the Advisory Conference, the nature of the representation, and whether or not neutral observers are desired;

The principle of the maintenance of the territorial and administrative integrity of China and the grant of a large measure of autonomy to Manchuria;

The policy of creating a special gendarmerie as the sole method of maintaining internal order;

The principle of settling the various matters in dispute by means of the separate treaties suggested;

The grant of an amnesty to all those who have taken part in the recent political developments in Manchuria.

discuss a solution of their dispute on the lines indicated in the last chapter.

#### **An Advisory Conference.**

If the invitation is accepted, the next step would be the summoning as soon as possible of an Advisory Conference, to discuss and to recommend detailed proposals for the constitution of a special regime for the administration of the Three Eastern Provinces.

Such Conference, it is suggested, might be composed of representatives of the Chinese and Japanese Governments and of two delegations representing the local population, one selected in a manner to be prescribed by the Chinese Government and one selected in a manner to be prescribed by the Japanese Government. If agreed by the Parties, the assistance of neutral observers might be secured.

If the Conference were unable to reach agreement on any particular point, it would submit to the Council the point of difference, and the Council would then attempt to secure an agreed settlement on these points.

Simultaneously with the sitting of the Advisory Conference, the matters at issue between Japan and China relating to respective rights and interests should be discussed separately, in this case also, if so agreed, with the help of neutral observers.

Finally, we suggest that the results of these discussions and negotiations should be embodied in four separate Instruments:

filled in and are susceptible of considerable modification by the parties to the dispute if they are willing to accept some solution on these lines.

Even if the formal recognition of 'Manchukuo' by Japan should take place before our Report is considered in Geneva—an eventuality which we cannot ignore—we do not think that our work will have been rendered valueless. We believe that in any case the Council would find that our Report contains suggestions which would be helpful for its decisions or for its recommendations to the two great Powers concerned, with the object of satisfying their vital interests in Manchuria.

It is with this object that, whilst bearing in mind the principles of the League of Nations, the spirit and letter of the Treaties concerning China and the general interests of peace, we have not overlooked existing realities, and have taken account of the administrative machinery existing and in process of evolution in the Three Eastern Provinces. It would be the function of the Council, in the paramount interest of world peace, whatever may be the eventuality to decide how the suggestions made in our Report may be extended and applied to events which are still developing from day to day; always with the object of securing a durable understanding between China and Japan by utilising all the sound forces, whether in ideals or persons, whether in thought or action, which are at present fermenting in Manchuria.

**Invitation to the Parties to discuss settlement.**

We suggest in the first place that the Council of the League should invite the Governments of China and Japan to



necessitates for its fulfilment the cultivation of friendly relations with all countries, and above all with that great nation which is their nearest neighbour. China needs, in political and economic matters, the co-operation of all the leading Powers, but especially valuable to her would be the friendly attitude of the Japanese Government and the economic cooperation of Japan in Manchuria. All the other claims of her newly awakened nationalism - legitimate and urgent though they may be should be subordinated to this one dominating need for the effective internal reconstruction of the State.

#### CHAPTER X.

#### CONSIDERATIONS AND SUGGESTIONS TO THE COUNCIL.

##### Suggestions to facilitate a final solution.

It is not the function of the Commission to submit directly to the Governments of China and Japan recommendations for the solution of the present dispute. But, in order "to facilitate the final solution of existing causes of dispute between the two countries", to quote the words used by M. Briand when explaining to the Council the text of the resolution which originated the Commission, we now offer to the League of Nations, as the result of our studies, suggestions designed to help the appropriate organ of the League to draw up definite proposals submission to the parties to the dispute. It should be understood that these suggestions are intended as an illustration of one way in which the conditions we have laid down in the preceding chapter might be met. They are mainly concerned with broad principles; they leave many details to be

are tired of the delays and pin-pricks of the pre-September period; they are impetuous, and impatient to gain their end. But even in Japan appropriate means must be found for the attainment of every end. After making the acquaintance of some of the more ardent exponents of this "positive" policy, and those especially who, with undoubted idealism and great personal devotion have constituted themselves the pioneers of a delicate undertaking in the "Manchukuo" regime, it is impossible not to realise that at the heart of the problem for Japan lies her anxiety concerning the political development of modern China, and the future to which it is tending. This anxiety had led to action with the object of controlling that development and steering its course in directions which will secure the economic interests of Japan and satisfy strategic requirements for the defence of her Empire.

Japanese opinion is nevertheless vaguely conscious that it is no longer practicable to have two separate policies, one for Manchuria and one for the rest of China. Even with her Manchurian interests as a goal, therefore, Japan might recognize and welcome sympathetically the renaissance of Chinese national sentiment; might make friends within, guide it in her direction and offer it support, if only to ensure that it does not seek support elsewhere.

In China, too, as thoughtful men have come to recognise that the vital problem, the real national problem, for their country is the reconstruction and modernisation of the State, they cannot fail to realise that this policy of reconstruction and modernisation, already initiated with so much promise of success,

9. *Encouragement of an economic rapprochement between  
China and Japan.*

For this purpose a new commercial treaty between two countries is desirable. Such a treaty should aim at placing on an equitable basis the commercial relations between the two countries and bringing them into conformity with their improved political relations.

10. *International Co-operation in Chinese reconstruction.*

Since the present political instability in China is an obstacle to friendship with Japan and an anxiety to the rest of the world, as the maintenance of peace in the Far East is a matter of international concern; and since the conditions enumerated above cannot be fulfilled without a strong central government in China, the final requisite for a satisfactory solution is temporary international co-operation in the internal reconstruction of China, as suggested by the late Dr. Sun Yat-sen.

**Results which would follow from the fulfilment of these conditions.**

If the present situation could be modified in such a way as to satisfy these conditions, and embody these ideas, China and Japan would have achieved a solution of their difficulties which might be made the starting point of a new era of close understanding and political cooperation between them. If such a rapprochement is not secured, no solution, whatever its terms, can really be fruitful. Is it really impossible to contemplate such a new relationship even in this hour of crisis? Young Japan is clamorous for strong measures in China and a policy of thoroughness in Manchuria. Those who make these demands

*5. The establishment of new treaty relations between  
China and Japan.*

A re-statement of the respective rights interests and responsibilities of both countries in Manchuria in new treaties, which shall be part of the settlement by agreement, is desirable if future friction is to be avoided, and mutual confidence and cooperation is to be restored.

*6. Effective provision for the settlement of future disputes.*

As a corollary to the above, it is necessary that provision should be made for facilitating the prompt settlement of minor disputes as they arise.

*7. Manchuria 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. The new civil regime must be so constituted and conducted as to satisfy the essential requirements of good government.

*8. 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 gendarmeric and by the conclusion of a treaty of non-aggression between the countries interested.

other. As already stated, there is no question of returning to the conditions before September, 1931. A satisfactory regime for the future might be evolved out of the present one without any violent change. In the next chapter we offer certain suggestions for doing this, but we would first define the general principles to which any satisfactory solution should conform. They are the following:

**Conditions of a Satisfactory Solution.**

*1. Compatibility with the interests of both China and Japan.*

Both countries are members of the League and each is entitled to claim the same consideration from the League. A solution from which both did not derive benefit would not be a gain to the cause of peace.

*2. Consideration for the interests of U.S.S.R.*

To make peace between two of the neighbouring countries without regard for the interests of the third would be neither just nor wise, nor in the interests of peace.

*3. Conformity with existing multilateral treaties.*

Any solution should conform to the provisions of the Covenant of the League of Nations, the Pact of Paris, and the Nine Power Treaty of Washington.

*4. Recognition of Japan's interests in Manchuria.*

The rights and interests of Japan in Manchuria are facts which cannot be ignored, and any solution which failed to recognise them and to take into account also the historical associations of Japan with that country would not be satisfactory.

to the maintenance of peace. Any disintegration of China might lead, perhaps rapidly, to serious international rivalries, which would become all the more bitter if they should happen to coincide with rivalries between divergent social systems. Finally, the interests of peace are the same the world over. Any loss of confidence in the application of the principles of the Covenant and of the Pact of Paris in any part of the world diminishes the value and efficacy of those principles everywhere.

#### **Interests of U. S. S. R.**

The commission has not been able to obtain direct information as to the extent of the interests of the U.S.S.R. in Manchuria, nor to ascertain the views of the Government of the U.S.S.R. on the Manchurian question. But even without sources of direct information it cannot overlook the part played by Russia in Manchuria nor the important interests which the U.S.S.R. have in that region as owners of the Chinese Eastern Railway, and of the territory beyond its north and northeast frontiers. It is clear that any solution of the problem of Manchuria which ignored the important interest of the U.S.S.R. would risk a future breach of the peace and would not be permanent.

#### **Conclusions.**

These considerations are sufficient to indicate the lines on which a solution might be reached if the Governments of China and Japan could recognise the identity of their chief interests and were willing to make them include the maintenance of peace and the establishment of cordial relations with each

period, involving, as it must, a heavy financial burden, is really the most effective way of insuring against this external danger; and whether, in the event of aggression having to be resisted in this way, the Japanese troops in Manchuria would not be seriously embarrassed if they were surrounded by a restive or rebellious population backed by a hostile China. It is surely in the interest of Japan to consider also other possible solutions of the problem of security, which would be more in keeping with the principles on which rests the present peace organisation of the world, and analogous to arrangements concluded by other Great Powers in various parts of the world. She might even find it possible, with the sympathy and goodwill of the rest of the world, and at no cost of herself, to obtain better security than she will obtain by costly method she is at present adopting.

#### **International interests.**

Apart from China and Japan, other Powers of the world have also important interests to defend in this Sino-Japanese conflict. We have already referred to existing multilateral treaties, and any real lasting solution by agreement must be compatible with the stipulations of these fundamental agreements, on which is based the peace organisation of the world. The considerations which actuated the representatives of the Powers at the Washington Conference are still valid. It is quite as much in the interests of the Powers now as it was in 1922 to assist the reconstruction of China and to maintain her sovereignty and her territorial and administrative integrity as indispensable

This economic rapprochement between Japan and China, which is of vital interest to Japan, is of equal interest to China, for China would find that a closer economic and technical collaboration with Japan would assist her in her primary task of national reconstruction. China could assist this rapprochement by restraining the more intolerant tendencies of her nationalism and by giving effective guarantees that as soon as cordial relations were re-established the practice of organised boycotts would not be revived. Japan, on her side, could facilitate this rapprochement by renouncing any attempt to solve the Manchuria problem by isolating it from the problem of her relations with China as a whole, in such a way as to make impossible the friendship and collaboration of China.

It may, however, be less economic considerations than anxiety for her own security which has determined the actions and policy of Japan in Manchuria. It is especially in this connection that her statesmen and military authorities are accustomed to speak of Manchuria as "the life-line of Japan". One can sympathise with such anxieties and try to appreciate the actions and motives of these who have to bear the heavy responsibility of securing the defence of their country against all eventualities. While acknowledging the interest of Japan in preventing Manchuria from serving as a base of operations directed against her own territory, and even her wish to be able to take all appropriate military measures if in certain circumstances the frontiers of Manchuria should be crossed by the forces of a foreign Power, it may still be questioned whether the military occupation of Manchuria for an indefinite



that economic relationship entitles Japan to control the economic, still less the political development of these Provinces, we recognise the great importance of Manchuria in the economic development of Japan. Nor do we consider unreasonable her demand for the establishment of a stable government which would be capable of maintaining the order necessary for the economic development of the country. But such conditions can only be securely and effectively guaranteed by an administration which is in conformity with the wishes of the population and which takes full account of their feelings and aspirations. And equally is it only in an atmosphere of external confidence and internal peace, very different from that now existing in the Far East, that the capital which is necessary for the rapid economic development of Manchuria will be forthcoming.

In spite of the pressure of increasing over-population, the Japanese have not as yet fully utilised their existing facilities for emigration, and the Japanese Government has not hitherto contemplated a large emigration of their people to Manchuria. But the Japanese do look to further industrialisation as a means to cope with the agrarian crisis and with the population problem. Such industrialisation would require further economic outlets, and the only large and relatively sure markets that Japan can find are in Asia and particularly in China. Japan requires not only the Manchurian but the whole Chinese market, and the rise in the standard of living which will certainly follow the consolidation and modernisation of China should stimulate trade and raise the purchasing power of the Chinese market.

not voluntarily accept as a lasting solution the complete separation of her Three Eastern Provinces. The analogy of the distant province of Outer Mongolia is not an entirely pertinent one, as Outer Mongolia is bound to China by no strong economic or social ties, and is sparsely inhabited by a population which is mainly non-Chinese. The situation in Manchuria is radically different from that in Outer Mongolia. The millions of Chinese farmers now settled permanently on the land have made Manchuria in many respects a simple extension of China south of the Wall. The Three Eastern Provinces have become almost as Chinese in race, culture and national sentiment as the neighbouring Provinces of Hopei and Shantung, from which most of the immigrants came.

Apart from this, past experience has shown that those who control Manchuria have exercised a considerable influence on the affairs of the rest of China—at least of North China and possess unquestionable strategic and political advantages. To cut off these Provinces from the rest of China, either legally or actually, would be to create for the future a serious irredentist problem which would endanger peace by keeping alive the hostility of China and rendering probable the continued boycott of Japanese goods.

The Commission received from Japanese Government a clear and valuable statement of the vital interests of their country in Manchuria. Without exaggerating the economic dependence of Japan on Manchuria beyond the limits ascribed to it in a previous chapter, and certainly without suggesting

out our mission offered to the Governments of both countries the help of the League of Nations in composing their differences, and we conclude it by offering to the League our suggestions for securing, consistently with justice and with peace, the permanent interests of China and Japan in Manchuria.

**Unsatisfactory Suggestions of Settlement:**

(1) Restoration of the *status quo ante*.

It must be clear from everything that we have already said that a mere restoration of the *status quo ante* would be no solution. Since the present conflict arose out of the conditions prevailing before last September, to restore these conditions would merely be to invite a repetition of the trouble. It would be to treat the whole question theoretically and to leave out of account the realities of the situation.

(2) The maintenance of "Manchukuo".

From what we have said in the preceding chapters, the maintenance and recognition of the present regime in Manchuria would be equally unsatisfactory. Such a solution does not appear to us compatible with the fundamental principles of existing international obligations, nor with the good understanding between the two countries upon which peace in the Far East depends. It is opposed to the interests of China. It disregards the wishes of the people of Manchuria, and it is at least questionable whether it would ultimately serve the permanent interests of Japan.

About the feelings of the people of Manchuria towards the present regime there can really be no doubt; and China would

given by their representative at Geneva on September 30th and December 10th. The justification in this case has been that all the military operations have been legitimate acts of self-defence, the right of which is implicit in all the multilateral treaties mentioned above, and was not taken away by any of the resolutions of the Council of the League. Further, the administration which has been substituted for that of China in the Three Provinces is justified on the grounds that its establishment was the act of the local population who, by a spontaneous assertion of their independence, have severed all connection with China and established their own Government. Such a genuine independence movement, it is claimed, is not prohibited by any international treaty or by any of the resolutions of the Council of the League of Nations, and the fact of its having taken place has profoundly modified the application of the Nine Power Treaty and entirely altered the whole character of the problem being investigated by the League.

It is this plea of justification which makes this particular conflict at once so complicated and so serious. It is not the function of our Commission to argue the issue, but we have tried to provide sufficient material to enable the League of Nations to settle the dispute consistently with the honour, dignity and national interest of both the contending parties. Criticism alone will not accomplish this: there must also be practical efforts at conciliation. We have been at pains to find out the truth regarding past events in Manchuria, and to state it frankly; we recognise that this is only part, and by no means the most important part, of our work. We have through-

law; a territory which, although legally an integral part of China, had a local administration of sufficiently autonomous character to carry on direct negotiations with Japan on the matters which lay at the root of this conflict.

**Conditions in Manchuria unparalleled elsewhere.**

Japan controls a railway and a strip of territory running from the sea right up into the heart of Manchuria, and she maintains for the protection of that property a force of about 10,000 soldiers, which she claims the right by Treaty to increase, if necessary, up to 15,000. She also exercises the rights of jurisdiction over all her subjects in Manchuria, and maintains consular police throughout the country.

**Diversity of interpretations.**

These facts must be considered by those who debate the issues. It is a fact that without a declaration of war a large area of what was indisputably the Chinese territory has been forcibly seized and occupied by the armed forces of Japan, and has in consequence of this operation been separated from and declared independent of the rest of China. The steps by which this was accomplished are claimed by Japan to have been consistent with the obligations of the Covenant of the League of Nations, the Kellogg Pact and the Nine Power Treaty of Washington, all of which were designed to prevent action of this kind. Moreover, the operation which had only just begun when the matter was first brought to the notice of the League was completed during the following months and is held by the Japanese Government to be consistent with the assurances

than once been declared by their rulers to be independent from the central government of China, yet no wish to be separated from the rest of China has ever been expressed by their population, which is overwhelmingly Chinese. Finally, we have examined carefully and thoroughly the actual events which took place on and subsequent to September 18, 1931, and have expressed our opinion upon them.

#### Complexity of the problem.

A point has now been reached when attention can be concentrated on the future, and we would dismiss the past with this final reflection. It must be apparent to every reader of the preceding chapter that the issues involved in this conflict are not as simple as they are often represented to be. They are, on the contrary, exceedingly complicated, and only an intimate knowledge of all the facts, as well as of their historical background, should entitle any one to express a definite opinion upon them. This is not a case in which one country has declared war on another country without previously exhausting the opportunities for conciliation provided in the Covenant of the League of Nations. Neither is it 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.

The dispute has arisen between two States, both members of the League, concerning a territory the size of France and Germany combined in which both claim to have rights and interests only some of which are clearly defined by international

to mutual understanding and co-operation, and not to conflict. Their reconciliation is necessary if the existing resources and future economic possibilities in Manchuria are to be developed to the fullest possible extent.

The Commission also states that the principle of the Open Door should be maintained, not only from a legal but also from a practical point of view, and that its maintenance would be in the interests of Japan, Manchuria, and the rest of China.

## **CHAPTER IX.**

### **Principles and Conditions of Settlement**

#### **Review of Previous Chapters.**

In the previous chapters of this Report it has been shown that, though the issues between China and Japan were not in themselves incapable of solution by arbitral procedure, yet the handling of them by their respective Governments, especially those relating to Manchuria, had so embittered their relations as sooner or later to make a conflict inevitable. A sketch has been given of China as a nation in evolution with all the political upheavals, social disorders, and disruptive tendencies inseparable from such a period of transition. It has been shown how seriously the rights and interests claimed by Japan have been affected by the weakness of the authority of the central government in China, and how anxious Japan has shown herself to keep Manchuria apart from the Government of the rest of China. A brief survey of the respective policies of the Chinese, Russian and Japanese Governments in Manchuria has revealed the fact that the administration of these Provinces has more

used do not infringe the laws of the land. Whether, however, the organised application of the boycott to the trade of one particular country is consistent with friendly relations or in conformity with treaty obligations is rather a problem of international law than a subject for the enquiry of the Commission. The hope is expressed by the Commission that in the interests of all States this problem should be considered at an early date, and regulated by international agreement.

The Chapter closes by stating that the interdependence of the trade of China and Japan and the interest of both call for an economic rapprochement, but that there can be no such rapprochement so long as the political relations between them are so unsatisfactory as to call forth the use of military force by one, and the economic force of the boycott by the other.

#### CHAPTER VIII.

##### Economic interests in Manchuria.

Chapter VIII deals briefly with economic interests in Manchuria, especially these of China and Japan. For the detailed study of these interests it refers to special memoranda annexed to the Report, which cover such questions as investments; Japan's economic relations with Manchuria; China's economic relations with that region; the chance for Japanese immigration to Manchuria; the part played by China's immigration to Manchuria; railway and currency questions. In this chapter the Commission expresses its conviction that Japanese and Chinese economic interests in Manchuria, taken in themselves and apart from the political events of recent years, would lead



certainly amount to intimidation. While many separate bodies are involved in the organisation, the main controlling organ is the Kuomintang. As far as the boycott methods are concerned, the Commission states that illegal acts have been constantly committed, but that in this connection a distinction should be made between acts committed directly against Japanese residents and those committed against Chinese offenders against the boycott rules with the avowed intention of causing damage to Japanese interests. Cases of the first type have been less frequent this time than during previous boycotts, but cases of the second type have been numerous. In the opinion of the Commission the Chinese Government is responsible for not having sufficiently suppressed acts of this kind, and for having granted a certain direct assistance to the boycott movement. The Commission does not suggest that there is anything improper in the fact that Government departments should support the boycott movement, but only wishes to point out that official encouragement involves a measure of Government responsibility.

The claim of the Chinese Government that the boycott is a legitimate weapon of defence against military aggression by a stronger country, especially in cases where methods of arbitration have not previously been utilised, raises, according to the Commission, a question of a much wider character. No one can deny the right of the individual Chinese to refuse to buy Japanese goods, or the right of the Chinese, acting individually or in organised bodies, to make propaganda on behalf of this idea, always subject to the condition that the methods

## CHAPTER VII.

### *Japanese economic interests and the Chinese boycott.*

Chapter VII draws attention to the fact that the struggle between China and Japan is not only of a military, but also of an economic nature, China using as a weapon against Japan the boycott of goods, ships, banks, etc., thus aiming at the complete severance of economic and financial relations with the other country.

The Commission, after having pointed out that increased industrialisation and export of manufactured goods is one of the principal means to which Japan looks as a solution for her population problem, and after having examined Japan's economic and financial interest in China, then goes on to study the boycott movement. It points out that the boycott, as used by the Chinese, results from century-old practices, and that the training and mental attitude thus acquired, combined with the modern nationalism of which the Kuomintang is the organised expression, constitute the present-day boycott movement, the effect of which on Sino-Japanese relations has been considerable both from a material and from a psychological point of view.

### **Conclusions.**

The Commission has arrived at the conclusion that the Chinese boycotts are both popular and organised. They originate in and are supported by strong national sentiment, but they are controlled and directed by organisations which can start or call them off, and they are enforced by methods which

The government of Japan regards the conclusion of this treaty as a formal recognition of 'Manchukuo'".

PART III. of this Chapter finally deals with the **attitude of the inhabitants of Manchuria towards the new "State"**. The Commission starts by explaining that, owing to the circumstances in which the enquiry had to be made, the obtaining of evidence on this point presented same difficulties. The exceptional measures of protection taken to safeguard the Commission against dangers, real or supposed, had the effect of keeping away witnesses. Many Chinese were frankly afraid of even meeting the members of the Commission itself. Interviews were therefore arranged with considerable difficulty and secrecy. But in spite of these difficulties, private interviews were arranged with business men, bankers, teachers, doctors, police, tradesmen and others, in addition to the public interviews with various authorities.

The Commission also received over 1500 written communications some delivered by hand, the majority sent by post to different addresses. The information so received was checked as far as possible from neutral sources. The Commission then goes on to explain the state of mind of each group of the population with whom it has been in touch, and finally comes to the conclusion that, if "Manchukuo" seems to be supported by certain minority groups, "there is no general Chinese support for the "Manchukuo Government", which is regarded by the local Chinese as an instrument of the Japanese".

occupation of the country by its troops, by the dependence of the "Manchukuo Government" on these troops for the maintenance of its authority both internally and externally; in consequence, too, of the more and more important role entrusted to the South Manchuria Railway Company in the management of the railways under the jurisdiction of the "Manchukuo Government"; and, finally, by the presence of its consuls, as liaison agents, in the most important urban centres, possesses in every contingency the means of exercising an irresistible pressure. The liaison between the "Manchukuo Government" and Japanese officials authority is still further emphasised by the recent appointment of a special ambassador, not officially accredited, but resident in the capital of Manchuria, exercising in his capacity of Governor-General of the Kwantung Leased Territory a control over the South Manchuria Railway Company and concentrating in the same office the authority of a diplomatic representative, the head of the consular service, and commander-in-chief of the Army of Occupation.

"The relations between 'Manchukuo' and Japan have hitherto been somewhat difficult to define, but the latest information in the possession of the Commission indicates that it is the intention of the Japanese Government to define them before long. A letter dated August 27, 1932, addressed to the Commission by the Japanese Assessor, states that the Special Ambassador, General Muto, 'left Tokyo on August 20 for Manchuria'. On arrival he will commence negotiations for the conclusion of a fundamental treaty concerning the establishment of friendly relations between Japan and Manchuria

of the Chinese Government. The Commission expresses, however, the opinion that after making every allowance for the short time which has hitherto been at the disposal of the "Manchukuo Government" for carrying out this policy, and after paying due regard to the steps already taken, there is no indication that this "Government" will, in fact, be able to carry out many of its reforms. As an example, the Commission mentions that "there seem to be serious obstacles in the way of realisation of the announced budgetary and currency reforms. A thorough programme of reforms, orderly conditions and economic prosperity could not be realised in the conditions of insecurity and disturbance which existed in 1932".

As regards the "Government", in the public services, although the titular heads of the departments are Chinese residents in Manchuria, the main political administrative power rests in the hands of Japanese officials and advisers. The political and administrative organisation of the "Government" is such as to give to these officials and advisers opportunities not merely of giving technical advice but of actually controlling and directing the administration. They are doubtless not under the orders of the Tokyo Government, and their policy has not always coincided with the official policy either of the Japanese Government or of the Headquarters of the Kwantung Army. But in the case of all important problems, these officials and advisers, some of whom were able to act more or less independently in the first days of the new organisation, have been constrained more and more to follow the direction of Japanese official authority. This authority, in fact, by reason of the

“It is also clear that the Japanese General Staff realised from the start, or at least in a short time, the use which could be made of such an autonomy movement. In consequence they provided assistance and have direction to the organisers of the movement.

“The evidence received from all sources has satisfied the Commission that while there were a number of factors which contributed to the creation of “Manchukuo”, the two which, in combination, were most effective, and without which, in our judgment, the ‘new State’ could not have been formed, were the presence of Japanese troops and the activities of Japanese officials, both civil and military.

“For this reason the present régime cannot be considered to have been called into existence by a *genuine and spontaneous independence movement*”.

PART II, dealing with the **present Government of “Manchukuo”**, examines in detail its organisation, from the constitutional and administrative point of view, and also with regard to public finance, education, justice and police, the army, monetary conditions, etc. It describes the way in which the new régime took over the Salt Gabelle and the Customs and Postal administrations, and finally contains the Commission's comments on this subject. In this connection the Commission states that the programme of the “Manchukuo” Government contains a number of liberal reforms, the application of which would be desirable not only in Manchuria but in the rest of China; in fact, many of these reforms figure equally in the programme

from the Japanese occupation of Mukden, and then goes on to describe the gradual restoration of order and civil administration, first in Mukden and afterwards in the Provinces. The establishment of the "new State", the appointment of Mr. Henry Pu-yi, the former Emperor, as provisional President, the inauguration ceremonies in Changchun on March 9, and the laws and regulations underlying the organisation of the "Manchukuo", then pass in review. This part of the Chapter terminates with the following conclusions:

"Since September 18, 1931, the activities of the Japanese military authorities, in civil as well as in military matters, were marked by essentially political considerations. The progressive military occupation of the Three Eastern Provinces removed in succession from the control of the Chinese authorities the towns of Tsitsihar, Chinchow and Harbin: finally, all the important towns of Manchuria; and following each occupation the civil administration was reorganised. It is clear that the Independence Movement which had never been heard of in Manchuria before September, 1931, was only made possible by the presence of the Japanese troops.

"A group of Japanese civil and military officials, both active and retired, conceived, organised, and carried through this movement, as a solution to the situation in Manchuria as it existed after the events of September 18.

"With this object they made use of the names and actions of certain Chinese individuals, and took advantage of certain minorities among the inhabitants who had grievances against the former administration.

## CHAPTER V.

### Shanghai.

Chapter V. deals with the story of the operations in Shanghai from February 20 until the final withdrawal of the Japanese troops, thus completing the report of the Consular Committee appointed by the League. The Commission states that its arrival in Shanghai on March 14 was opportune and may have helped to create a propitious atmosphere, although it did not enter into the Commission's duties to continue the work of the Consular Committee or to make a special study of the local events. After having analysed the agreement which was finally reached between the two parties, the Commission then goes on to express the conviction that the Shanghai Affair has, undoubtedly, exercised considerable influence upon the Manchurian situation, in so far as the Sino-Japanese conflict was brought home to the people throughout China with the result that the spirit of resistance increased, while in Manchuria, the news from Shanghai put fresh heart into the scattered forces still opposing the Japanese troops. The chapter closes with an account of the incident of Nanking on February 1, 1932, the Chinese and Japanese versions of which are widely divergent.

## CHAPTER VI

### "Manchukuo".

Chapter VI. deals with "Manchukuo" and is divided into three parts. The first part, "Stages in the formation of the *"new State"*", commences by picturing the chaotic conditions resulting



quence the departure of the former emperor of China, who had been living in the Japanese Concession in Tientsin, for Port Arthur. A description is also given of the way in which, finally, on January 3, 1932, Chinchow was definitely occupied.

The Chapter then resumes its narration of the Japanese military operations in Northern Manchuria, including the occupation of Harbin, on February 5, and terminates with a review of the military operations of the end of August, 1932. It deals in detail with the guerilla warfare in different parts of Manchuria, where both regular and irregular Chinese troops still hold the field. They are opposed by both Japanese and "Manchukuo" forces. The Commission found it impossible to give a precise account of this fighting. Chinese authorities are naturally reluctant to give away exact information about such troops as are still offering resistance to the Japanese in Manchuria; while the Japanese authorities, on the other hand, are disposed to minimise the numbers and fighting value of forces still opposed to them.

**Military situation at the beginning of September, 1932.**

The Commission expresses the belief that it seems doubtful whether any change in the general situation in Manchuria is to be anticipated in the near future. At the time of the completion of the Report fighting continued over a wide area. With regard to the military operations on the frontier of the provinces of Fengtien and Jehol, the report states that an extension of the area of conflict in this region is a contingency which must be reckoned with.

the lives or property of Japanese nationals at this particular time or place. They made no concerted or authorised attack on the Japanese forces, and were surprised by the Japanese attack and subsequent operations.

"An explosion undoubtedly occurred on or near the railroad between 10:00 and 10:30 p.m., on September 18, but the damage, if any, to the railroad did not in fact prevent the punctual arrival of the south-bound train from Changchun, and was not in itself sufficient to justify military action.

"The military operations of the Japanese during this night cannot be regarded as measures of legitimate self-defence.

"In saying this the Commission does not exclude the hypothesis that the officers on the spot may have thought they were acting in self-defence".

#### **Subsequent Military Operations.**

The Chapter then goes on to give a description of the distribution of Japanese troops in Manchuria and their movements on and after the night of September 18. The occupation of Changchun on September 18-19 and of Kirin on September 21; the bombing of Chinchow on October 8; the Nonni Bridge operations started in the middle of October and ended on November 19, 1931 with the occupation of Tsitsihar by the Japanese troops, are reviewed in detail.

In the meantime incidents occurred in Tientsin on November 8 and 26, the accounts of which are conflicting and obscure. The Report explains the effect of these disturbances on the situation in Manchuria, and also mentions as a conse-

circles in Japan, in particular, were insisting on the immediate settlement of the Nakamura case. The Imperial ex-Soldiers' Association, among others, was instrumental in rousing public opinion: Settlement of all pending issues, if necessary, by force became a popular slogan.

#### CHAPTER IV.

##### **Narrative of events in Manchuria subsequent to Sept. 18, 1931.**

Chapter IV describes how this growing tension came to the breaking-point on the night of September 18. The Japanese and Chinese versions of the events of that night different and contradictory.

The Commission interviewed as many as possible of the representative foreigners, including newspaper correspondents, who had been in Mukden at the time of the occurrences or soon thereafter. As a result it has come to the following conclusions:

##### **Conclusions on the events of September 18, at Mukden.**

"Tense feeling undoubtedly existed between the Japanese and Chinese military forces.

"The Japanese, as was explained to the Commission in evidence, had a carefully-prepared plan to meet the occasion of possible hostilities between themselves and the Chinese.

"On the night of September 18, 1931, this plan was put into operation with swiftness and precision.

"The Chinese, in accordance with their instructions, had no plan of attacking the Japanese troops, or of endangering

rights and privileges of foreign States throughout China and to prevent their further extension in the future. The claim to a "special position" was even sometimes interpreted in Japan as entitling Japan to intervene, if necessary, for the maintenance of peace and order in Manchuria.

This fundamental conflict of attitudes and policies gave rise to a number of specific issues between the Chinese and Japanese authorities as to the interpretation and application of the complex treaties and agreements in force, or claimed to be in force, between the two countries. An analysis is given of the more important of these issues: issues arising out of the Treaty of Peking of 1905 and question of the "parallel railways", issues arising out of numerous railway contracts; issues arising out of the Treaty of 1915,—rights of Japanese subjects to lease land and settle in Manchuria, administration of the railway zone of the South Manchuria Railway, exercise of certain rights by the Japanese Consular police, status of Koreans, etc. The tension became more acute in 1931. The Wanpaoshan affair and the anti-Chinese riots in Korea, as also the question of the murder of Captain Nakamura, in the summer of 1931, are finally taken into full account.

By the end of August, 1931, therefore, Sino-Japanese relations over Manchuria were severely strained in consequence of the many controversies and incidents described. Each side had legitimate grievances against the other. Some efforts were being made to dispose of these questions by the normal procedure of diplomatic negotiation; but the long delays put a severe strain on the patience of the Japanese Army.

1905, following the Treaty of Portsmouth, and on the Treaty of 1915, known as the "Twenty-one Demands", as well as on various railway contracts. The list of those rights shows the exceptional character of the political, economic and legal relations created between Japan and China in Manchuria. There is probably nowhere in the world an exact parallel to this situation; no example of a country enjoying in the territory of a neighbouring State such extensive economic and administrative privileges. A situation of this kind could possibly be maintained without leading to incessant complications and disputes if it were freely desired, or accepted, on both sides, and if it were the sign and embodiment of a well-considered policy of close collaboration in the economic and in the political sphere. But in the absence of those conditions, it could only lead to friction and conflict.

The Chapter describes the conflict between the fundamental interests of Japan and China in Manchuria, as reflected in the attitude and policies of the two Governments in the years preceding the events of September, 1931. The Chinese consider Manchuria as the granary of China, and also as China's first line of defence: the Japanese attitude is determined by historical and sentimental associations, by strategic Pre-occupations, and by economic interests. Patriotic sentiment, the paramount need of military defence, and the exceptional Treaty-rights, all combine to create the Japanese claim to a "special position" in Manchuria. This claim conflicts with the sovereign rights of China and is irreconcilable with the aspirations of the national Government, which seeks to curtail existing exceptional

of the Soviet Government gave a strong impetus to China's nationalistic aspirations, and it seemed probable to Japan that the Soviet Government would support China in the struggle for the recovery of sovereign rights. This development revived all the old anxieties of Japan towards her Russian neighbour. The possibility of a danger from across the north Manchurian border became a matter of concern to Japan. The likelihood of an alliance between the communist doctrines in the North and the anti-Japanese propaganda of the Kuomintang in the South made the desire increasingly felt to impose between the two a Manchuria which would be free from both. Japanese misgivings have been still further increased in the last few years by the predominant influence acquired by the U.S.S.R. in Outer Mongolia, and the growth of communism in China.

### CHAPTER III.

#### Manchurian issues between Japan and China (before September, 1931).

Chapter III describes the main Manchurian issues between Japan and China before September 18, 1911. During the preceding quarter of a century the ties which bound Manchuria to the rest of China were growing stronger, and at the same time the interests of Japan in Manchuria were increasing. Manchuria was admittedly a part of China, but it was a part in which Japan had acquired such exceptional rights, so restricting the exercise of China's sovereign rights, that a conflict between the two countries was a natural result. These exceptional rights are chiefly based on the Treaty of Peking of

of educational progress, municipal administration, and public utility work. It is emphasised in particular that during this period, under the administration of Marshal Chang Tso-lin and Marshal Chang Hsueh-liang, the Chinese population and Chinese interests played a much greater part than formerly in the development and organization of the economic resources of Manchuria.

The Chapter then describes the various stages through which the relations between Russia (or U.S.S.R.) and Manchuria have passed, since the contract for the construction of the Chinese Eastern Railway and the conclusion of a Treaty of Alliance in 1896. It mentions the lease of the Liaotung Peninsula to Russia in 1898; the Russian occupation of Manchuria in 1900; the Russo-Japanese war and the Treaty of Portsmouth; the effect in Manchuria of the Russian revolution of 1917 and of the Allied intervention of 1918-1920; the Sino-Soviet agreement of 1924; the incidents following Marshal Chang Tso-lin's aggressive policy against the interests of the U.S.S.R. and the military invasion of part of northern Manchuria by the forces of the U.S.S.R. in 1929, ended by the Protocol of Habarovsk of December, 1929 which re-established the status quo. Finally, reference is made to the relations between Russia and Japan since 1905, in respect of the Manchurian question.

The policy of co-operation in Manchuria followed by Japan and Russia between the Treaty of Portsmouth and the Russian revolution was brought to an end by the Russian revolution and the Allied intervention in Siberia. Moreover, the attitude

people of Manchuria wished to be separated from China. His armies did not invade China as if it were a foreign country, but merely as participants in the civil war. Through all its wars and periods of independence Manchuria remained an integral part of China. Although not in agreement with the doctrines of the Kuomintang, Marshal Chang Tso-lin desired the unification of China, and his policy with regard to the spheres of interest of the U. S. S. R. and Japan shows that he would have liquidated both if he could have done so. He almost succeeded in doing this in the case of the sphere of the U. S. S. R., and initiated the policy of railway construction, a result of which was to cut off the South Manchuria Railway from some of its feeder districts. After the mysterious murder of Marshal Chang Tso-lin, Marshal Chang Hsueh-liang, against Japanese advice, entertained closer relations with the Kuomintang and with Nanking, and in December 1928 declared his allegiance to the central Government. In reality the old system of military rule in Manchuria continued to function as before; but, under the influence of the Kuomintang, nationalist propaganda and anti-Japanese agitation became more active.

The Commission found grave complaints concerning nepotism, corruption and maladministration in Manchuria before September, 1931, to be widely current. This state of affairs, however, was not peculiar to Manchuria, as similar, or even worse, conditions existed in other parts of China. Whatever the short-comings of the administration, efforts were made in some parts of the country to improve the administration and certain achievements must be noted; particularly in the field



Manchuria could not have attracted and absorbed such a large population. Without the influx of Chinese farmers and laborers, Manchuria could not have developed so rapidly. Yet, Manchuria, so largely dependent on co-operation, was destined, for the reasons indicated, to become a region of conflict, at first between Russia and Japan, and later between China and her two powerful neighbours.

China, at first, showed little activity in the field of development in Manchuria. She almost allowed Manchuria to pass from her control to that of Russia. Even after the Treaty of Portsmouth, which reaffirmed her sovereignty in Manchuria, the economic activity of Russia and Japan in developing these provinces figured more prominently than her own in the eyes of the world. Meanwhile the immigration of millions of Chinese farmers settled the future possession of the land. While Russia and Japan were engaged in delimiting their spheres of interest, Chinese farmers took possession of the soil, and Manchuria is now unalterably Chinese. Since the Russian revolution of 1917, China began to take a more active part in the government and development of the country. In recent years she has tried to diminish Japan's influence in South Manchuria. Growing friction resulted from that policy, the culminating point of which was reached in September, 1931.

The Chapter describes the state of the administration and the policy followed in Manchuria at the time of Marshal Chang Tso-lin and Marshal Chang Hsueh-liang. Marshal Chang Tso-lin declared at different times its independence from the Peking Government, but this declaration never meant that he or the

two particulars has this been carried so far as to contribute to the creation of the atmosphere in which the present conflict arose, namely, the use made of the economic boycott and the introduction of anti-foreign propaganda into the schools.

In so far as Japan is China's nearest neighbour and largest customer, she has suffered more than any other Power from the conditions prevailing in China. But this issue, though affecting Japan to a greater extent than other Powers, is not a Sino-Japanese issue alone. Moreover, the present extreme case of international friction should, if a satisfactory settlement can be effected through the League of Nations, convince China of the advantages of the policy of international co-operation which was inaugurated at Washington with such beneficial effects in 1922.

## CHAPTER II.

### **Manchuria; Description; relations with rest of China and Russia.**

Chapter II contains a general description of Manchuria and of its relations with the rest of China and with Russia before September 1931. Manchuria, the three Eastern provinces, is described as a large, fertile region, only forty years ago almost undeveloped, and even now still under-populated, which has assumed an increasingly important role in the solution of the surplus population problems of China and Japan. The provinces of Shantung and Hopei have poured millions of destitute farmers into Manchuria, while Japan has exported to that country her manufactured articles and capital, in exchange for food supplies and raw materials. Without Japan's activity,

failures, considerable progress has in fact been made. This is clear from a comparison between the state of China now and in 1922, at the time of the Washington Conference. Although, at present, the Central Government's authority is still weak in a number of Provinces, the central authority is not, at least openly, repudiated, and there is reason to hope that, if the central Government, as such, can be maintained, provincial administrations, military forces, and finance will acquire an increasingly national character. The present Government has made efforts for Chinese reconstruction; in many things it has failed, but has already accomplished much.

The nationalism of modern China is a normal aspect of the period of political transition through which the country is passing; but, in addition to the natural desire to be free from any outside control in a people that has become conscious of national unity, the influence of the Kuomintang has introduced into the nationalism of China an additional and abnormal tinge of bitterness against all foreign influences. Chapter I mentions the main claims of Chinese nationalism, the attitude of the foreign Powers toward these claims (particularly the question of the relinquishment of extra-territorial rights and its relation to the question of the proper maintenance of law and order in China). Having started upon the road of international co-operation for the purpose of solving her difficulties, as was done at Washington, China might have made more substantial progress in the ten years that have since elapsed had she continued to follow that road. She has only been hampered by the virulence of the anti-foreign propaganda which has been pursued. In

China; and the conflict between the central Government and the communist organisation in central China.

From this summary description it appears that disruptive forces in China are still powerful. The cause of this lack of cohesion is the tendency of the mass of the people to think in terms of family and locality, rather than in terms of the nation, except in periods of acute tension between their country and foreign Powers. Although there are nowadays a number of leaders who have risen above particularist sentiments, it is evident that a national outlook must be attained by a far greater number of citizens before a real national unity can result.

As regards communism in China, it is observed that this does not only mean, as in most countries, either a political doctrine held by certain members of existing parties, or the organization of a special party to compete for power with other political parties. It has become an actual rival to the national Government. Moreover, the disturbance created by the communist war is made more serious by the fact that the country is going through a critical period of internal reconstruction, and has been still further complicated during the last eleven months by an external crisis of exceptional gravity. The problem of communism in China is linked with the larger problem of national reconstruction.

Although the spectacle of China's transitional period, with its unavoidable political, social, intellectual and moral disorders is disappointing to her impatient friends, and has created enmities which have been a danger to peace, the Commission finds, nevertheless, that, in spite of difficulties, delays and

issues between China and Japan in Manchuria before September, 1931, is also essential to determine why, and how Manchuria has become a centre of conflict, and what problems ought to be dealt with in view of a permanent settlement of the dispute, if this state of conflict is to be replaced in the future by a real reconciliation of fundamental interests.

#### CHAPAER I.

##### *"Outline of recent developments in China".*

The dominating factor in China is the modernisation of the nation itself, which is slowly taking place. China today is a nation in evolution, showing evidence of transition in all aspects of its national life. Political upheavals, civil wars, social and economic unrest, with the resulting weakness of the central government, have been the characteristics of China since the revolution of 1911. These conditions have adversely affected all the nations with which China has been brought into contact, and until remedied will continue to be a menace to world peace and a contributory cause of world economic depression. A brief assurance is given in Chapter I of the stages by which the present conditions have been reached. This summary mentions the fall of the Manchu dynasty, the first years of the Republic, the period of civil wars and political unrest between 1914 and 1928; the formation of the Kuomintang under Dr. Sun Yat-sen; the establishment of the central Government at Nanking in 1927; the struggle between the central Government and the opposing elements; the development of communism in

### **The itinerary followed.**

Before reaching Manchuria contact was established with the Governments of Japan and China and with representatives of various shades of opinion in both countries, in order to ascertain the nature of their respective interests. The Commission arrived in Tokyo on February 29; stayed in Shanghai from March 14 to 26, and in Nanking from March 26 to April 1; travelled through China until Peiping was reached on April 9, and then proceeded to Manchuria, where it remained for about six weeks until June 4, visiting the principal cities of that region. After a second visit to Peiping and Tokyo in June and July, the Commission finally settled down in Peiping on July 20, where the drafting of the Report was undertaken.

### **Chapters I, II and III: Background of present conflict.**

Chapters I, II and III explain how the events in Mukden of September 18, 1931, were but the outcome of a long chain of minor occasions of friction, indicating a growing tension in the relations between China and Japan.

A knowledge of the essential factors in the recent relations of the two countries is necessary to a complete understanding of the present conflict. The national aspirations of the Republic of China, the expansionist policy of the Japanese Empire and of the former Russian Empire, the present dissemination of communism from the U.S.S.R., the economic and strategic needs of these three countries, such matters are considered as factors of fundamental importance in any study of the Manchuria problem. A description of some of the most important specific

2. A consideration of a possible solution of the Sino-Japanese dispute, which would reconcile the fundamental interests of the two countries.

**The Commission's conception of its mission.**

The Commission's conception of its Mission, which determined the programme of its work and itinerary, and which equally guided the plan of the report, is stated as follows:—

1. An attempt has been made to provide an historical background by describing the rights and interests of the two countries in Manchuria, which provide the fundamental cause of the dispute;
2. The more recent, specific issues which immediately proceeded the actual outbreak of the dispute were then examined, and the course of events since September 18, 1931, described. Throughout this review of the issues, the Commission states that it has insisted less on the responsibility for past actions than on the necessity of finding means to avoid their repetition in the future.
3. Finally, the Report concludes with some reflections and considerations submitted to the Council upon the various issues with which it is confronted, and with some suggestions on the lines on which it seems possible to the Commission to effect a durable solution of the conflict and the re-establishment of a good understanding between Japan and China.

Before leaving Europe for the Far East by way of America on February 3, 1932, the Commission held two meetings in Geneva in the course of which Lord Lytton was unanimously elected Chairman. The Governments of Japan and China subsequently appointed as their assessors:

H.E. Mr. Isaburo Yoshida,  
Ambassador of Japan in Turkey,

and

H.E. Dr. Wellington Koo,  
Former Prime Minister, and  
Former Minister for Foreign Affairs of China.

Mr. Robert Haas, Director of the League Secretariat, was designated to act as Secretary General of the Commission. In the course of its work the Commission was also assisted by the technical advice of various Experts.

A few days before the departure of the Commission, on January 29, the Chinese Government submitted a further appeal to the League of Nations under Article 10, 11 and 15 of the Covenant, and on February 12, 1932, the Chinese representative requested the Council to submit the dispute to the League Assembly in accordance with paragraph 9 of Article 15 of the Covenant. Since, however, no further instructions were received from the Council, the Commission continued to interpret its mandate according to the Council's Resolution of December 10, which included:

1. An examination of the issues between Japan and China, including the causes, development and status at the time of the Enquiry;



**SUMMARY OF THE REPORT OF THE COMMISSION OF  
ENQUIRY INTO THE SINO-JAPANESE DISPUTE.**

*Issued at NANKING and TOKYO, 1932.*

The report of the Commission of Enquiry into the Sino-Japanese dispute, signed in Peiping on September 4, 1932, contains an introduction and ten chapters. Special studies on various subjects are, moreover, added to the report in the form of annexes; furthermore, an appendix, containing detailed indications of the itinerary followed by the Commission, and a list of the persons and organisations interviewed, is included. In this appendix a list will also be found of the documentation submitted to the Commission by each of the two parties. The appendix and the special studies annexed to the Report will be published at a later date.

**The Introduction**

The introduction starts by recalling the circumstances in which the Sino-Japanese dispute was brought before the Council of the League of Nations, as a result of the events which took place at Mukden on the night of September 18, 1931 (appeal by China under Article II of the Covenant on September 21, 1931) and the subsequent action taken by the Council, the outcome of which was the appointment of the Commission by the Resolution of December 10, 1931.

The Commission was composed as follows:—

H. E. Count Aldrovandi (Italian),  
Général de Division Henri Claudel (French)  
The Rt. Hon. The Earl of Lytton, P.C., G. C. S.I.,  
G.C.I.E., (British)  
Major-General Frank Ross McCoy (American)  
H.E. Dr. Heinrich Schnee (German).

SUMMARY  
OF  
THE REPORT  
OF  
THE COMMISSION OF ENQUIRY INTO  
THE SO-CALLED JAPANESE DEBT.

PUBLISHED  
BY  
BUREAU OF ENGRAVING AND PRINTING  
MINISTRY OF FINANCE,  
PEKING, CHINA.