

Ernest Satow, British Policy and the Meiji Restoration

(Received November 29, 1996)

Ian RUXTON

Abstract

This paper seeks to examine Ernest Satow's involvement in the publication of three anonymous articles in the *Japan Times* of 1866, and attempts to assess the effects of the articles known in Japanese as 英国策論 (*Eikoku Sakuron*). As the second of the three articles in English has not yet been located, a complete retranslation from the Japanese (believed to be the first ever published) is included.

Genesis of "Eikoku Sakuron"

It is not clear what motivated Ernest Satow, the young interpreter who first arrived in Japan in 1862, to dabble imprudently and impudently in political matters by writing the three untitled and anonymous articles for the *Japan Times* of 1866 which later became known in Japanese as "Eikoku Sakuron" (British Policy), and were assumed mistakenly to represent the official British line. At the time Satow was still only 22 years old. Was he—with the encouragement of Charles Rickerby, then editor of the newspaper—contemplating a change of career towards journalism?

Sir Rutherford Alcock's views on the paramount importance of trade influenced Satow strongly, and certain similarities have been noticed between the proposals put before the British Foreign Minister Lord Clarendon by Matsuki Koan of Satsuma at almost the same time and those made by Satow (Ishii, 1966)¹⁾.

In Satow's memoirs²⁾ we read:

"On one occasion I went away for a few days with Charles Rickerby of the *Japan Times*, and having thus become intimate with him, was permitted to try my inexperienced pen in the columns of his paper. My first attempt was an article on travelling in Japan, but before long an incident occurred which tempted me to write on politics."

The incident to which Satow refers was the arrival early in March 1866 at Yokohama of a steamer from Satsuma, intending to trade with foreigners. The captain of the ship had planned to sell his cargo to Europeans, relying on the Treaty of Edo, signed between Britain and Japan in English, Japanese and Dutch on August 26, 1858.

Article XIV of the treaty was designed to guarantee free trade (the overpowering reason for the British presence in Japan). It read in part:

"With the exception of munitions of war, which shall only be sold to the Japanese

Government and foreigners, they [i.e. foreigners] may freely buy from Japanese, and sell to them, any articles that either may have for sale, without the intervention of any Japanese officers in such purchase or sale, or in making or receiving payment for the same; and all classes of Japanese may purchase, sell, keep, or use any articles sold to them by British subjects."

In spite of this provision, the Shogunal authorities quarantined the vessel, isolating it on the Kanagawa side of the bay, and in the end no trade took place.

I. The First Article

The Treaty has No Effect

Satow explained in the first article of the series of three dated March 16, 1866 that the part of Article XIV quoted above was currently a dead letter. Fears for the safety of foreigners in previous years had caused the foreign diplomats to request that retainers (*kerai*) of daimyos should be kept out of the settlement of Yokohama. Various life-threatening and fatal incidents had occurred, including the assassination of Hendrik Heusken (January 15, 1861) and the murder of Charles Richardson on the Tokaido (September 14, 1862). The country was still seething with 'joironsha', two-sworded men who were ready to use violence to exclude the white devils.

Because of these dangers, the Shogunate had been asked to keep all undesirables at a distance. As Satow points out, it was not reasonable to ask the Shogun's officials to make an exception in just this particular case after they had complied with the requests previously deemed necessary. Yet he also felt that the diplomatic representatives could not be blamed for making the requests in the first place.

The Treaty had been signed by Lord Elgin for Britain, and six high-ranking Japanese for the Shogunate. But as Satow indicated, the "Tycoon" (Shogun) was not in a position to sign for the whole of Japan, even though he had done so:

"It must be borne in mind that the Tycoon, though claiming to conduct the Government of Japan, is in reality, or was at the time when the first Treaties were made, only the Head of a Confederation of Princes, and to arrogate to himself the title of ruler in a country of which only about half was subject to his jurisdiction, was a piece of extraordinary presumption on his part."

Here Satow pinpoints the structural flaw in the constitution of Japan which pointed in the end to the Meiji Restoration. To have a defective treaty with one half of Japan (the Shogun) was in the end of no use to the foreigners. They needed a new treaty with the whole country, in other words a treaty with the "real head" of Japan: no lesser person than the Emperor himself. For this purpose ratification by the Emperor of the existing 1858 treaties (already achieved in 1865) was not sufficient.

In addition the first part of the clause from Article XIV quoted above was already invalidated as daimyos (notably Satsuma and Choshu) had pressured the Shogun into allowing them to buy arms, albeit subject to the supervision of Edo officials.

A Radical Change

In the first article Satow "gravely and seriously" proposed a radical change. At this stage he did not however consider a new treaty with the "Mikado" (Emperor) but with the "Confederate Daimyos"-a coinage of his own. He wrote:

"What we want is not a Treaty with a single potentate but one binding on and advantageous to the whole country. We must give up the worn-out pretence of acknowledging the Tycoon to be the sole ruler of Japan, and take into consideration the existence of other co-ordinate powers. In other words we must supplement or replace our present treaties, by treaties with the CONFEDERATE DAIMIOS of Japan."

Satow felt that this would be welcomed by the Shogun himself, and would merely be recognizing the actual situation. What Satow envisages here is not, in fact, a treaty with the Emperor directly (who would be unable to guarantee that the treaty would be upheld) but with the daimyos, if possible ratified by the Emperor, though this would not be essential.

In conclusion Satow quotes Article XIV in full, and repeats the need for it to be enforced as originally intended, so as to give a great stimulus "to our own rising trade with Japan".

II. The Second Article

Since the second article believed to be dated May 4, 1866 (Hirose, 1961) has not yet been found in Britain, Japan or the United States³¹, a full retranslation of one of the Japanese versions is given below. I have tried to ensure consistency of style with the first and third articles which have been published in full (Fox, 1969).

"As we have previously stated, the present treaty should be abolished and a new one made with the Confederate Daimyos of Japan. We are delighted to note that this opinion has been published in newspapers this past four or five years⁴¹, and that many people seem to agree with us.

The origin of this debate was not with us but with men of ability, and we continue it as we naturally should. These men of ability are not only foreigners but also Japanese patriots. Since the signing of the treaty with America in 1858 they seem to have constantly planned such a change. As can be seen in the writings of scholars of the Japanese constitution, in ancient times the Tycoon was all-powerful. However this did not happen as in many countries, where pretenders arise and kill the Emperor, thereby seizing power.

It began with the Fujiwara clan which over many years married daughters off to become imperial princesses, and so the Fujiwara descendants achieved imperial status. Then the Fujiwaras were able to use imperial power for their own private gain. At last all power was entrusted to the hands of the Fujiwaras, and the Emperor was only allowed to spend his days and nights composing songs and poetry, and indulging in other pleasures.

The Fujiwara clan became most powerful under Michinaga Yorimichi. Then Emperor Sanjo tried to and partly succeeded in restoring his sovereign power but he died a short time later⁵⁾. Furthermore from 1069 to about to 1072 A.D. Minamoto Yoritomo conquered the Heishi and established domination. This was the beginning of the usurpation of power by the military families.

The Tokugawa clan with whom we foreigners have signed a treaty can trace his pretended authority back to the time of Yoritomo. However even if we continue our intercourse with these pretenders, if another pretender should arise and rival them we may not know what to do in this event.

The Dutchman Keschheru⁶⁾ who resided only in Nagasaki, and who was not conversant with the Japanese polity, wrote of two rulers. One of them was the Secular Emperor, the real ruler of the state, the other was the Ecclesiastical Emperor, a kind of Pope called the Mikado. And when the foreigners came requesting treaties of amity and commerce this most important point—that the daimyos and the Mikado should be consulted and the Mikado's will be obeyed—was ignored by the Tycoon, who felt pressure for an answer from the foreign powers. He was unavoidably drawn into signing the treaty on his own.

This was like opening the castle gates to the enemy. The foreigners began intercourse believing that the treaty had been made with the sovereign in perpetuity. Since then with the blessing of heaven we foreigners have spent our days without difficulty, and the Tycoon has gone to Kyoto sometimes on the Emperor's command, thereby greatly injuring his authority. The Tycoon should know that this is the result of him not paying respect to the Emperor over several years, and conducting business by himself.

Also that Tycoon's authority came to be despised by his own relatives. Spending a lot of money and manpower he did not manage to control one rebel clan called Mito. With the help of daimyos close to him he just about managed to suppress Mito. For one year he strongly demanded the heads of Choshu rebels, and he despatched military force from Edo. The measures taken by the Tycoon were not only prevented by Kyoto, but he also aimlessly sent his first minister to Choshu under false pretences to make them obey and settle peacefully, which was a great shame on him.

Now noone believes that the Tycoon is master of Japan. When he could not control the daimyos who were supposed to obey him, neither they nor foreigners had a reason to respect him as the ruler of Japan.

An event which happened four years ago shows clearly that it was a great mistake for the foreign powers to sign a treaty with the Tycoon. In September 1863⁷⁾ a murder took place which the present Tycoon's government knew about, and they had the power to punish the wrongdoers, but because they evaded responsibility it became clear that they could not control the state or enter agreements on its behalf. Our attack on Kagoshima was made to put a stop to the thoughtless aggression. From this time it was clear that each daimyo controlled his own country independently and moved of his own will.

When we signed an agreement with the potentate of Choshu we got certain proof of the the Tycoon's order for expulsion of foreigners, and it became a very good chance to ask severe questions of the Tycoon's ministers in Edo. At this time Britain's Minister Shuttle Arurokku⁸⁾ was called back home to discuss revision of the treaty between our people and the Japanese, which should be ceaselessly promoted on firm foundations. There has been no good opportunity to achieve revision yet, but our envoy has powers so he will without any doubt be able to accomplish it soon. And we hope thus to increase our intercourse with the Japanese people according to the theory we have advanced."

Remarks on the Second Article

There are several mistakes in the Japanese version from which this translation was made. The first Japanese translation was probably handwritten by Satow, or his Japanese teacher (Numata Torasaburo). Various copies were then made. The version above seems to be from a 活版 (kappan) woodblock print. N. Hagiwara in *Tooi Gake* quoted from a different version which refers to the Shimonoseki Affair.

Apart from tracing the historical background of the Shogun's rise to supremacy, the chief importance of the article is in showing how the Shogun came to sign the Treaty of Edo for the whole of Japan, and it also highlights the significance of the Namamugi Incident as proof of his powerlessness.

III. The Third Article

At the beginning of the third article dated May 19, 1866 Satow states his intention of going into more detail, to show by looking at the Treaty articles how wrong the Shogun had been to sign the Treaty "in a character which did not belong to him" (i.e. as ruler of the whole of Japan), how he had shown himself unable to uphold his side of the bargain, and how the Treaty and Trade Regulations were quite inadequate. In particular he focusses on the regulations.

However it is first to nomenclature which Satow turns: he states that the title of "Tycoon" has been wrongly arrogated by the Shogun. In fact it is a title which belongs

to the Emperor :

“The SHOGOON, or SJOGOON, or SIEGOON, as his name is indifferently spelt, has signed a treaty with the representatives of foreign powers under another and more dignified appellation, to which he has no right.” This may, Satow concedes, be a seemingly minor point, but a combination of small arguments may yet win the day, and even the small arguments are worth accumulating if there is nothing better. In English the title of “Tycoon” is properly rendered by “Majesty” and so belongs to the Emperor, whereas the title “Shogun” is merely equivalent to “Highness”-and no more.

Satow then looks in detail at the preamble of the Treaty :

“Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and his Majesty the Tycoon of Japan, being desirous to place the relations between the two countries on a permanent and friendly footing....” He notes that there is a mistaken assumption in this sentence that the “Tycoon” has sovereign power over the whole of Japan. The reality is thus that the British have signed a treaty with the master of Edo and the eight provinces round it. No treaty exists between Britain and the great daimyos of Sendai, Choshu or Satsuma or other areas.

On the main individual articles Satow comments thus :

Article IV on the extent of British jurisdiction is defective, because it is claimed only for the territories of the “Tycoon”. Other daimyos could still torture or decapitate unfortunate foreigners who might stray into their territory, and if they wished display their skulls in a “museum of European curiosities”.

Article V about punishing Japanese who commit crimes against British subjects is a dead letter for those living outside the jurisdiction of the Edo officials (eg. Satsuma and Choshu). Here Satow certainly had the Namamugi Incident and attacks on the Legation uppermost in his mind.

Article VI suggesting a mixed court (Japanese authorities and Consul) to settle disputes has been ignored in practice. Difficult cases have too often been referred to the Custom-house, “a place where justice to the foreigner is utterly unknown.”

Article VII on the recovery of debts and punishment of fraudulent debtors is dismissed wryly by Satow as a subject which is “too painful to foreign creditors” to be discussed in detail.

Article VIII concerns the lawful employment of Japanese by British subjects. No restrictions should be placed on such employment. This Satow claims is persistently violated by the Shogun’s officials.

Article XII provides for the good treatment of shipwrecked sailors, but like Article IV is limited to the territory of the “Tycoon”.

Article XIV (already discussed above) is the most important commercial article in the Treaty. Satow states "From the opening of the ports it has been consistently violated... our trade with Japan is crippled by its being a dead letter, our social intercourse with the people checked, and all advance towards amity rendered impossible." It is one of the strongest reasons Satow can find for demanding a new treaty.

Article XV concerns the valuations of merchandise by the Shogun's custom-house. It gave *carte blanche* to the officials to value goods as they liked and levy duty on that valuation. Again Satow attacked the provision: "The patient and defrauded British merchant can best tell his Representatives how this article has been observed."

Satow's Concluding Remarks

At the end of the third article Satow stridently and forcefully summarises his position: the Shogun has fraudulently concluded treaties with western powers. He is not only unable to enforce many agreed items, but also he does not choose to observe those points he is capable of observing. The result will be a political crisis in Japan, and the disruption of trade. It is for those who have the power to resolve the problem (i.e. the foreign representatives) to bring about the abrogation of the treaty now in force and the negotiation of a more comprehensive settlement with the real rulers of Japan—the Emperor and all of the daimyos.

In using the term "fraudulently" Satow is harsh: he conveniently forgets that the Shogun was—as Satow says in his own words in the second article—pressured by the foreigners (*gaiatsu*) into signing the treaty. He also ignores the fact that there was in 1858 no tradition of western-style treaty making in Japan. The only systems with which the Shogun was familiar were the Chinese tributary system, and his own exclusion policy (*sakoku*). Here is an attempt to impose western values on the eastern context. However, Satow's criticism was no doubt well received by the readership of the *Japan Times* in the foreign settlements, who were mainly merchants, and would have had no qualms about such 'cultural imperialism'.

Assessment of the Influence of "Eikoku Sakuron"

How important was Satow's writing? What influence did it exert on the thinking of foreigners and Japanese in the critical years before the Meiji Restoration? There is no doubt that the Japanese translation was widely read throughout Japan. Saigo Takamori certainly read it, as he discussed the issues posed with Satow⁹¹. Moreover, it was generally but incorrectly assumed to be an official statement of British policy, which was in fact politically neutral. As such its influence is difficult to measure, but it was no doubt substantial.

Did Sir Harry Parkes, British Minister and Satow's boss, know that Satow had written

the articles? Grace Fox found no evidence in his letters that indicated his support or knowledge of Satow's activities¹⁰⁾. Yet he may well have known of them, and disapproved of Satow's disobedience of the clear instructions regarding neutrality issued from London (Cortazzi, 1994). Satow himself admitted in his memoirs that "it was doubtless very irregular, very wrong, and altogether contrary to the rules of the service, but I thought little of that."

If Parkes knew and disapproved of Satow's articles, why did he not confront his wayward junior official? Here we may speculate that Parkes was in fact not unhappy about the possible influence of the translated pamphlet: a gap may well have existed between the official British policy of neutrality as dictated by far-away London, and unofficial tacit support in Japan itself of the imperialist faction (including Satsuma and Choshu) against the Shogunate. The French under Léon Roches were after all openly supporting the Shogun.

Another possibility is that Parkes realised—as Alcock had before him—that Satow was by far the best linguist available to the Legation and just too valuable to him. If he chose to make an issue of the articles, Satow might well have resigned. Indeed shortly afterwards in August 1866 Satow did ask for his resignation to be accepted, although he stayed in the consular service on learning that he would get a raise in pay¹¹⁾.

The articles of course went beyond treaty revision to the question of who ultimately held sovereignty in Japan. The power to make treaties is one of the sovereign powers under international law. As such "Eikoku Sakuron" must have served as a catalyst for the Meiji Restoration, and is a good example of the pressure from without known as *gaiatsu*.

Notes

- 1) Ishii's book is quoted in Fox p. 175
- 2) See A *Diplomat in Japan* p. 159.
- 3) Fox noted (p. 180) that she had found no copy of the pamphlet in London or Japan. The broken files of the *Japan Times* in the Ueno Library in Tokyo contained the whole of the first article and the first part of the third article. A complete copy of the third article is in the Satow papers, PRO 30/33/1/4, available at the Public Record Office, Kew and in the Yokohama Archives of History. I have inquired of the Library of Congress in Washington, D.C. They do not have the second article. The reference work "Newspapers in Microform" (Library of Congress: 1984) listed holdings of the *Japan Times* at University of California, the National Diet Library of Japan, and the Library of Congress. The record indicates that all three libraries should have the same microfilm which was published by the Japan Microfilm Service Center Co., Ltd., Tokyo, Japan. In a search of the RLG Bibliographic Catalog and the OCLC database which lists records from over 15,000 libraries, the only institution reporting holdings was the Library of Congress.
- 4) See Y. Hirose article (*Nihon Rekishi* 1961, November pp. 48-66) : days not years?
- 5) in 1017.

- 6) The German physician Engelbert Kaempfer (1651-1716)
- 7) The Namanugi Incident of September 1862.
- 8) Sir Rutherford Alcock.
- 9) See *A Diplomat in Japan* p. 183 for a discussion between Satow and Saigo. The retired head (隠居 inkyo) of the Uwajima clan also mentioned to Satow that he had read Eikoku Sakuron on p. 179.
- 10) See Fox, p. 179
- 11) See *Diplomat* p. 163

References

English

- Cortazzi, Sir Hugh in Chapter One of *Britain and Japan: Biographical Portraits* (Folkestone: Japan Library, 1994)
- Fox, Grace, *Britain and Japan 1858-1883* (Oxford University Press, 1969)
- Satow, Sir Ernest, *A Diplomat in Japan: The inner history of the critical years in the evolution of Japan when the ports were opened and the monarchy restored* (London: Seeley Service, 1921; Oxford University Press: 1968; Tuttle: 1983)

Japanese

- Hagihara, Nobutoshi *Tooi Gake* (a series of articles in the Asahi Shinbun, especially Nos. 315-338)
- Hirose, Yasuko, *Nihon Rekishi* (November, 1961) (Tokyo University)
- Ishii, Takashi, *Meiji Ishin no Kokusaiteki Kankyo* (Yoshikawa Kobunkan, 1966) -especially pp. 505-513

Thanks

My sincere thanks to Professor Ishikawa of K.I.T. for his help with the reading (*yomikata*) of the old Japanese text on which the retranslation into English of the second article is based. Also to Mr Shozo Nagaoka of Kamakura for obtaining the Japanese text from Tokyo University of Foreign Studies, and for his helpful comments on my translation, and to Professor George Russell for his comments. Any residual errors are mine.