

## The establishment of Manchukuo and the evolution of the Open Door Principle: Japan's battle over “treaty rights”

by *YOSHII Fumi*

This article discusses shifts in the Japanese Ministry of Foreign Affairs' understanding regarding the Open Door Principle following the establishment of Manchukuo, as exemplified by the issue of “treaty rights” claimed by foreign countries. Immediately following the establishment of Manchukuo, although both the Japanese Ministry of Foreign Affairs and the Manchukuo government emphasized that 1) the legal order previously established by the Republic of China would be preserved and 2) the new state would respect the Open Door Principle, in actuality economic regulation, not in line with Open Door were put firmly in place. Since the world powers continued to demand that it support Open Door, forcing Japan to take nominal steps to demonstrate its respect for international law, the Ministry of Foreign Affairs set itself to the task of bridging the gap between what had been put in place in the governance mechanism Japan had created for Manchukuo and the actual fluidity of the situation there.

The author then proceeds to an analysis of the specific case of the negotiations between Japan and world powers that arose over the regulation of Manchukuo's oil and tobacco industries. Both Great Britain, which was the holder of huge interests from central China southward and had instituted a boycott of Japanese goods throughout its commonwealth, and the United States, which was the original supporter of the Open Door Principle and left the decision of whether to do business in the region up to individual enterprises, did react to the “treaty rights” issue as an invasion of their Manchurian interests, but did not go as far as taking a decisive stance on the matter. The Japanese Foreign Ministry responded to the “treaty rights” issue by revising its interpretation of the Open Door Principle itself.

However, in the process, a state of affairs was created making it difficult for

Japan to pursue its campaign for the international recognition of Manchukuo. Ultimately, the Foreign Ministry ended up announcing the “natural death” of the Nine-Power Treaty and proposing a new international order. Under the conditions of its escalation of military action without a declaration of war and its assumption of governance over the territory it had so occupied, it is ironic that Japan would be put in a position of having to show such high respect for the “treaty rights” of foreigners in China.