

Anson Burlingame – The Diplomat

By
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Anson Burlingame is unique in the annals of American diplomatic history and perhaps in the history of diplomacy. He is the only man to have represented the United States and then China as a diplomat, showing the great trust that both nations placed in him.

Burlingame was born in 1820 in New Berlin, New York, the son and grandson of Methodist ministers from a family that had originally settled in Rhode Island from England in Puritan times. Like many religious Northerners they were strongly abolitionist, favoring the end of slavery in the United States.

His father moved his family to work an eighty acre farm near Melmore in what was then the frontier state of Ohio in 1823 when Anson was just three years old. The farm didn't prosper though as Joel Burlingame preferred to preach rather than to do the backbreaking work of farming. He helped build the first church in the county and gained a reputation as a vehement and eloquent religious minister. He was very well educated when compared to his farmer neighbors and also helped build the first county schoolhouse, becoming its superintendent.

Anson proved to be very talented educationally, memorizing many lines of the Bible that the students used to study with as there was no school library. By 1834, the family had moved to Detroit, Michigan. Anson began his college studies at the University of Michigan in 1838 and graduated in 1841 and was noted for his great debating skills. To pay for college, the young man worked as a surveyor, helped the various Indian commissions sent by the US Government to draft treaties with the local Native Americans, and apprenticed with local lawyers through which he passed the state bar although he never practiced law in Michigan.

In 1844 he managed to make several hundred dollars from cheap copper stocks he'd been given that had risen in value. This he used to pay for his first year at Harvard Law School. He soon made a name for himself speaking in public on behalf of the Whig Party, which paid him the then enormous sum of \$600 which enabled him to complete his law degree. He graduated from Harvard Law School in 1846 and began the practice of law in Boston, Massachusetts with the support of the Governor of Massachusetts, George Briggs, who'd been highly impressed by the young man's speeches.

This powerful political connection and his marriage to Jane C. Livermore, the daughter of a wealthy and influential Cambridge family in 1847 provided Burlingame entry into Boston high society. He gained further political influence as a noted speaker on behalf of the Free Soil Party, a single issue political party that wanted an end to slavery in the United States. He was elected to the Massachusetts State Senate on that ticket in 1852.

In 1854 he was elected to the United States House of Representatives for the American Party. Also known as the Know-Nothings from their origins as an amalgam of anti-Catholic secret societies, the American Party was the political fashion among the established population

in Massachusetts and in many parts of the United States at the time. Catholic immigrants had been flooding into the United States as a result of the Irish Potato Famine that lasted from 1845 to 1852. Over a million left the starvation in Ireland, many of them to America. The Irish were seen as loyal to a strange foreign leader, the pope, instead of to the United States. They were also maligned as drunks and criminals and many established businesses on the East Coast discriminated against them and wouldn't hire them. The New York Times even reported on the few marriages between Chinese men and Irish women at the time with amusement rather than horror because the American establishment viewed and treated the Irish as non-whites.

Such appeals to xenophobia were enough to win the Massachusetts state legislature that year and government offices in other parts of the nation. The party soon fell apart though as the issue of slavery tore it apart much as it was doing to the rest country. Former Whigs like Abraham Lincoln and Free Soil Party members like Anson Burlingame soon joined the new Republican Party which Burlingame helped organize in Massachusetts. In 1856 he won re-election as a Republican and was sworn in for the second time in March 1857.

1856 though was the year that Burlingame first gained national attention. Senator Charles Sumner of Massachusetts had delivered a speech on May 19th in the Senate denouncing the Kansas-Nebraska Act, slavery, and those Democrats who'd defended the institution of slavery like Senator Andrew Butler of South Carolina. The speech was laden with sexual innuendo. In talking about the Kansas-Nebraska Act, Sumner said, " It is the rape of a virgin Territory, compelling it to the hateful embrace of slavery; and it may be clearly traced to a depraved desire for a new Slave State, hideous offspring of such a crime." This was a sly and not so subtle reference to Southern slave masters and their slave mistresses.

Sumner also made fun of Senator Butler directly with sexual references, "The senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight -- I mean the harlot, slavery."

The speech so enraged Representative Preston Brooks of South Carolina, a relative of Senator Butler, that he came over to the Senate chamber on May 22nd to confront Sumner. As another South Carolina representative held a gun against the astonished senators in the chamber, Brooks beat Sumner over the head with his cane as Sumner was bent over his desk writing. In his struggle to get away from Brooks, Sumner pulled his bolted down desk out of the floor then collapsed unconscious as Brooks continued to beat him until his cane broke and Sumner was nearly dead.

Such violence in the halls of Congress horrified the opponents of slavery and many people throughout the North but it was greeted with satisfaction by supporters of slavery and by many people in the South. Opinions became even more radicalized on both sides. Brooks was denounced by Northern representatives in the House who demanded that he be censured.

Burlingame's speech in support of the motion denounced President Franklin Pierce for his support of the Kansas-Nebraska Act, defended Massachusetts against its Southern detractors, made some highly pointed remarks about the number of American patriots in Massachusetts versus British Loyalists in South Carolina during the American Revolution, and personally attacked Brooks for striking a defenseless man. "What ! strike a man when he is pinioned - when he cannot respond to a blow! Call you that chivalry? In what code of honor did you get your authority for that ? I do not believe that member has a friend so dear who must

not, in his heart of hearts, condemn the act. Even the member himself, if he has left a spark of that chivalry and gallantry attributed to him, must loathe and scorn the act."

Brooks was so angered by Burlingame's questioning of his honor that he immediately challenged him to a duel. The challenge was eagerly accepted by a delighted Burlingame who chose rifles for weapons and proposed that the duel be held on the Canadian side of the border to escape anti-dueling laws in the US. Burlingame hadn't practiced shooting for awhile and stopped with his party in New York City on their way to Canada at a shooting gallery on Broadway where he proceeded to hit the center in nine out of ten shots with the tenth shot being but a half inch out of center. His boyhood in frontier Ohio and Detroit had evidently taught him some skills.

Brooks was warned by telegraph twelve hours later as he traveled through Philadelphia of this shooting demonstration and at the same time told that he might be arrested by New York State authorities if he entered the state. He then returned to Washington DC with the excuse that he was afraid to cross through the North "without running the gauntlet of mobs and assassins, prisons and penitentiaries, bailiffs and constables." Brooks was widely denounced as a coward throughout the North and the incident made Burlingame a national hero to slavery opponents and in Massachusetts. Cheering crowds greeted him when he returned to Massachusetts a few days later. Brooks was censured along with his gun wielding colleague by the House in July and both resigned but were overwhelmingly reelected in August by voters in South Carolina.

In November 1860, Burlingame was defeated for reelection by his congressional predecessor, becoming the only Republican to have lost in what was otherwise a sweep for the party in all the House races in Massachusetts. He lost to William Appleton, a member of the Constitutional Union Party that wanted to keep the country together by ignoring the slavery question altogether, but it was already too late. In reaction to the election of the Republican, President Abraham Lincoln, the Southern States had started declaring their independence without even waiting for the March 1861 inauguration.

President Lincoln, to reward the Republican Party stalwart who'd done so much to build the party in Massachusetts, appointed Burlingame to the diplomatic post of Envoy Extraordinary and Minister Plenipotentiary to the Austrian Empire in March 1861. However, Burlingame's previous support for Hungarian independence from Austria caused the Austrians to refuse the appointment. Lincoln then appointed him Envoy Extraordinary and Minister Plenipotentiary to the Empire of China ruled by the Qing Dynasty in July.

Minister Burlingame wanted to become educated about the country he was being sent to. To do this he traveled throughout the different cities and regions of China learning about the problems of the Chinese people and particularly about the unfairness of the treaties that had been imposed on China by the European colonial powers. It had only been three years before, in 1858, that the Treaty of Tientsin had been imposed by victorious British and French military forces. The treaty had opened up more ports to foreign trade and settlement, legalized the opium trade, freed Christian missionaries to go anywhere they liked and convert as many Chinese as they could, and forced China to pay indemnities worth millions of dollars in silver. All of the diplomatic concessions had also been granted to the United States and Russia in separate treaties, including the right to open diplomatic legations even in the capital, Peking (now called Beijing.) Conservatives in the government had convinced the Emperor to resist basing any diplomatic delegations in Peking and the war had resumed in 1859 ending in a decisive Chinese defeat in 1860.

The Qing Dynasty that ruled China was clearly in accelerating decline by the time Burlingame arrived in 1861. It had lost the First Opium War to the British in 1842 and had just lost the second half of the Second Opium War. The technological and industrial differences between the Western powers and China were only growing as time went on and European colonialists were eager to take advantage of the situation. Europeans were fighting for what they regarded as free trade, the right to sell anything they wanted in China, including addictive drugs like opium, and for colonial territorial rights and the captive markets those would provide for their traders. American traders had few problems supplying opium to the Chinese market. It was a legal drug used in many patent medicines in the United States at the time and the dangers of addiction were just beginning to be realized.

Some of their opposition to European colonial ambitions came from American ideals as a republican nation that had overthrown their British colonial masters in the American Revolution. But most important was hard headed economic reality. The United States wasn't powerful enough to project itself militarily against Europe across the world to protect their trade interests or any interest in doing so, especially as they faced a civil war at home. They wanted to keep world markets open to American traders, not closed in captive colonial markets that Americans were barred from. The New England states had been involved in the Chinese trade for almost two centuries and were particularly noted for their vehement commitment to America's republican ideals as Burlingame had taken pains to emphasize in his speech defending Massachusetts in 1856. Burlingame's sympathies for the Chinese were quite understandable given where he'd come from and the people he'd represented in Congress.

China had no foreign office in charge of dealing with other nations until 1861. The Zongli Genguo Shiwu Yamen or "Office in Charge of Affairs of All Nations" had been established only as a temporary measure, drew its personnel ad hoc from different parts of the Qing Government, and within a few years proved to have little power in foreign relations at home or abroad. However in November 1861, the founder and head of the office, Prince Yixin (aka Prince Kung), became Prince Regent in charge of state affairs after leading a coup on behalf of the empress dowagers Cixi and Ci'an to replace the regents appointed after the death of the Xianfeng Emperor in August 1861. Prince Yixin and Anson Burlingame soon became friends because they agreed about protecting China from the European colonialists and Burlingame showed such sympathy and understanding for the poor Chinese situation. Burlingame became known as such a Chinese partisan that some other foreign diplomats in Peking referred to him as a member of the Chinese team.

In 1865-1866, Burlingame returned to the United States on home leave and toured the country, giving lectures in support of the Chinese and for friendly relations between the two countries. He also contemplated retirement from public life and bought 1100 acres of land in California to live on in retirement in 1866 (land that later became the City of Burlingame, California named in his honor.) He also considered returning to political life in Congress but Secretary of State William Seward convinced him to return to China to conclude several treaties that he'd been working on.

In 1867, Prince Yixin brought up with the Tongzhi Emperor the fact that China didn't have experienced diplomats with language skills that could work to China's advantage in renegotiating treaties with foreign powers. He proposed the radical step of recruiting Anson Burlingame, known for his honesty and sympathy towards China to act as China's diplomat. Burlingame tentatively agreed to the proposal but only if the United States Government and Chinese Government would agree to it. In November 1867, with the agreement of both

governments, he officially became "Envoy Extraordinary and Minister Plenipotentiary from the Chinese Government to the Treaty Powers," tasked to lead a diplomatic mission to the United States and to the principal European powers. He was accompanied by a British First Secretary, McLeavy Brown, a French Second Secretary, M. Des Champs, two Chinese officials of the second civil service rank, Zhigang [志刚] and Sun Jiagu [孙家谷], eight Chinese student interpreters, and fifteen servants on his journey.

On July 28, 1868 the Burlingame Treaty was signed in Washington DC. The extraordinary document was the result of Burlingame's close connections and high standing with Republican politicians in Washington and in the administration of President Andrew Johnson. It not only granted China most favored nation status in trade relations but recognized China as a diplomatic equal, akin to the major European powers. It also recognized China's right to control its own territory, allowed it the right to open diplomatic consulates in US ports, and made a mutual promise to protect each other's citizens in each country. It also encouraged the free immigration of Chinese to the United States.

"The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other, for purposes of curiosity, of trade, or as permanent residents."

The treaty also prohibited the kidnapping and taking of citizens from either country as had happened to many Chinese forced laborers working in the United States. Carefully left out was any mention of Chinese becoming American citizens, a step too far for many American politicians and the public. By 1870 there was a growing clamor for Congress to abrogate the treaty as economic turmoil and then depression came and more and more whites came to see Chinese as cheap labor taking away their jobs. In 1880, the treaty was renegotiated to allow the United States to limit Chinese immigration. In 1882, the Chinese Exclusion Act unilaterally banned all Chinese immigration, with extremely limited exceptions for merchants and students, until 1943 when it was finally repealed.

Burlingame's party of diplomats next toured European capitals but were unable to sign any treaties having force under international law. However, they did manage to conclude some agreements and statements of understanding as they traveled through London, Stockholm, Copenhagen, Berlin, and finally St. Petersburg, then the capital of the Russian Empire. The Russian winter was particularly hard on Burlingame, compounded by the long hours that he spent working each night. He contracted pneumonia and died on February 23, 1870 at the age of 49.

China was extremely grateful for Burlingame's services as a diplomat and showed it by posthumously awarding him a Chinese civil service title of the First Rank, the first and only time this honor was awarded to an American, and a pension of \$10,000 to his family (about \$2.5 million by 2011.)

Anson Burlingame was returned to Boston on April 21, 1870 and greeted by the leading citizens of the state, the city, and many mourners. His body was laid in state in Faneuil Hall for two days where Boston's most honored citizens had also been. The hall was decorated with the flags of both China and the United States.

In 1901, at a celebration dinner for Abraham Lincoln's birthday in Brooklyn, New York, the Chinese Minister to the United States, Wu Ting Fan, paid tribute to both the late president and to Anson Burlingame.

Nothing shows more conclusively the greatness of Lincoln than his selection of men for the important posts of Government.

The appointment of Anson Burlingame to be United States Minister to China was a signal instance of this. For seven years this eminent man resided in the Chinese capital as the American representative discharging the duties of his important post with consummate ability and tact.

He not only looked after the interests of his country during that long period to the entire satisfaction of the Government and people he represented but he did more than this - he succeeded in winning at the same time the respect and confidence of the Chinese officials with whom he came into contact by his invariable fairness and courtesy. Consequently when he was about to return to the United States the Chinese Government entrusted him with a diplomatic mission to the powers of Europe and America.

Thus he went to China as America's representative and came back to America as China's spokesman. One of the most important results of his mission was the signing of a treaty between China and America which has since borne his name. This treaty has done more than anything to leave in the Chinese mind an ineffaceable impression of the just and fair attitude of the United States towards China.

Minister Wu Ting Fu then proceeded to quote directly two passages from the Burlingame Treaty; the mutual promises of protection for Chinese and American citizens in each other's countries and allowance for their free travel and immigration and the prohibition against kidnapping. These quotes were meant to be thrown in the face of those Americans that had supported the Chinese Exclusion Act of 1882 and other subsequent acts of Congress to discriminate against and ban Chinese immigration while allowing abuses against Chinese laborers. Minister Wu then turned his speech back to praising Lincoln and the better days of the Burlingame Treaty.

Such was the friendly spirit which animated the two nations at the time. The signing of the Burlingame treaty was the first attempt on the part of a Western power to apply the principles of reciprocity in dealing with the Government and people of China.

Missionaries are reported to have said that the name American has often proved to be a veritable aegis (ed. shield of protection) to them in time of popular excitement (ed. referring to the recent Boxer Rebellion that ended in 1900.) Though the Burlingame treaty was enacted three years after Lincoln's death every line in it is in perfect accord with his enlightened and humane policies.

"Enlightened and humane" would also describe Anson Burlingame, the author and guiding light of the treaty that bears his name.

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