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*Burlingame and the Inauguration of the Co-operative Policy**

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Of all the Western diplomatic personalities who served in Peking during the nineteenth century, Anson Burlingame was perhaps the most celebrated figure. He acted as the first American resident minister in Peking from 1861 to 1867. He also acted as the first 'Chinese' envoy to the Western courts from 1867 to 1870, when his untimely death at St Petersburg cut short his colourful diplomatic career. Viewed against this unusual background, it is not surprising that his diplomacy in and out of China became something of a *cause célèbre* among his contemporaries. With the passing of the events and men associated with his name, however, a new and detached appraisal of the man and his diplomacy is in order. It is outside the scope of the present paper to treat his spectacular diplomatic mission on behalf of China in the Western capitals, better known as the Burlingame Mission. This paper focuses instead on his role in the inauguration of the Co-operative Policy. In doing this, the paper attempts to shed some light on the origins of one of the most significant Western policies toward China.

Burlingame's diplomacy in China has often been identified with the Co-operative Policy. Tyler Dennett asserts that Burlingame's application of the Co-operative Policy was his 'greatest contribution . . . to the international relations of the Chinese Empire during the period of his service'.¹ Other writers of varying personal backgrounds and ideologies claim that Burlingame was 'the reputed author',² 'the author and defender',³ 'initiator',⁴ and 'the protagonist'⁵ of the Co-operative

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¹ Tyler Dennett, *Americans in Eastern Asia* (New York: The Macmillan Co., 1922), p. 372. Dennett also claims Burlingame as 'author' of the Co-operative Policy. See *ibid.*, p. 373.

² Johannes von Gumpach, *The Burlingame Mission* (Shanghai: n.p., 1872), pp. 31, 57.

³ Frederick Wells Williams, *The Life and Letters of Samuel Wells Williams* (New York: G. P. Putnam's Sons, 1889), p. 371.

⁴ Frank Hinckley, *American Consular Jurisdiction in the Orient* (Washington, D.C.: W. H. Lowdermilk and Company, 1906), p. 159.

⁵ Stanley F. Wright, *Hart and the Chinese Customs* (Belfast: Published for the Queen's University by W. Mullan, 1950), p. 367.

Policy. While the close link between Burlingame and the Co-operative Policy could hardly be disputed, these assertions require some clarification since they were presented either as speculative observations or as passing commentaries in the general treatment of Western policy toward China in the 1860s. In spite of prolific comments on Burlingame and the Co-operative Policy, some vital questions are still left unexplored in the literature. Did Burlingame actually initiate the Co-operative Policy? When and how was the policy formulated and adopted? What kind of role did Burlingame play in this process?

Although the term 'Co-operative Policy' emerged in the early 1860s, the concept of co-operation among the treaty powers had been an active component in their thinking during the interwar period. The record of Western diplomacy in China before 1860 shows, however, a sporadic rather than a sustained co-operative effort. The predicament of co-operative action was due largely to the lack of single purpose among the treaty powers. Their unity rarely reached beyond their common desire for gain. They differed not only in their respective interests in China but also in the proper means to achieve them. The different and often conflicting interests pursued by Great Britain, France and Russia made it difficult for Burlingame's predecessors to formulate a consistent or coherent policy concerning any co-operative enterprise.

In sum, the co-operative idea during the interwar period remained a concept; it was never translated into a common policy. Its miscarriage was inevitable given the lack of agreement among the treaty powers about the means and ends of co-operation. Co-operation was seldom more than an excuse for national expediency; it could be advocated or abjured to suit any particular interest or situation. Yet there emerges from this overall picture a general assumption underlying the co-operative concept of the interwar period. Its dominant theme was co-operation against China; foremost priority was given to secure more and more concessions from China with little regard for her political and territorial integrity. In fact, the Palmerston government in England in 1857 even denied in a Parliamentary debate that China was a sovereign state.⁶ Clearly, the co-operative concept as it evolved during the interwar period was inadequate to the challenge of the new era.

Burlingame possessed little knowledge about the evolution of the co-operative concept at the time of his arrival in China in October 1861. Keenly aware of his ignorance of Chinese affairs and history, he

⁶ *Hansard*, Vol. CXLIV, 1515, 1742 (February–March 1857).

immediately entered an 'apprenticeship' in the treaty ports before making his diplomatic debut at Peking in July 1862. During this period he made his first attempt to define broad principles of co-operation among the treaty powers in China. A satisfactory appraisal of Burlingame's role in the inauguration of the Co-operative Policy, however, must take into account the larger outside forces—environmental and human—converging on his mind. Specifically, what were the circumstances of the time? What were the restraints, if any, imposed on Burlingame by the State Department? Who was the 'guiding hand' in the American legation advising and influencing Burlingame?

The state of affairs in China during Burlingame's 'apprenticeship' presented, at least on the surface, many promises and potentials for peace. The death of the Hsien-feng Emperor on 22 August 1861 at Jehol and the successful palace coup d'état in November brought forth a re-alignment of political forces within the Ch'ing officialdom favourable to friendly Sino-Western relationship. The coup d'état destroyed the reactionary Prince I and his clique and strengthened the precarious power of Prince Kung and his peace party in Peking. The ascendancy of the peace party, in effect, gave some measure of assurance for Sino-Western co-operation and some measure of credibility for the 'self-strengthening' (*tzu-ch'iang*) movement. Moreover, the treaty powers had now lost the *raison d'être* of the gunboat diplomacy. They had already obtained through their several treaties comprehensive concessions on most of the unresolved issues.

Even in the treaty ports, the stronghold of the Old China Hands, there prevailed a sense of euphoria for the future of Sino-Western relationship. Thus the usually pessimistic *North China Herald* in Shanghai caught the optimistic mood of the mercantile community when it wrote in early 1862: 'China at the present time is undergoing the throes of a transition state in her domestic and foreign affairs, which in all probability, may be the turning point in her destiny for future generations. . . . With such elements of material prosperity, and such an industrious population, what a magnificent country might not this become, under a rule that would be equally powerful to protect the peaceful as it would be to chastise the unruly.'⁷

Furthermore, the physical setting of the Western legations in a closely knit compound in Peking provided an ever-present forum for consultation among the representatives of the treaty powers. The extent to which Westerners in Peking at this time formed a self-contained community is well reflected in one of Mrs Burlingame's letters to her

⁷ The *North China Herald*, 10 May 1862.

father in Boston: 'There are very few strangers in Peking, and we are having a pleasant, quiet time. We have got into such a way of feeling that we *own* Peking, that we look upon all outsiders as intruders when they break in upon our quiet [community]. Sir Frederick [Bruce] has nicknamed all such [persons] as "Gorillas", and it is the universal announcement of a stranger's arrival, that "a Gorilla has come".'⁸

Beneath the bright façade lay, however, some potentials for conflict. For the Chinese the Tientsin treaties and Peking conventions were signed 'under duress' and hence any 'patriotic' Chinese would feel tempted to renege the 'unequal treaties' by tergiversation, if not by outright force. To be sure, the Ch'ing officialdom was yet too weak and too preoccupied with the suppression of the Taiping Rebellion. It was uncertain, however, whether Ch'ing officials would take the same friendly attitude toward the treaty powers once their hands were free. Moreover, neither the tenure of the peace party at Peking nor its ability and willingness to compel the provincial authorities to comply with the treaties was yet certain.

The uncertainty about Ch'ing friendship was matched by doubts among the treaty powers concerning each other's motives. American representatives before Burlingame generally shared a strong suspicion about British intentions in China.⁹ Mutual suspicion and rivalry between the British and French were also great in spite of their joint expedition to Peking. The cordial alliance of 1858 was converted into a strained alliance in 1860 as a result of Palmerston's policy in Europe: the Anglo-French conflict in Europe was inevitably transferred to China. French policy, on the other hand, 'expressed itself most frequently in eastern Asia in terms of perennial rivalry with Great Britain. British pretensions of superiority were unendurable and therefore to be opposed whenever and wherever possible.'¹⁰

The British were also apprehensive about Russian and French motives. Lord Elgin, for example, recorded this sentiment in his diary of July 21, 1860: 'The state of Europe is very awkward, and an additional reason for finishing this affair. For if Russia and France unite against

⁸ Italics in the original. Jane Burlingame to Livermore, Peking, 15 June 1864, Manuscript Division, the Library of Congress, The Burlingame Family Papers, Box 4. [Hereafter cited as Burlingame Papers, Box 4.]

⁹ Even Secretary of State Seward was less enthusiastic about co-operation with Britain than with China. See Seward to Burlingame, No. 40, Washington, D.C., 9 September 1863, U.S. Department of State, *Papers Relating to Foreign Affairs* [hereafter cited as *Dipl. Corr.*], 1863, II, 882.

¹⁰ John Cady, *The Roots of French Imperialism in Eastern Asia* (Ithaca, New York: Cornell University Press, 1954), p. 295.

us, not only will they have a pretty large force here but they will get news *via* Russia sooner than we do, which may be very inconvenient.¹¹ Lord Palmerston was no less suspicious of the French. On learning that the French forces in Shanghai at the end of 1860 were larger than those of the British, he wrote: 'I do not like . . . Shanghai being in the possession of a French garrison stronger than ours. . . . It is not pleasant to see the welfare of a large and thriving English community so much depending on French good behaviour.'¹²

The mutual suspicion among the treaty powers was perhaps unavoidable at this time given the appreciable difference in their respective influences and interests in China. British interest was largely economic: to protect and promote trade and commerce. Her leading role in trade coupled with the availability of gunboats in the China seas assured the British a dominant position in any Western action in China. French interest, on the other hand, was primarily political and cultural: to bolster national pride and prestige by advancing the fortunes of Catholic missions in the absence of any major economic interests in China.¹³ Russian interest was territorial: to establish a strategic stronghold in North China through which to advance her expansion in the East. But Russia seldom hesitated to appear as a 'neutral go-between' in troubled scenes to profit from the Chinese, on the one hand, and from Great Britain and France, on the other.¹⁴ American interest, like that of Great Britain, was essentially commercial. However, the lack of gunboats made the Americans follow an opportunistic course: to condemn the British resort to force while eagerly sharing the spoils of British military victory.

Inasmuch as the activities of diplomatic agents are eventually controlled by the home government, the relationship between Burlingame

¹¹ Theodore Walrond (ed.), *Letters and Journals of James, Eighth Earl of Elgin* (London: J. Murray, 1872), p. 336.

¹² Cited in Cady, *op. cit.*, p. 265.

¹³ For further discussion on French policy in China, see Henri Cordier, *L'expédition de Chine de 1860: histoire diplomatique, notes et documents* (Paris: F. Alcan, 1906), pp. 124-31; Paul Cohen, *China and Christianity: The Missionary Movement and the Growth of Chinese Anti-foreignism, 1860-1870* (Cambridge, Mass.: Harvard University Press, 1963), pp. 64-71; Ministère des Affaires Étrangères, *Documents diplomatiques* [The French Yellow Books], 1867, Ser. A, Vol. VIII, p. 457; *Ibid.*, Vol. X, p. 19; *ibid.*, Vol. VIII, p. 16; *ibid.*, Janvier 1869, Ser. A, Vol. XI, p. 13; *ibid.*, Novembre 1869, Ser. A, Vol. XIII, pp. 14-15.

¹⁴ The skilful, if not ingenuous, diplomacy of Nikolai Ignatiev, the Russian envoy, in the fall of 1860 aptly illustrates this point. For a more detailed account of Russian policy in general and Ignatiev's diplomacy in particular, see Mark Mancall, 'Major-General Ignatiev's Mission to Peking, 1859-1860', *Papers on China*, X (October 1956), 55-96.

and Secretary of State William H. Seward on the formulation of the Co-operative Policy merits brief treatment. Seward's first diplomatic instruction to Burlingame dated 30 July 1861 is uniquely devoid of the customary long-term policy guide usually given to a new minister and instead contains mostly procedural matters with the promise that general instructions will soon be forthcoming.¹⁵ This promise was fulfilled in the dispatch to Burlingame dated 6 March 1862, in which Seward gave his famous 'consult and co-operate' instructions:

The interests of this country, in China, so far as I understand them, are identical with those of the two other nations I have mentioned. There is no reason to doubt that the British and French ministers are acting in such a manner as will best promote the interests of all the western nations. You are therefore instructed to consult and co-operate with them, *unless in special cases, there shall be very satisfactory reasons for separating from them.*¹⁶

It should be noted here that Seward's instruction was qualified not only by 'special cases', which, incidentally, were to be determined by Burlingame, but also by the stress in the same dispatch that Burlingame 'ought not to be trammelled with arbitrary instructions'.¹⁷ Seward's reasons for justifying such a broad delegation of power were: that no one in Washington could draw much inference of the conditions in remote China; that 'revolutions are apt to effect sudden and even great changes in very short periods'; and that the 'peculiar character and habits of the Chinese people and government' leave little sound basis for meaningful instructions on details.¹⁸

When Seward's instruction of 6 March arrived in China, however, Burlingame had already made some preliminary attempt to 'consult and co-operate' in the treaty ports.¹⁹ 'Seward's instruction [of 6 March] was hardly necessary', Tyler Dennett asserts, 'for the policy was already in operation and Burlingame was the sort of man who could work no other way.'²⁰ Dennett's assertion that the Co-operative Policy was 'already in operation' before the arrival of Seward's instruction seems somewhat premature since the first clear indication of its operation appears in Burlingame's dispatch of 20 June 1863, more than a year

¹⁵ Seward to Burlingame, No. 1, Washington, D.C., 30 July, 1861 National Archives, Records of the Department of State, Diplomatic Instructions, China, I, 234.

¹⁶ Italics added. Seward to Burlingame, Washington, D.C., 6 March 1862, *Dipl. Corr.*, 1862, II, 839.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ See Burlingame to Seward, No. 18, Shanghai, 17 June 1862, National Archives, Records of the Department of State, Diplomatic Despatches, China, XXI. [Hereafter cited as *Dipl. Despatches, China.*]

²⁰ Dennett, *op. cit.*, p. 410.

after Seward's instruction. What is important to note here is the flexible nature of Seward's instruction. There is no documentary evidence that Burlingame was ever restrained by Seward in carrying out his diplomacy in his own way during his ministership in China.²¹

While Seward generally limited himself to approving his minister's actions, S. Wells Williams, the secretary of the American legation who served as a 'guiding hand' for Burlingame at this time, played a more active advisory role. Whereas Seward's support followed Burlingame's formulation of the policy, Williams's influence and advice preceded it. It is difficult to differentiate precisely those decisions which Burlingame made on his own from those which were made by or with the advice of Williams. A perusal of Burlingame's public and private correspondence as well as some of Williams's personal letters, however, conveys the clear impression that the two had worked closely on almost every issue.²² Such rapport was not altogether surprising. Burlingame and Williams shared fundamentally the same political philosophy; both were strongly opposed to the gunboat diplomacy; both felt the necessity of preserving China's political and territorial integrity. Moreover, Burlingame as a novice in Chinese affairs could hardly dispense with the service of the most respected American Sinologue of his time.²³

It is difficult to establish a date for the genesis of the Co-operative Policy. There was no joint public declaration by the treaty powers, which could be accepted as the beginning of a new policy. Instead, the Co-operative Policy gradually evolved through verbal agreements among the foreign envoys at Peking in the early 1860s.²⁴ The leading roles in the enunciation of the policy were played by Burlingame and Bruce, the British minister, acting in close collaboration, while the

²¹ Jane Burlingame wrote to her father on 24 May 1863: 'He [her husband] continues to receive from the home government approval of *all* that he has done in China, and almost "carte blanche" for the future.' Italics added. Burlingame Papers, Box 4. For a further elaboration see Samuel S. Kim, 'Anson Burlingame: A Study in Personal Diplomacy' (Ph.D. dissertation, Columbia University, 1966), pp. 277-81.

²² See Jane Burlingame to Livermore, Peking, 12 February 1863, Burlingame Papers, Box 4; Williams, *op. cit.*, p. 340. Following the death of Burlingame in the spring of 1870, Williams himself confessed that he and Burlingame had 'accord on every important point' during their long association in Peking. See *ibid.*, p. 383.

²³ For Burlingame's trust in, and reliance on, Williams, see Burlingame to Seward, No. 92, Peking, 10 September 1864; Burlingame to Seward (private), Peking, 11 September 1864, in *Dipl. Despatches, China*, XXI.

²⁴ The gradual process in inaugurating the Co-operative Policy was inescapable since the foreign representatives arrived in Peking at different times: Bruce arrived in March 1861, Balluzack in July 1861, Burlingame in July 1862, and Berthemy in April 1863. The first use of the term 'Co-operative Policy' is found in Burlingame's dispatch to Seward dated 20 June 1863, in which Burlingame gives a synopsis of the evolution of the Co-operative Policy. See *Dipl. Corr.*, 1863, II, 862.

Russian and French ministers gave passive support. In a comprehensive contemporary review of the history of the Co-operative Policy, the *North China Herald* noted:

The co-operative policy which has now been recognized, ostensibly at least, by the several Governments having treaties with China, as that by which the interests of all can best be served, is well known to have originated, during the early days of Ministerial residence at Peking, by Mr Burlingame and Sir Frederick Bruce, and elaborated by them in conjunction. And to this policy France and Russia, and subsequently other Treaty Powers, have given in their adhesion.²⁵

The role Burlingame played in the evolution and enunciation of the Co-operative Policy, however, needs to be reconstructed from his own dispatches to the State Department from June 1862 to June 1864 as well as from Bruce's lengthy memorandum of 15 January 1863 to Lord Russell. During his first seven months in China Burlingame confined most of his dispatches to factual reporting on the existing state of affairs in the treaty ports. After all, this was an 'apprenticeship' period when Burlingame was more busily engaged in educating himself in Chinese affairs than in making recommendations about policy. In the dispatch of 17 June 1862 from Shanghai, however, Burlingame met policy matters head on:

It certainly is not our [American] policy to acquire territory in China, nor do we desire to interfere in the political struggles of the Chinese further than to maintain our treaty rights. When these are endangered by pirate and bandits (and the rebels are wishing also) and the English, French, and Chinese are seeking to maintain treaty rights, to be neutral [between the Imperialists and the Taiping rebels and bandits] is to be indifferent, not only to the rights of our citizens but to the interests of civilization.²⁶

Burlingame's first statement on the Co-operative Policy also appears in this dispatch: 'If the treaty powers could agree among themselves to guarantee the integrity of China and together secure order . . . the interests of humanity would be subserved.'²⁷ While the necessity of co-operation among the treaty powers to secure order and to honour China's integrity was indicated here, Burlingame had not yet formulated operational provisions of the Co-operative Policy. At this stage, he was quite uncertain about the future course of Western policy in China. He believed that the British and French were momentarily honouring China's political and territorial integrity but 'how long they

²⁵ The *North China Herald*, 24 December 1867.

²⁶ Burlingame to Seward, No. 18, Shanghai, 17 June 1862, Dipl. Despatches, China, XX.

²⁷ *Ibid.*

[the British and French] may remain in agreement [to uphold China's integrity] it is impossible to imagine'.²⁸ Burlingame then stated to Seward with characteristic optimism: 'If at any future time the English or French, or either of them, should menace the integrity of the Chinese territory then the very fact that we [the Americans] had acted with them for law and order would give us greater weight against such a policy.'²⁹

Upon his arrival in Peking on 20 July 1862, Burlingame at once challenged his diplomatic colleagues with his version of the Co-operative Policy so as to compare his views with theirs and to 'ascertain the ulterior purposes of the treaty powers'.³⁰ Bruce, with whom he held 'elaborate and exhaustive' conversations, met Burlingame's challenge 'in a large and generous spirit, and said that he had ever desired to co-operate with the other treaty powers and pointed out in his dispatches to his government the evidence of such desires, and expressed his delight that the representative of the United States should hold views so coincident with his own'.³¹ That Burlingame was not fully satisfied with this assurance from Bruce may be seen in the following statement: 'I said to him, that while I paid full homage to the energy of his government in opening China, and for affording protection to the citizens of the United States, still I felt, looking to British antecedents, a little distrust about the future; that our trade by the way of California was increasing, and I felt anxious about its future condition.'³² Burlingame expressed his distrust by further pointing to the controlling influence of the British in the customs house and to the pretensions of British subjects in the treaty ports to territorial concessions. To this, Bruce replied that Burlingame's apprehension was natural and that 'he would be pleased to remove every ground for it'.³³ Particularly on the concession issue, Burlingame reported to Seward: 'When I raised an objection to the so-called concessions, and presented my argument against them, he fully concurred with me, and scouted the whole doctrine as dangerous; and to stop all pretensions on the part of his people, he wrote those very able letters to his consul at Shanghai.'³⁴

However, Burlingame's lingering distrust of the British seems to have prevented him from accepting completely Bruce's assuring statements on the Co-operative Policy at face value. Burlingame later expressed

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ Burlingame to Seward, No. 42, Peking, 20 June 1863, *Dipl. Corr.*, 1863, II, 860. This dispatch is dated 20 June 1863 but provides a comprehensive report on Burlingame's proceedings on the Co-operative Policy since his arrival in Peking in July 1862.

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*, p. 861.

surprise that his views should so coincide with those of Bruce, and wrote to Seward: 'Indeed, so striking were his views, and so in contrast to what had hitherto been the English policy, and so in accordance were they with the policy strongly urged by me before I came to Peking, that I expressed a warm desire that he would [should] present them to his government, that they might become the basis of our future co-operation.'³⁵ In response to Burlingame's request, Bruce on 15 January 1863 wrote a long memorandum to Lord Russell, the Foreign Secretary, in which he presented a most cogent argument for British support of the Co-operative Policy.³⁶ A considerable part of Bruce's memorandum is devoted to Burlingame's ideas concerning the Co-operative Policy but a portion of it will suffice to illuminate the substance of Burlingame's proposal:

He [Burlingame] urges strongly the importance of taking advantage of the access, finally obtained, to the Central Government to place the relations of the outer world with China on the same footing as those which prevail between equal and independent States. He considers that union among the great trading Powers will be sufficient to protect their interests from injury, while a recognition of the rights of China as a state, will tend to secure her from the risks she is exposed to, in consequence of the doctrine, too generally received, that China is as exceptional a country that she may be exempted from the benefits, though she is held to the responsibilities of international law. He insists that this opportunity, unique at the commencement of a new epoch in China's history and unusually favorable from the coincidence of opinion among the Representatives of the Powers chiefly interested in trade, should not be allowed to escape. . . .³⁷

After having introduced Burlingame's ideas concerning Western policy in China, Bruce then stated his position: 'In the broad, just and humane views of policy entertained by my colleague [Burlingame], I entirely concur. I think our residence at Peking will enable us to carry them without danger to our interests. The union of nations interested in trade will occupy the place of that brute force on which hitherto we have relied for the vindication of our rights and for the extension of

³⁵ *Ibid.*

³⁶ See Bruce to Russell, Peking, 15 January 1863 [hereafter cited as Bruce's Memorandum on the Co-operative Policy], Inclosure A in Burlingame's dispatch of 20 June 1863. In enclosing this memorandum, Burlingame stated: 'He [Bruce] accordingly wrote the powerful despatch marked A, which he communicated to me for my private use, and which, with his permission, I send to you confidentially, with the most positive request that it is not to appear until it is first published in England'. *Ibid.*, p. 861. Bruce's memorandum is therefore deleted from the published diplomatic correspondence of 1863 but is found in the State Department archives, Dipl. Despatches, China, XX.

³⁷ Bruce's Memorandum on the Co-operative Policy, *ibid.*

our privileges.'³⁸ In particular, Bruce stressed the importance of accord between Burlingame and himself: 'Nothing can be so unmeaning as an antagonism between the Representatives of the United States and of Great Britain in China, and I know nothing so likely to reduce slight differences to their real value, as the consciousness that they were embarked in a great and beneficial policy. . . .'³⁹

The response of the Russian minister, Balluzeck, to the Co-operative Policy was treated somewhat superficially by Burlingame. The Russian minister promptly responded, Burlingame reported, 'in the spirit of the Russian treaty, that his government did not desire to [further?] menace, at any time, the territorial integrity of China, but, on the contrary, wished to bring it more and more into the family of nations, subject, in its relations with the foreign powers, to the obligations of international law. That he was but too happy to co-operate in a policy that would engraft western upon eastern civilization, without a disruption of the Chinese Empire.'⁴⁰ That Balluzeck gave his consent to the Co-operative Policy was also attested to by Bruce in his dispatch to Lord Russell:

Mr de Balluzeck himself concurs fully . . . to the policy to be observed here, and I know that in his despatches to the Russian Government he has maintained that China ought to be treated as a nation, capable of entering into Treaties and entitled to expect their observance, that good faith ought to be kept with her, and that in all questions, territorial as well as fiscal, her rights as a Sovereign State ought to be respected.⁴¹

Although Bruce was concerned about the possible reaction of the Russian government he expressed his cautious hope that 'the Emperor of Russia might hear with advantage through him [Balluzeck] of *the accord that prevails in China between the Russian, American and English representatives*'.⁴²

The dispatches of Burlingame and Bruce thus suggest that the Co-operative Policy was in operation by the end of 1862 among the representatives of the United States, Great Britain and Russia at Peking. The omission of the French representative indicates, however, that the policy was less than complete or unanimous. Interestingly enough, Bruce's lengthy memorandum of 15 January 1863 is silent on France or on the French representative in Peking. Burlingame's dispatch of 20 June 1863 reveals that the French chargé d'affaires, Count Klecz-

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ Burlingame to Seward, No. 42, Peking, 20 June 1863, *Dipl. Corr.*, 1863, II, 860.

⁴¹ Bruce's Memorandum on the Co-operative Policy, *Dipl. Despatches, China*, XX.

⁴² Italics added. *Ibid.*

kowski, did not join his colleagues in the agreement 'to consult and co-operate'. Referring to Kleczkowski's unilateral gunboat approach in the Kweichow missionary incident of 1861-62, Burlingame commented: 'The French chargé d'affaires, . . . acting upon the old school policy of antagonizing everybody, thus causing the Chinese to believe that we were divided among ourselves, for one year failed to get justice from the Chinese government, where it was due, in a case in which we were all interested.'⁴³

In April 1863, however, Jules Berthemy arrived in Peking as the new French minister and entered 'most heartily into the policy of co-operation'.⁴⁴ 'Being a broad and experienced statesman', Burlingame noted, 'he [Berthemy] at once saw the advantage that would flow from the casting down of all jealousies, and by a co-operation on every material question in China.'⁴⁵ As a proof of Berthemy's commitment to the Co-operative Policy, Burlingame stated that 'the moment Mr Berthemy came he frankly communicated the facts [concerning the Kweichow incident] to his colleagues, who made common cause with him, and in a few weeks this question, menacing war under other arrangements, was settled, to the credit of Mr Berthemy, and in the interests of all the treaty powers.'⁴⁶ In a letter to her father dated 25 April 1863, Mrs Burlingame also described a new spirit of harmony and co-operation in the Peking diplomatic corps engendered by the arrival of Berthemy.⁴⁷ By June 1863 Burlingame could confidently report to Seward on the unanimity of all the foreign representatives in Peking on the Co-operative Policy:

The policy upon which we are agreed is briefly this: that while we claim our treaty right to buy and sell, and hire, in the treaty ports, subject, in respect to our rights of property and person, to the jurisdiction of our own governments, we will not ask for, nor take concessions of, territory in the treaty ports, or in any way interfere with the jurisdiction of the Chinese government over its own people, nor ever menace the territorial integrity of the Chinese empire. That we will not take part in the internal struggles in China, beyond what is necessary to maintain our treaty rights. That the latter we will unitedly sustain against all who may violate them. To this end we are now clear in the policy of defending the treaty ports against the Taipings, or rebels; but in such a way as not to make war upon that considerable body of the Chinese people, by following them into the interior of their country.⁴⁸

⁴³ Burlingame to Seward, No. 42, Peking, 20 June 1863, *Dipl. Corr.*, 1863, II, 861.

⁴⁴ *Ibid.*, p. 860.

⁴⁵ *Ibid.*, p. 861.

⁴⁶ *Ibid.*

⁴⁷ Jane Burlingame to Livermore, Peking, 25 April 1863, Burlingame Papers, Box 4.

⁴⁸ Burlingame to Seward, *loc. cit.*, p. 862. Italics added.

In substantiating the assertion that the main provisions of the Co-operative Policy were not only agreed upon, but also applied by, the representatives of the treaty powers, Burlingame cited the Yangtze trade regulations, the Burgevine case, the concession issue in the treaty ports, municipal regulations for Shanghai, and the Kweichow incident as the successful test cases.⁴⁹ Burlingame then expressed his optimism that the circumstances of the time were favourable for the Co-operative Policy and that 'the treaty powers are represented here by men of modern ideas; by men who, . . . do not choose to embarrass each other by sowing distrust in the Chinese mind, but who, with an open policy and common action, deepen each other's confidence and win the respect of the Chinese.'⁵⁰ Williams, who had closely observed the Peking diplomatic scene, stressed the same point: 'The good fortune of having men of the kindness and honour of Bruce, Vlangali [Balluzeck's successor], Berthemey, and Burlingame as heads of the four chief Legations can hardly be exaggerated.'⁵¹

Bruce, in particular, had accepted several elements of the Co-operative Policy before Burlingame's arrival in Peking on 20 July 1862. He had seen clearly the necessity of supporting the Central Government, for British interests were dependent on its control over the provinces. He had emphasized constantly the importance of cultivating good understanding with native authorities and people.⁵² 'Where there are difficulties that you are unable to overcome', Bruce instructed Consul Forrest at Kiukiang on 2 July 1862, 'you must refer the case, after exhausting all amicable means, to Peking; but avoid, as much as possible, menace'.⁵³ In carrying out such a policy *unilaterally*, however, Bruce had experienced recurring frustrations.⁵⁴ It is then not difficult to understand why he had so cheerfully accepted Burlingame's challenge and expressed 'his delight that the representative of the United States should hold views so coincident with his own'. In fact, the new element in Bruce's memorandum of 15 January 1863 was his illustration of the unanimity of views among the representatives of Great

⁴⁹ *Ibid.*, pp. 859-60. See also Bruce to Russell, Peking, 12 June 1863, Great Britain, *Parliamentary Papers* (Blue Books), 1864, Vol. LXIII [3345], (China, No. 6), p. 1.

⁵⁰ Burlingame to Seward, *loc. cit.*, p. 862.

⁵¹ Samuel Wells Williams, *The Middle Kingdom* (Rev. ed.: New York: Charles Scribner's Sons, 1883), II, 699.

⁵² See Bruce to Russell, No. 22, 7 April 1860, Great Britain, *Parliamentary Papers*, 1861, Vol. LXVI [2754]; *ibid.*, Nos. 23, 25.

⁵³ Bruce to Consul Forrest, Peking 2 July 1863, cited in Nathan A. Pelcovits, *Old China Hands and the Foreign Office* (New York: King's Crown Press, 1948), p. 30.

⁵⁴ This theme is repeatedly stressed by Bruce in his memorandum of 15 January 1863 to Lord Russell. See Bruce's Memorandum on the Co-operative Policy.

Britain, the United States and Russia on the Co-operative Policy and his argument that British interests in China could be more effectively carried out through united diplomatic action of all the treaty powers.⁵⁵

It is difficult to draw a definite picture of Burlingame's role in the making of the Co-operative Policy since his endeavours were submerged behind the scenes. The *North China Herald*, which wrote in 1864 that the Co-operative Policy was 'recommended by Mr Burlingame',⁵⁶ asserted in 1867 that both Burlingame and Bruce were the originators.⁵⁷ A contemporary French writer, who was very critical of Burlingame, argued, however, that 'Mr. Burlingame's colleagues adopted his policy [the Co-operative Policy] and gave all their support to it',⁵⁸ while a later historian asserts that the Co-operative Policy was 'to a large extent influenced by Mr. Burlingame'.⁵⁹ These varying assessments of Burlingame's role are partly due to semantics and partly to the sources they relied upon. A sole reliance on American sources of the period would convey a picture of Burlingame's dominating role, while British documents would somewhat modify it. Taking both American and British sources as well as other contemporary sources into account, it seems fairly clear that both Burlingame and Bruce played the leading roles while Balluzeck and Berthemey provided only passive support. Upon his arrival in Peking, Burlingame immediately took the initiative of presenting his views to his colleagues in an attempt to secure a common agreement of all the foreign representatives on the Co-operative Policy, the main principles of which he had already formulated during his stay at Shanghai but which Bruce had also independently adopted and unilaterally followed. Probably referring to this synthesizing role, Tyler Dennett asserts that 'the policy of cooperation, under Burlingame, became very specific and practical whereas it had hitherto been theoretical and vague'.⁶⁰

It seems almost futile to attempt to differentiate Burlingame's role from that of Bruce in the enunciation of the Co-operative Policy. The two had independently formulated similar principles of the policy before their first meeting in Peking in July 1862. Moreover, the two had since maintained such an intimate social relationship as to nearly obliterate any distinction between personal and official relationships.⁶¹

⁵⁵ *Ibid.*

⁵⁶ *The North China Herald*, 9 July 1864.

⁵⁷ *Ibid.*, 24 December 1867.

⁵⁸ Baron de Méritens, *A Sketch of Our Relations with China, 1517-1869* (Foochow: Rozario, Marcal & Co., 1871), p. 66.

⁵⁹ Hosea B. Morse, *The International Relations of the Chinese Empire* (London: Longmans, Green and Company, 1910), II, 50.

⁶⁰ Dennett, *op. cit.*, p. 373.

⁶¹ See Kim, *op. cit.*, pp. 143-6.

Partly because of Burlingame's tendency to dominate the scene of action and Bruce's less obtrusive personality, and partly because of the fact that most of the policy consultations among the foreign envoys at Peking were held at Burlingame's residence,⁶² it may have appeared to many distant observers as if Burlingame were the sole actor and architect of the Co-operative Policy. Nonetheless, under the joint leadership of Burlingame and Bruce, the Co-operative Policy became an operational reality. The 'Four B's' as they were called—Burlingame, Bruce, Balluzeck and Berthemey—became its pillars and guardians.

Although the Co-operative Policy acquired agreement of the foreign ministers at Peking by June 1863, it was not yet correctly understood in the treaty ports. Burlingame's comprehensive circular instructions of 15 June 1864 to American consuls in China was an attempt to reiterate the operational provisions of the policy which had already been adopted by the foreign envoys in Peking. In sending a copy of his circular to the State Department, Burlingame stated:

It [the circular] cost me much careful labor. I believe it is sound in its views and policy; and what strengthens me in this belief is, that my colleagues, after a most thorough examination of the points discussed, unanimously approved of it, and will send it to their governments as an authoritative exposition of their views. Sir Frederick Bruce, the British minister, informs me that he will send it to her Majesty's consuls for their guidance. I feel very grateful to my colleagues for their approval; and only hope to be equally fortunate with my own government.⁶³

There is nothing strikingly new in Burlingame's circular; its main provisions and principles had already been expounded in his dispatch of 20 June 1863. It is more comprehensive, however, in its treatment of administrative details and more forcefully expressed than his dispatch. In summarizing the lengthy circular, Burlingame stated the gist of the Co-operative Policy as follows:

. . . in my despatch No. 42 [20 June 1863] you will find a history of my efforts in that direction, and of the policy agreed upon. That policy has been

⁶² Horatio N. Lay, the first inspector-general of the Maritime Customs, recalled his days at Peking in the early 1860s: 'The foreign ministers met frequently at the house of Mr Burlingame as upon neutral territory, and there we discussed over our cigars Chinese policy past and present, and in our stroll, which usually closed the afternoon's confab the policy that should be pursued in the future was the constant theme.' Horatio N. Lay, *Our Interests in China* (London: Privately printed, 1864), p. 40. See also Kim, *op. cit.*, pp. 138-9.

⁶³ Burlingame to Seward, No. 83, Peking, 18 June 1864, *Dipl. Corr.*, 1864, III, 426. The *North China Herald* published the entire text of Burlingame's circular on the Co-operative Policy in its 9 July 1864 issue.

fully approved by our government, and I believe by that of every other treaty power. It is briefly this: to consult and co-operate in China upon all material questions; to defend the treaty ports so far as shall be necessary to maintain our treaty rights; to support the foreign customs service in a pure administration, and upon a cosmopolitan basis; to encourage the Chinese government in its efforts to maintain order; to neither ask for nor take concessions of territory in the treaty ports, nor in any manner interfere with the jurisdiction of the Chinese government over its own people, nor even menace the territorial integrity of the Chinese empire. I call your attention to this policy, that you may know the *commitments* of our government and ourselves with the other treaty powers.⁶⁴

Burlingame's role in the enunciation of the Co-operative Policy highlights several assumptions underlying his diplomacy in China. First of all, Burlingame assumed even before the arrival of Seward's 'consult and co-operate' instruction that the interests of the Western powers in China were identical and that therefore united action alone would best promote them.⁶⁵ With this premise, he advocated what may be called a 'diplomacy by consensus' among the foreign representatives in Peking, whereby a case of one should be made the case of all. As such, it required joint consultation and joint representation on all the diplomatic questions involving one or more treaty powers.

Secondly, Burlingame assumed that the interests of the treaty powers were dependent upon a strong and independent China capable of exercising normal functions of statehood. Hence China's political, territorial and administrative integrity should be protected with all the diplomatic support of the treaty powers. This approach was intended to restore Chinese sovereignty which during the interwar period had been trampled upon with impunity. 'I hold that the Chinese government has the right,' Burlingame's circular on the Co-operative Policy warned, 'as an incident of its unyielded sovereignty, to enforce its own revenue laws, and to make such regulations as may be necessary to that end.'⁶⁶ The Co-operative Policy was thus to insure the independence of effete China with a sort of 'collective security system' among the treaty powers.

Thirdly, Burlingame assumed that the rights and duties incident to the Co-operative Policy should be exercised by the central authorities in the capital. The Tsungli Yamen was assumed to be responsible for

⁶⁴ Italics added. Burlingame to Consul G. Seward, Peking, 15 June 1864, *Dipl. Corr.*, 1864, III, 429-30.

⁶⁵ See Burlingame to Seward, No. 18, Shanghai, 17 June 1862, *Dipl. Despatches, China*, XX.

⁶⁶ Burlingame to Consul G. Seward, Peking, 15 June 1864, *Dipl. Corr.*, 1864, III, 426.

the conduct of the provincial authorities concerning foreign affairs just as the Western legations in Peking were to be responsible for the conduct of their respective consuls and citizens in the treaty ports. This was a natural corollary of the shift in diplomatic activities from the periphery to the centre of the Ch'ing government, as it was a reaction against the anomalies of the Canton Viceroy System of the interwar period. There was, in addition, an implicit attempt here to strengthen the channels of communication between the treaty powers and the Ch'ing court in Peking.

Lastly, Burlingame realized that only strict observance of the treaties by all parties would serve as the sustaining basis of the Co-operative Policy. Whereas before the Co-operative Policy the treaties had represented the minimum point from which the Western demands began, now they were to be a maximum point at which the Western pressure had to stop. Such a new interpretation of treaties had far-reaching implications. The Westerners were no longer to be permitted to exert a 'concept of implied powers', the notion that what was not specifically denied in the treaties could be demanded if deemed necessary to the implementation of those rights and concessions which had already been granted. Thus, the Ch'ing government could firmly withhold further concessions beyond what the treaties had already granted in specific terms. It is indeed little wonder that these implications of the Co-operative Policy were soon to become a bone of contention between the foreign representatives in Peking and the Old China Hands in the treaty ports.⁶⁷

It should be said in conclusion that, while Burlingame's role in the making of the Co-operative Policy has been somewhat overstated by many writers at the expense of Bruce, he did nonetheless play a mid-wife's role in transforming the co-operative idea into the Co-operative Policy. Taking advantage of the favourable circumstances of the time and of the groping of his colleagues for a new kind of co-operative relationship, Burlingame with indispensable support from, and in close collaboration with, Bruce introduced a progressive and positive notion of co-operation. Furthermore, Burlingame succeeded in the task of obtaining unanimity of the foreign representatives in Peking on the guiding principles and operational provisions of the Co-operative

⁶⁷ The initial support given to the Co-operative Policy by the Old China Hands in the treaty ports can be attributed to their misunderstanding or misinterpretation of it. No sooner had they understood the meaning of the Co-operative Policy than their attack upon it began. For a review of the evolution of their attitudes toward the Co-operative Policy in the 1860s, see *The North China Herald*, 9 July 1864; 12 May 1866; 24 December 1867; 31 October 1868; and 5 April 1870.

Policy. As a result, the Co-operative Policy emerged clearly as the Western policy in China by mid-1863.

The successful role Burlingame played in the making of the Co-operative Policy sheds some interesting light on the potentialities of an ambassador's personal diplomacy. Burlingame suffered from several handicaps in carrying out his diplomacy: he was new to diplomacy and Chinese affairs; he received little material and military support from the war-torn home government to buttress his diplomatic position; and he arrived relatively late on the Peking diplomatic scene. Yet he seems to have possessed extraordinary personal qualities sufficient to overcome these handicaps in assuming a leading role in the Peking diplomatic corps. He cultivated a close personal rapport with his Secretary of State in Washington receiving a *carte blanche* to work out his own conception of the Co-operative Policy. He developed an effective working relationship with Williams, who proved to be an indispensable Sinologist and a wise counsel. He neutralized the paramount British position in China by skilfully exploiting the intimate personal friendship with Bruce. A perusal of private and public documents of the period leads to the conclusion that the energies he released, the enthusiasm he aroused, the harmony he created, the tact and manner he displayed, and the *esprit de corps* he generated in his day-to-day relations with his colleagues contributed not only to the success of his personal diplomacy but also provided necessary momentum in the inauguration of the Co-operative Policy.