

Chapter 3

Suzerainty, International Law, and Translation: From the Eastern Question to the Korean Question

OKAMOTO Takashi

Introduction

International relationships, underpinned by international law, order the modern world. Nevertheless, the world beyond Western Europe previously possessed its own distinct systems of international order upon which the modern Western system was constructed anew. How did international relationships, predicated on Western European paradigms, come to regulate these other orders? While this question first arose with the Ottoman Empire and the “Eastern Question”, its answer cannot be derived from the inter-civilizational clash between the Europeans and the Ottomans alone. Indeed, its very essence would later come to affect East Asia as well. This chapter will pursue the inquiry further through the “Korean Question”,¹ with a key focus on the concept of “suzerainty” as found in international law texts.

As discussed earlier, suzerainty first appeared as a concept of Western European origin which indicated the international status of disputed areas in the relations between the Ottoman Empire, Russia, and Europe. However, at the same time, the “Eastern Question” also served as the means by which this suzerainty came to be dismantled. Despite meeting with its demise in this context, however, the suzerainty concept was later resuscitated in the Far East with the advent of the “Korean Question”. While the concept eventually also met with its demise on the Korean Peninsula, a disputed area between China and Japan, the Korean Question would catalyze the concept into usage in relation to various issues in East Asia, where it continued to be problematic. Understanding how this process occurred is this chapter’s key aim.

¹ While the notion of the “Korean Question” discussed in this chapter is directly derived from Chinese scholarship on Chinese diplomatic history (e.g. [Jiang 1934]), I deliberately use the term in this chapter to call attention to its links with the “Eastern Question”. Westerners who lived in this period conceived of the Korean Peninsula’s status in the international relationships of the day as comparable to the “Eastern Question”, and they too used the term “Korean Question” to refer to its status (e.g. *North-China Herald*, 5 October 1887, “China’s Korean Policy”, p. 365).

1. Wheaton and the Concept of Suzerainty

1. 1. *A Comparison of Editions*

When considering the introduction of international law to East Asia, Henry Wheaton's *Elements of International Law* is undeniably important. First published in America in 1836 [Wheaton 1836], it was the first book of its kind to be translated into Chinese, and it became *the* fundamental international law text in East Asia. Based on an 1855 wood-block print edition [Wheaton 1855], the Chinese translation of Wheaton's work was first published in Beijing in 1864 under the title *Wanguo gongfa* 萬國公法 [Zhang 1991; Satō 1996: 60–77]. As full-scale Western political involvement with East Asia did not begin until after the 1840s, the original text naturally made no references to East Asia.

Despite this, it would transpire that the West would expect East Asia to organize itself according to this very same book; a book which made no reference to the East Asian world. Indeed, East Asians were expected to regulate themselves by the precedents and conventions of a different world—not the precedents and conventions of the European world, but of the Ottoman Empire. It is therefore incumbent upon us to examine the way in which *Elements of International Law* discusses what we considered in Part I of this volume.

Of particular note in the 1836 edition is the fact that it makes no mention of the term “*suzeraineté*” [suzerainty]. As discussed in Chapter 1, by the time of the first edition's publication in 1836, treaties concluded with the Ottoman Empire already employed the word “*suzeraineté*”. Wheaton, however, makes no reference to the term. It is impossible that Wheaton would have been unaware of the fact that the term was in use, for in the book he makes reference to the 1829 “treaty of Adrianople” [i.e. Treaty of Edirne], a treaty in which *suzeraineté* is mentioned in connection with Wallachia and Moldavia's international status.

... the tribute formerly paid by the principal maritime powers of Europe to the Barbary states, did not at all affect the sovereignty and independence of the former; whilst that paid by the principalities of Walachia and Moldavia to the Ottoman Porte under the mediation of Russia, can hardly be considered as leaving them any thing more than a shadow of sovereignty. [Wheaton 1836: 64]

Simply put, the argument this passage seeks to make is that there is both *tribute which affects sovereignty*, as well as *tribute which does not*. Wallachia and Moldavia are taken as an example of the former, since they possessed no “more than a shadow of sovereign-

ty”. Thus, from Wheaton’s vantage point, Wallachia and Moldavia were “tributary states” which were not endowed with perfect “sovereignty”.

In the 1855 edition of the book, the passage is moved to another part of the book and is revised to include Serbia.

The Principalities of Moldavia, Wallachia, and Servia [sic], under the *suzeraineté* of the Ottoman Porte and the protectorate of Russia, as defined by the successive treaties between these two powers, confirmed by the treaty of Adrianople, 1829. . . . it was stipulated that Moldavia and Wallachia being placed under the *suzeraineté* of the Porte, and Russia having guaranteed their prosperity, they were to preserve all their ancient privileges and immunities, including the enjoyment of their religion, perfect security, a national and independent administration, and the full liberty of trade. [Wheaton 1855: 48–9]

Here, for the first time, in this passage which describes the “treaty of Adrianople” and the provisions it prescribed, Wheaton makes reference to “*suzeraineté*” [suzerainty]. What, however, were the reasons which underpinned this new articulation?

Another work penned by Wheaton entitled *History of the Law of Nations in Europe and America* helps to shed light on this question. There, one finds a passage which is almost identical to that referenced above from the 1855 edition of *Elements of International Law*.

The 4th [sic] article stipulated, that the principalities of Moldavia and Wallachia, being placed under the *Suzeraineté* of the Sublime Porte, and Russia having guaranteed their prosperity, they should preserve all the privileges and immunities which had been granted to them, by their capitulations, and by the treaties concluded between the two empires, or by the hatti-scherifs issued at different periods. They should consequently enjoy the free exercise of their religious worship, of perfect security, of an independent national administration, and of full liberty of commerce. [Wheaton 1845: 565]

Given its publication date, we ought to consider this passage as the original upon which the corresponding citation from *Elements of International Law* was based. In other words, this constituted the first instance that Wheaton invoked the notion of “*suzeraineté*”.

Although the original 1841 version of *History of the Law of Nations in Europe and America* was initially published in French under the title *Histoire des progrès du droit des gens en Europe*, it does not feature any passage which corresponds to the above citation. As this citation also constituted the first instance of Wheaton using the term “su-

zeraineté” [suzerainty], one can infer that Wheaton must have begun to develop an interest in the notion sometime between the publication of the original French edition and the 1845 English edition of *History of the Law of Nations in Europe and America*, thus leading him to add it to the English translation.

1. 2. *The Influence of the Egyptian Question on Wheaton*

What then led to Wheaton’s sudden interest in the notion of suzerainty? The likelihood was that the Egyptian Question played a part in piquing his interest. *Elements of International Law* describes the Article 5 of the 1840 Convention of London, which brought an end to the Second Egyptian-Turkish War, as follows.

5. Egypt had been held by the Ottoman Porte, during the dominion of the Mamelukes, rather as a vassal State than as a subject province. The attempts of Mehemet Ali, after the destruction of the Mamelukes, to convert his title as a prince-vassal into absolute independence of the Sultan, and even to extend his sway over other adjoining provinces of the empire, produced the convention concluded at London [on] the 15th July, 1840, between four of the great European powers,—Austria, Great Britain, Prussia, and Russia,—to which the Ottoman Porte acceded. In consequence of the measures subsequently taken by the contracting parties for the execution of this treaty, the hereditary Pashalick of Egypt was finally vested by the Porte in Mehemet Ali, and his lineal descendants, on the payment of an annual tribute to the Sultan, as his suzerain. All the treaties and all the laws of the Ottoman Empire were to be applicable to Egypt, in the same manner as to other parts of the empire. [Wheaton 1855: 51]

Contrary to what this passage would lead us to believe, the words “vassal” and “suzerain” cannot be found in Article 5 of the actual treaty [Noradounghian 1897–1903: tome 2, pp. 308–9]. This also contrasts the way in which this example is depicted in Wheaton’s earlier *History of the Law of Nations in Europe and America*, in which quotations from the treaty and the explanations concerning it also make no use of the terms “vassal” or “suzerain” [Wheaton 1845: 579–83]. Interestingly however, in the part which precedes Wheaton’s explanation of the treaty in the same book, we find the following passage.

Great Britain proposed to limit the authority of Mehemet Ali to the hereditary possession of Egypt, as a vassal and tributary of the Ottoman empire; whilst the other provinces possessed by him should be restored to the Sultan, as the only effectual

means of securing the empire from this danger. This proposal was accepted by Austria, Russia, and Prussia; whilst France, on the other hand, proposed to regulate the *status quo* in the East, by confirming Mehemet Ali in the hereditary possession of the government of Egypt and Syria under the *suzeraineté* of the Porte. [Wheaton 1845: 573]

Wheaton's description of the convention's Article 5 in *Elements of International Law* also appears to be based on this passage from the *History of the Law of Nations in Europe and America*. Clearly, Wheaton had begun to regard the Ottoman sultan as a suzerain, who received Egypt when it decided to become a "tributary" in 1840, and his description visibly reflected this. Furthermore, be it in his *History of the Law of Nations in Europe and America*, or in his *Elements of International Law*, the fact that Wheaton's references of the *suzeraineté* [suzerainty] of Wallachia and Moldavia coincided with the Egyptian example was unlikely to have been the result of sheer coincidence.

This demonstrates that, for Westerners, or at least for Wheaton, this shift in understanding *vis-à-vis* Egypt's status constituted a significant turning point. To explain this important event, the status of Wallachia and Moldavia as articulated in the "treaty of Adrianople" was retroactively invoked as a precedent which could be cited to offer a consistent explanation.

The quotation featured above constitutes Wheaton's personal understanding of the issue and is not necessarily correct as an objective fact. As elucidated in Chapter 2, the only areas recognized as suzerain subjects of the Ottoman Empire according to its treaties were the five regions of Serbia, Wallachia, Moldavia, Montenegro, and Ionia—of which Egypt was not a part. Moreover, the five regions' relationships with the Ottoman Empire were not necessarily conducted along the same lines. As such, to what extent the concept of *suzeraineté* was applicable to each in real terms varied, and no one yardstick can be applied. What's more, Wheaton's understanding of Egypt's status was predicated on that of Wallachia and Moldavia, whose respective statuses were not necessarily inter-related. It would thus be no exaggeration to state that Wheaton was invoking an inapplicable premise in his understanding of Egypt's status.

These observations would suggest that a "suzerain-vassal relationship" was, in essence, something which had no stringent definition. Even when invoked as a technical term, it was practically devoid of any meaning on a jurisprudential level. Its relationship with, *inter alia*, concepts such as "semi-sovereign" and "protection" as forms of subordination is also ambiguous. Accordingly, even when a vertical relationship existed between two countries, it was not necessarily clear under which conditions the "suzerain-vassal" terminology ought to be invoked.

Both the terms "suzerain" and "vassal" were repurposed in the same way that the term "feudal" was. All these terms were originally lexical concepts used to express the

feudalism of the European Middle Ages, and the application of these terms to describe other civilizations such as the Ottoman Empire was merely the taking of terms from one culture and applying them imperfectly to the next.

With the above in mind, I am almost ready to begin my discussion of the reception of international law in East Asia in the 19th century. But there is still one more question which must be considered—the problem of translation.

As international law was a product of the Western world, it was articulated through the medium of European languages. When East Asia was confronted with the question of deciphering this unfamiliar body of protocol, the deciphering process did not only occur through this medium. Indeed, literary Chinese was used to substitute European words and concepts, and East Asia's understanding of these unfamiliar ideas was predicated on these literary Chinese substitutes. This must be borne in mind when considering the question of the reception of international law in the East Asian context.

2. From *Wanguo Gongfa* to *Gongfa Huitong*

2. 1. *The Chinese Translation of Wanguo Gongfa*

The Chinese translation of *Elements of International Law* is famous for coining the vocabulary for political concepts which are still in use today, such as *quanli/kenri* 權利 (rights) and *zhuquan/shuken* 主權 (sovereignty). Of this terminology, what interests us in this volume are such terms as *zizhu/jishu* 自主 (independence or sovereign), *banzhu/hanshu* 半主 (semi-sovereign), *jingong/shinkō* 進貢 (tributary), *fanshu/hanzoku* 藩屬 (vassal), and *baohu/hogo* 保護 (protectorate).

Let us begin our analysis of the Chinese translation of *Elements of International Law* by exploring how terms in the English version were rendered into Chinese. In the passages which follow, whilst quoting from English versions of the text, I have inserted the Chinese equivalents of the terms laid out above which specifically interest us in this volume.

Tributary States, and States having a feudal relation to each other 進貢之國並藩邦, are still considered as sovereign, so far as their sovereignty is not affected by this relation. Thus, it is evident that the tribute 進貢, formerly paid by the principal maritime powers of Europe to the Barbary States, did not at all affect the sovereignty and independence 自立自主之權 of the former. [Wheaton 1855: 51–52; Wheaton 1864: vol. 1, chap. 2, sec. 14, “Jingong, fanshu suocun zhuquan” 進貢·藩屬所存主權 (Tributary and Vassal States)]

Here, it is important that we pay close attention to the point raised about how “Tributary States” (*jingong zhi guo/shinkō no kuni* 進貢之國) and “States having a feudal relation to each other” (*fanbang/hanpō* 藩邦) can retain their “sovereignty and independence” (*zili zizhu/jiritsu jishu* 自立自主).

Next, let us look at a passage which was quoted earlier in Section 1. 1. of this chapter.

[S]everal other semi-sovereign or dependent States 半主數國 are recognized by the existing public law of Europe. These are: The Principalities of Moldavia, Wallachia, and Servia, under the *suzeraineté* of the Ottoman Porte and the protectorate of Russia 憑俄國保護而聽命土耳其, as defined by the successive treaties between these two powers, confirmed by the treaty of Adrianople, 1829.

Two things merit our attention in the Chinese translation of this passage. Firstly, the Chinese translation offers no literal lexical or conceptual translation of *suzeraineté*. Indeed, “under the *suzeraineté* of...” is merely rendered as “*tingming* 聽命...” (to follow orders). Secondly, it is important that we take note of the fact that places which were “protectorates of Russia” (憑俄國保護), such as Moldavia and Wallachia, are categorized in Chinese as *banzhu/hanshu* 半主 (semi-sovereign).

The Chinese expression “*tingming*” (to follow orders) also makes an appearance in another part of the text.

The former Germanic Empire was composed of a great number of States, which, although enjoying what was called territorial superiority, (*Landeshoheit*.) could not be considered as completely sovereign 全然自主, on account of their subjection to the legislative and judicial power of the emperor and the empire. These have all been absorbed in the sovereignty of the States composing the present Germanic Confederation, with the exception of the Lordship of Kniphausen, on the North Sea, which still retains its former feudal relation to the Grand Duchy of Oldenburg 聽命俄定堡公, and may, therefore, be considered as a semi-sovereign State 半主之國. [Wheaton 1855: 51; Wheaton 1864: vol. 1, chap. 2, sec. 13, “Shi banzhu zhi yi” 釋半主之義 (Explanation of a semi-sovereign)]

“*Tingming*”, previously used as a translation for *suzeraineté*, is here used to translate the expression “feudal relation to”. As “feudal relation” can be considered to be an alternate means of articulating a “vassal’s” position *vis-à-vis* its suzerain, the logic which underpins such a translation makes perfect sense. Thus, the Chinese translation of *Elements of International Law*, or, *Wanguo gongfa*, reflects an inherent understanding of the “*suzerain*” and “vassal” concepts as binary opposites.

Furthermore, if a “feudal relation” can be seen as the semantic equivalent of a “vassal”, we must not neglect the significance of how this passage states that a “feudal relation”—in other words a vassal—“may... be considered as a semi-sovereign State”. Throughout the *Wanguo gongfa*, the phrase “vassal states” is given the corresponding translation of *fanshu* 藩屬. Given the fact that the passage “[s]tates having a feudal relation” that we encountered earlier in this section is rendered in Chinese as *fanbang* 藩邦, this indicates that both *fanshu* and *fanbang* should be understood as alternative translations of an idea which was fundamentally the same. In other words, as *fanshu* 藩屬 is equivalent to *fanbang* 藩邦, *shubang* 屬邦 [i.e. *shuguo* 屬國] can be considered as equivalent to *banzhu* 半主 (semi-sovereign).

However, no Chinese translation is given for vassal’s binary opposite of suzerainty or suzerain. On the concept of a “semi-sovereign” (*banzhu* 半主), Wheaton makes the following statement elsewhere in the text.

Semi-sovereign or dependent States rank below sovereign States.

Semi-sovereign States, and those under the protection or *Suzeraineté* of another sovereign State, necessarily rank below that State on which they are dependent.
[Wheaton 1855: 212]

From this, it is clear that Wheaton wishes to place “[the states] under the protection or *Suzeraineté* of another sovereign State” in the same category as “semi-sovereign” states. Yet, the Chinese translation of this passage is rendered as follows.

自[sic]主之國依於他國者、等級下於所依之國、此不待言矣。

[Wheaton 1864: vol. 2, chap. 3, sec. 3, “De wangli zhe fen weici” 得王禮者分位次 (Precedence among princes and states enjoying royal honors)]

Here “protection” and “*Suzeraineté*” are not translated at all. Clearly, the verb phrase “*tingming*” (to follow orders) alone was not sufficient for explicating the nuances inherent in such concepts.

As we have seen above, even if able to encompass a given vertical relationship, the “suzerainty” of which Wheaton speaks can not necessarily be construed by a single definition when applied to actual relationships. The translators of these Chinese texts of course also understood this, and it is easy for us to understand why they did not choose to use a definite set of corresponding Chinese terms in a word-for-word translation. If we think only in terms of the written Chinese text, words which could be translated as “vassal state” such as *fanbang*, *fanshu*, *shubang*, and *shuguo*, were concepts that were in binary opposition with the terms *shangbang* 上邦 and *shangguo* 上國 (the upper state, the superior state). As the latter two expressions are not used as a translation for “suzerain”

in *Wanguo gongfa*, we can safely infer that its Chinese translators deliberately refrained from using them to show that they did not regard the suzerain-vassal relationship of Western origin as corresponding to their own *shangguo-fanshu* relationship.

That is not to say that the word *shangguo* does not appear in the *Wanguo gongfa* at all, however. An example of it in use can be found in the following passage, which describes the formation of the United States.

But since all those powers, by which the international relations of these States are maintained with foreign States, in peace and in war, are expressly conferred by the constitution on the federal government 其合成之國, whilst the exercise of these powers by the several States is expressly prohibited, it is evident that the external sovereignty of the nation is exclusively vested in the Union 其在外之主權、全在其所合成之國明矣. The independence of the respective States, in this respect, is merged in the sovereignty of the federal government 上國之主權, which thus becomes what the German public jurists call a *Bundesstaat*. [Wheaton 1855: 77–8; Wheaton 1864: vol. 2, chap. 2, sec. 24, “Meiguo xi zhongbang heyi” 美國係眾邦合一 (The American Union is a supreme federal government)]

Here, *shangguo* 上國 is used to refer to “the federal government” and its relationship with individual American states.

When directly translated in the text, “the federal government” is rendered as *he-cheng zhi guo* 合成之國. However, in another part of the text, we find a passage which states that “the American Union is a supreme federal government.” It seems to me, therefore, that the terminological choice of *shangguo* was influenced by the expression “supreme”. In any case, the *shangguo* spoken of here possesses an external sovereignty—translated *zai wai zhi zhuquan* 在外之主權—which cannot be exercised by each state individually; in more concrete terms, it is an entity which has relinquished a portion of sovereignty from its affiliated subject.

If such is the case, it is understandable why the *Wanguo gongfa* does not translate suzerainty as *shangguo*. Indeed, when considering the question of suzerainty in relation to the Ottoman Empire, to whom a vassal’s sovereignty belonged was variable from case to case. Furthermore, these relationships did not necessarily resemble those found between the various American states and the American federal government.

2. 2. Gongfa Huitong and its Significance

However, the circumstances which pertained at the time of these translations did not last. Before long, *shangguo* began to take hold as the primary translation for suzerainty in

Chinese translations of international law and in East Asian international law texts. In this regard, the Chinese translation of Johann C. Bluntschli's *Le droit international codifié* as *Gongfa huitong* 公法會通, is particularly notable.

Gongfa huitong, whose preface was dated to the 6th year of the Guangxu period (≅ 1880), was translated by William A. P. Martin and his assistants, who had also been responsible for the translation of *Wanguo gongfa* discussed above. While the original text was published in German in 1868, the version Martin and his colleagues worked from in their translation efforts was the 1870 French edition. In beginning our analysis, let us first look at the following passages and their Chinese equivalents.²

76 Lorsque la souveraineté d'un état dérive de celle d'un autre état, et que par suite l'un d'eux, pour reconnaître cette filiation, reste vis-à-vis de l'autre dans un certain rapport de subordination, le premier est dit état *vassal*, et autre état suzerain. L'indépendance de l'état vassal droit, en conséquence, être nécessairement restreinte sur le terrain du droit international.

第七十六章 此國賴彼國以行其主權者、則彼為上國、此為屏藩。屏藩與外國交接、其主權自有限制。

1. On peut représenter cependant une foule de gradations entre l'état de liberté complète et l'état de dépendance, qui n'autorise les rapports diplomatiques d'un état avec d'autres états que par l'intermédiaire de l'état suzerain. – Les états allemands étaient, à la fin du moyen âge, des états vassaux, car ils tenaient leurs droits régaliens de l'empereur et dépendaient de l'empereur; mais, depuis la paix de Westphalie, on leur reconnaissait le droit de conclure des alliances avec puissances étrangères. Les états vassaux de la Turquie, les uns mahométans, comme Tunis, Tripoli et l'Égypte, d'autres chrétiens comme la Serbie, les principautés danubiennes et le Monténégro, sont vis-à-vis de la Porte dans les positions les plus différentes.

國之全然自主、與夫藉上國以理外交者、其間等次不一。如昔日耳曼各邦、俱係藩屬、悉歸上國約束。自威司發里和約之後、方准與外邦自行通好。今土耳其之屏藩、有奉回教者、如突尼·埃及等國、是也。有奉基督教者、如賽費·孟德內格等國、是也。俱與上國相繫、其法不一、其權差等。.....

Let us begin by looking at the French source text quoted above. Here, unlike in *Elements*

² [Bluntschli 1870: 86–7]. I have referred to the revised and enlarged 1874 version, to ensure that no major changes were made in the passages quoted. Its Chinese translation is [Bluntschli 1881b].

of *International Law*, the concept of a suzerain-vassal relationship is clearly defined. The text was similar to Wheaton's, in that it cited both the feudal relationships of the Holy Roman Empire with its vassals and the "Eastern Question" as historic and contemporaneous instantiations of suzerain-vassal relationships. But what made this text different from the *Wanguo gongfa* was how it clearly saw such examples as constituting the foundations for what had come to be referred to as a "suzerain-vassal relationship". Indeed, the passage clearly demonstrated that the conceptual connection between medieval Europe and the contemporary Ottoman Empire had become even more established in the European imagination.

The differences in translation we find in *Gongfa huitong*, compared to that of *Wanguo gongfa* are even more remarkable. "[É]tat suzerain" (suzerain state) is clearly rendered as *shangguo*, and this is contrasted against "état vassal" (vassal state) as *pingfan* 屏藩. While a corresponding translation for "les principautés danubiennes" (the Danubian Principalities), or Wallachia and Moldavia, is lacking in *Gongfa huitong*, from the next quotation we can determine that this was not a careless mistake but was, in fact, an intentional omission to preserve balance in the writing. *Gongfa huitong* also clearly stated that the relationship between a "*shangguo*" and a "*pingfan*" varied according to circumstance.

This relationship between a "*shangguo*" and a "*pingfan*" is yet further elaborated upon in the text's discussion of the concept of *banzhu* 半主 (mi-souveraineté), or a "semi-sovereign". Interestingly, this Chinese translation of *banzhu* remains exactly the same as that found in *Wanguo gongfa*.

78 Les états qui, dans le sentiment de leur faiblesse, ont demandé la protection d'un état plus puissant et ont mis leur existence sous la sauvegarde de ce dernier, n'ont également qu'une mi-souveraineté, parce qu'elle est limitée d'une manière permanente par une souveraineté supérieure.

第七十八章 衰弱之國、仰賴強鄰保護而不至滅亡者、謂之半主之國、以其主權為保護者所限制焉。

1. Le droit de protéger un état est analogue à la suzeraineté en ce sens que le protecteur, comme le suzerain, prétend à une position supérieure à celle du protégé. Mais la mi-souveraineté de l'état protégé ne découle pas de la souveraineté de l'état protecteur. Cette position porte du reste en elle un germe de mort, car un état qui ne peut se défendre lui-même ne mérite pas de rester indépendant. ... Les états de cette catégorie sont rares aujourd'hui. ... Les principautés danubiennes, tout en étant vassales de la Porte Ottomane, sont sous le protectorat des puissances européennes.

半主之國、賴他國保護、略如屏藩之於上國、其主權易滅而難存。蓋國不能自護、即難以自立、今罕有似此者。……沿多腦江岸賽費亞·路馬尼各邦、雖為土國屏藩、實賴諸國保護、以為自主。

The main point made by the original French passage is that when a semi-sovereign state (*mi-souveraineté*) seeks protection (*la protection*), the state which provides that protection (*protéger*) is in a superior position (*une position supérieure*), and that this, therefore, resembles *suzeraineté*.

The Chinese translation of this passage differs slightly in relation to the original; merely stating that a semi-sovereign state's relationship to a superior state resembles the *shangguo-pingfan* relationship, in that the former would “rely on another state for protection” (*lai taguo baohu* 賴他國保護). The Chinese translation is rendered in somewhat generalized terms, and it is worth noting that *pingfan* lacks any corresponding word in the original French text. If one were to read only the Chinese translation, it would be reasonable to interpret the statement as meaning that a “semi-sovereign”, or *banzhu* (*mi-souveraineté*), as the recipient of protection (*baohu*), was the equivalent of a *pingfan*, or *état vassal*.

However, as was the case with *Wanguo gongfa*, *Gongfa huitong* also cites “Saifeiya” 賽費亞 (Serbia) and “Lumani” 路馬尼 (Romania) (i.e. “[I]es principautés danubiennes”) as examples of this. While these states were *pingfan* 屏藩 (vassales; vassals) of the Ottoman Empire, they also sought the *baohu* (protection) of European states. Thus, the relationships between *shangguo* 上國 (*état suzerain*; suzerain state) and *pingfan*, and between *banzhu* 半主 (*mi-souveraineté*) and *baohu* (protection or protectorat) are not made in unequivocal terms here; and to whom the status of a protectorate belonged is especially unclear.

Gongfa huitong thus led to the establishment of definitive Chinese lexical counterparts for European concepts such as *état suzerain* (rendered in Chinese as *shangguo*) and *état vassal* (rendered in Chinese as either *pingfan* or *fanshu*). But despite the establishment of such fixed terminology, the precise relationships between these words remained ambiguous. This ambiguity, however, was engendered not by the Chinese translation, but by the original European source texts themselves.

Le droit international codifié, when elaborating upon the sorts of concepts discussed above, also resorted to citing from the annals of Ottoman history. Ottoman precedents did not necessarily accord with historical realities in the East Asian context, and as the semantic content of the suzerainty concept would fluctuate according to temporal and geographical factors, from a legal stand point, there was no escaping the abundance of contradictions and ambiguities inherent in the term.

If the original European source texts' explication of the interrelationships between concepts was decidedly ambiguous, it follows that their translation would also reflect

these ambiguities. What's more, while these translations were rendered in Chinese characters, the perceptions of these terms would also have undoubtedly differed from one East Asian country to the next, due to the differences inherent in each country's idiosyncratic parsing of Chinese characters, owing to linguistic or sociocultural factors.

Setting these problems aside, when analyzing the process by which new Chinese terminology was established for conveying alien terms found in international law texts, we find ourselves confronted by two questions. Firstly, whence did a term like *shangguo*, the conceptual opposite of *fanshu*, emerge? *Shangguo* constituted one of a number of terms which only came into usage *after* the publication of *Wanguo gongfa*. Secondly, what trajectory did these concepts trace after they came into common usage? Answering these questions will help us to understand the shifts which took place in East Asia and the international order it inhabited.

3. The Korean Question and the *Shangguo* Concept

3. 1. *Suzerainty and Shangguo*

Turning to the first question, I am of the opinion that the Chinese concept of *shangguo* 上國 first began to be used as an equivalent of the international legal term "suzerainty" in diplomatic negotiations concerning Korea's international position. In other words, the so-called Korean Question.³ The first instance we find of it in use came with the French expedition to Korea in 1866, when the French resorted to retaliatory actions against the Korean government for its persecution of Catholic missionaries. It was during this process that the French side was compelled to take stock of Korea's relationship with Qing China.

Des liens de suzeraineté d'une part, de vassalité d'autre, ont longtemps réuni l'Empire de la Chine et le Royaume de Corée. Il était de mon devoir de m'assurer de leur existence et de savoir jusqu'à quel point la puissance suzeraine entendait prendre la responsabilité de l'outrage qui nous était fait, mais les explications échangées avec le Gouvernement chinois m'ayant appris qu'il renonçait à réclamer ses droits, ...⁴

This document demonstrates that, while the French saw Qing China as Korea's suzerain,

³ For its historical developments see [Okamoto 2004].

⁴ de Bellonnet au Département, 13 juillet 1866, cited in [Cordier 1902: 268–9].

they also believed that it had renounced its rights (*ses droits*) and responsibilities (*la responsabilité*) over Korea. This document also allows us to make the following two inferences. Firstly, that in 1866 the Sino-Korean relationship was understood by the French in terms of a “*suzeraineté*” and a “*vassalité*”. Secondly, that a suzerain was considered responsible for the actions of a vassal. Because the Qing, despite receiving tribute from Korea (*nagong* 納貢) [*Qing-ji Zhong-Ri-Han...*: vol. 2, p. 27], claimed Korea to be “autonomous” (*zizhu* 自主) in “all political affairs” (*yiqie guoshi* 一切國事), the French side considered the Qing to have “renounced” its *suzeraineté* over Korea. Here then, the concept of *suzeraineté* was clearly defined.

Next came the American expedition to Korea in 1871. As was to be expected, the American authorities negotiated with the Qing and Korean sides according to effectively the same logic that had been employed by France in 1866. In other words, the Americans understood Qing China, as suzerain of Korea, to be responsible for the protection of its tributary state. The Qing, however, refuted this claim when confronted with it.

The Chinese translations of American diplomatic documents relevant to the expedition used the term *shangguo* 上國 to translate “suzerain”, and the terms *shubang* 屬邦 and *shuguo* 屬國 to translate the term “tributary state”.⁵ I am unaware of the intentions or circumstances which underpinned such translation choices. Nevertheless, these translations of the concepts were used unreservedly in the diplomatic negotiations, which were conducted through the medium of written Chinese.

The Sino-Korean relationship was thus perceived by the West at the time to be a suzerain-vassal relationship which was accompanied by the attendant notions of “protection” and “responsibility”. As a consequence of this, when the Sino-Korean relationship was articulated through translation into Chinese using the terms *shangguo* and *shuguo*, the Qing refuted this decidedly Western European characterization.

The Qing government thus expressed no intention to either protect Korea or interfere in its internal governance, and it was under these circumstances that the Japan-Korea Treaty of Amity (Kanghwado Treaty) was concluded in 1876. In Article 1 of the treaty, we find the phrase *jishu no kuni/chaju chi pang* 自主之邦 (an independent state). Following usages found in *Wanguo gongfa*, Japan interpreted *jishu/zizhu* 自主 to mean “independence” and, understandably, took umbrage at any terms which contradicted this

⁵ Low to Prince Kung, 22 November 1871 (Encl. no. 4 in Low to Fish, no. 102, 23 November 1871), and Prince Kung to Low, 23 December 1871 (Encl. no. 1 in Low to Fish, no. 122, 11 January 1872), in *Diplomatic Despatches, China, 1843–1906*, General Records of Department of State, vol. 31. Also see the Chinese versions of Low to the Zongli Yamen, 10th year of the Tongzhi period, 10th month, 10th day, the Zongli Yamen to Low, 10th year of the Tongzhi period, 11th month, 12th day, and additional memorial from the Zongli Yamen, 10th year of the Tongzhi period, 11th month, 13th day [*Zhong-Mei guanxi shiliao*: vol. 2, pp. 815, 829–30, 831].

notion. Japan's attitude in this regard directly connects to our third example.

In 1879, Korea stated to the Japanese that the Qing, to them, was a *sangguk* 上國 who issued "instructions". The Korea-based Japanese chargé d'affaires, Hanabusa Yoshimoto 花房義質, refuted this, writing, "in Article 1 of the Treaty special mention was made of this with the words 'Korea, being an independent sovereignty (*jishu no kuni* 自主ノ邦), ...' If your country has another suzerain (*jōkoku* 上国) that you obey and follow its 'instructions', you are only a vassal (*hanzoku* 藩属) and not worthy of being called an independent sovereignty."⁶ Here, the terms *jōkoku* 上国 and *hanzoku* 藩属 accord to the French and American usages of suzerain and vassal referenced above, and, incidentally, demonstrate that corresponding translations of the two terms had already percolated into common use in the Japanese diplomatic context. Under such circumstances then, it was only natural that the term *shangguo/sangguk/jōkoku* 上國 came to be adopted as a translation of "suzerain[ty]" in Chinese translations of such international law texts as *Gongfa huitong*.

3. 2. *The Divergence of Shangguo*

When America and Korea concluded the Shufeldt Treaty in May 1882, the Korean king handed the American representatives a letter addressed to the American president which stated that, while Korea was a *shubang/sokpang* 屬邦 of Qing China, Korea enjoyed *zizhu/chaju* 自主 in both its internal and external affairs. With this, the concepts of "*shubang/sokpang*" and "*zizhu/chaju*" came to dominate the Korean Question. This then begs the question: what became of the term *shangguo* 上國? One thing that we can say for certain is that the term by no means became any better fixed in definition. On the contrary, it was the opposite.

When the Korean king articulated his views apropos the concepts of "*shubang/sokpang*" and "*zizhu/chaju*", Qing China took the position that this "*zizhu*" (sovereignty) that he spoke of was purely nominal. Indeed, only several months after the signing of the Shufeldt Treaty, the Qing turned to active intervention in Korean affairs, when it dispatched troops to suppress the Imo Mutiny.

However, other countries certainly were not sanguine regarding this form of logic and the attitude the Qing authorities were taking *vis-à-vis* Korea. This is not surprising, for the attitudes of both Japan and the Western countries were premised on Western conceptualizations of international order. From the Japanese perspective, as *zizhu* was the

⁶ "Ch'ōngguk ūl sangguk ira han sōsik t'oegak ūi kōn" 清國을上國이라한書式退却의件 (On the withdrawal of the document format calling Qing China a *sangguk*), 24 October 1879 [*Ku Han'guk oegyo munsō*: vol. 1, pp. 32–3].

corresponding translation for “independent” in *Wanguo gongfa*, Korea was, therefore, by this logic, an independent country. That Korea, as an independent state, could *also* be a vassal state subject to Qing interference, defied all logic. The Qing’s military action in Korea only served to make the situation even more confusing.

In the immediate aftermath of the Imo Mutiny in September 1882, Japanese diplomat Inoue Kowashi 井上毅 proposed that Korea ought to become a neutral state.

Although the Qing is Korea’s *jōkoku* 上国 and Korea is the Qing’s *tributaire* 貢国, Korea is not a [Qing] dependency 属国. This will not prevent Korea from proclaiming herself as an independent sovereignty. As the Qing is but one of the five joint *protectorat* 保護国 of Korea, she should not arbitrarily intervene in the internal affairs of Korea without the collaboration of the other four countries.⁷

I will first discuss here how Inoue sees *jōkoku* as the binary opposite of a tributary state. In his view, the former does not necessarily provide exclusive protection for the latter, describing both in a way which is redolent of how they were defined in traditional Chinese ritual relation terms. His view of a *jōkoku* thus stood in contrast to how suzerainty/*jōkoku* was commonly conceptualized in the West and Japan, with its implication that a suzerain was responsible for the protection of its vassal.

Despite this however, in a Chinese letter addressed to the Qing envoy Ma Jianzhong 馬建忠 in this same period, Inoue placed international law front and center. In a manner similar to previous stipulations made by the Japanese and American sides, Inoue stated that *zizhu/jishu* 自主 (sovereignty) and *shangguo/jōkoku* 上國 (suzerainty) were fundamentally contradictory concepts, and that, on the contrary, the binary opposite of a *shangguo/jōkoku* was a *banzhu/hanshu* 半主 (semi-sovereign) or *fanshu/hanzoku* 藩屬 (dependency), and that a *jōkoku* only possessed the rights to diplomatic intervention for a *banzhu* or *fanshu*.⁸ Although this definition was predicated on the definition of *banzhu/hanshu* given in *Wanguo gongfa*, as the term “suzerain” is explained given the translation of *shangguo/jōkoku*, the conceptualization invoked by Inoue here can be said to be faithful to stipulations found in *Gongfa huitong*.

In other words, according to circumstance, Inoue selectively used the term *shangguo/jōkoku* to mean two different things. On the one hand, he used the term as a traditional Chinese concept which had nothing to do with Western conceptualizations, and on

⁷ Inoue Kowashi, “Chōsen seiryaku ikensho” 朝鮮政略意見書 (Memorandum on the Korean policy), 17 September 1882, in *Goin bunko*, A-855 and [Inoue Kowashi denki hensan iinkai 1966–: Shiryōhen 史料編 (Source Materials), vol. 1, pp. 312–13.].

⁸ Inoue Kowashi, “Ba kansatsu ni atahen to gisuru no sho” 擬与馬觀察書 (Draft letter to Ma Jianzhong), 29 October 1882, in *Goin bunko*, A-856.

the other, he used it as a translation of the Western notion of a suzerain, as found in international law, to contrast *hanshu/banzhu*. This example serves as a demonstration of two things. Firstly, it demonstrates the difficulty involved in defining the term *shangguo/jōkoku* 上國. Secondly, it demonstrates how much room there was for interpretation of the concept.

Be it the European concept of “suzerain[ty]”, or its Chinese counterpart of *shangguo/jōkoku*, who had the right and the responsibility for the protection of a *shuguo/zōkoku*, was decidedly vague.

3. 3. The “Protection” Question and the Consequences of its Eventual Resolution

It was not only Japan and the West but also Korea itself who took umbrage with the attitude evinced by the Qing in this period. From the Korean point of view, as a *shuguo/sokkuk* 屬國, its relations with the Qing constituted nothing more than the ritual payment of tribute, and it was “sovereign” in both its “domestic and internal affairs”. Yet, the dispatch of Qing troops during the Imo Mutiny simultaneously constituted an act of “protection” by the Qing of the Korean government, as well as an interference in its internal affairs. This was thus an infringement on its “sovereignty”. As it would transpire, the Qing’s actions during the Imo Mutiny served as the wellspring for new tensions in the Sino-Korean relationship.

As the Korean government at the time did not possess adequate military resources to protect itself, it required “protection” from both internal strife and external enemies. Thus, if Korea did not turn to the Qing for help, it would have to rely on others. It was for this reason that during the Kapsin Coup (Kapsin Chōbyōn 甲申政變) of 1884 it received Japanese support, and in the Russo-Korean Secret Agreement of the following year, as a condition to signing, Korea stipulated that it required Russian protection.

The Qing opposed this agreement, because in their view a *shuguo* (vassal state) and *baohu* 保護 (protection) were inseparable notions. Yuan Shikai’s 袁世凱 *Zhaijian lun* 摘姦論 (“Proposals for the Banishing of Evils”) is a text which explicitly marked the arrival of such an understanding. There, Yuan, whilst stressing the differences between the Western conceptualization of *shangguo* and its Chinese counterpart, clearly states that *baohu* 保護 (the right and responsibility of protection) of a vassal state exclusively belonged to China [*Qing Guangxu-chao...*: vol. 9, p. 9]. While Yuan would at times invoke *shangguo* in a polysemous fashion, just as Inoue Kowashi did, what made his usage of the term different was the way in which he linked it to the concept of *baohu*. This instance thus also serves as a demonstration of how much room there was for interpretation when it came to the *shangguo* concept.

There was no way that Korea and other foreign countries would have accepted

Yuan Shikai's position, however. Thus, the question of *who* would take charge of the protection of Korea continued to go unresolved. As Korea possessed "sovereignty", no obvious answer emerged. What's more, though this quandary brought instability to the region, it also inadvertently functioned as a means of mutual restraint amongst the Powers, bringing a certain balance of power to the region as well. Indeed, it was precisely for this reason that the Korean Peninsula enjoyed a decade of prolonged peace in the aftermath of the Kapsin Coup and the Sino-Japanese Convention of Tientsin concluded by Li Hongzhang and Itō Hirobumi in 1885.

Thus, when this question of "protection" was eventually resolved, both this power balance and the halcyon decade it engendered came to a sudden end when, in 1894, the dispatching of Qing and Japanese troops to Korea catalyzed the outbreak of the First Sino-Japanese War.

When the Korean government requested Qing military support to suppress the Tonghak 東學 Rebellion in 1894, it declared that it was following the precedent set during the Imo Mutiny and the Kapsin Coup in doing so. At the time, the Qing, acceding to Korea's request, explained that their decision to dispatch troops to Korea accorded with its "time-honored custom of protecting dependencies (*baohu shuguo zhi jiuli* 保護屬國之舊例)". These facts clearly go to show how the eventual settlement of the problem of Korean "protection", in which Qing and Korean interests aligned, conversely brought about catastrophe.

3. 4. *Denny and Yu Kil-chun*

Owen N. Denny, a foreign advisor to the Korean government, staunchly opposed both the Qing's and Yuan Shikai's claims to Korea. In *China and Korea*, published in 1888, Denny attempted to wade through the tangled web of concepts concerning Korea's status, to produce a text which articulated the country's status according to the Korean position.⁹

Denny's insistence on an "independent" Korea constitutes the book's overriding theme, and in making that argument, Denny drew a sharp distinction between the concepts of "vassal" and "tributary". According to Denny, Korea was always the latter in its relations with the Qing, and as the paying of "tribute" did not affect its "sovereignty", he deemed it to be perfectly acceptable to view Korea as an "independent" state. To substantiate his argument, Denny cites the same passage from Wheaton that we previously analyzed on page 78 of this chapter [Denny 2010: 18–19].

⁹ On Denny and his *China and Korea*, see [Okamoto 2004: 226–59; Denny 2010].

In quoting Wheaton, Denny draws a contrast between a tributary and a vassal. There, Denny states that, a vassal, unlike a tributary, was a concept with an accompanying dependency on “sovereignty”. Denny understands a suzerain to be the binary opposite of a vassal, which he explains in the following way.

Had vassalage [→the relation of suzerain and vassal] existed between the two countries, in accord with international jurisprudence, at the time the American treaty was made, does anyone at all versed in public affairs suppose that the Viceroy would have tried so hard to procure their acknowledgement by a friendly power in a public treaty?¹⁰

For Denny, “vassalage” and “suzerainty” were synonyms and interchangeable concepts. Of course, Denny was of the view that such terms did not apply to the Sino-Korean relationship. In underpinning this argument, it is important to note that he cites Bluntschli’s *Le droit international codifié* [Denny 2010: 24, 25, 84].

One more characteristic feature of Denny’s argument in *China and Korea* was his disregard for the question of Korean “protection”. This attitude undoubtedly underpinned his refutation of Yuan Shikai’s stance, in which the position of the Qing as a *shangguo* would justify its “protection” of, and intervention in, Korea. However, Denny’s argument was in some ways overly theoretical and disregarded the actual relations of power which held sway over the Korean Peninsula.

How Korea perceived its international position at this time is a question which still lingers today. How it perceived Denny’s *China and Korea*, too, is another question which has gone unanswered, for the Korean government never expressed an official position on the book and its contents.

That being said, the writings of Yu Kil-chun 兪吉濬, however, offer us a few clues. Here, let us briefly analyze a statement made by Yu, who was responsible for drafting documents which the Korean government sent to the Qing. Interestingly, the arguments Yu makes here are based on Denny’s, albeit articulated through the medium of Chinese.¹¹

Briefly stated, the argument Yu makes is that a *chūngongguk* 贈貢國 (tributary) differs from a *sokkuk* 屬國 (dependency/vassal), as the latter is a *pandongnipkuk* 半獨立國 (semi-independent state) which is devoid of both perfect *chaju* 自主 (autonomy) and *chugwon* 主權 (sovereign rights). The *chūngongguk*, in contrast, is equally sovereign

¹⁰ [Denny 2010: 20]. Underlines and parentheses signify differences found among different editions.

¹¹ On Yu himself, and those writings of his which are relevant to this section, see [Okamoto 2012: 161–3].

in both its *naichi* 内治 (internal affairs) and *oegyo* 外交 (foreign relations), and does not take orders from other countries. The *chŭnggongguk* was therefore “a proper independent state”. Thus, Korea, as a *sokkuk*, was a full-fledged independent state of the world.¹² Needless to say, Yu’s position was practically identical to Denny’s.

However, Yu and Denny’s positions didn’t completely converge on all points. In contrast to Denny, Yu recognized Korea to be a *suhoguk* 受護國, or a country that was on the receiving end of protection (i.e. a protectorate), whilst simultaneously denying that the country constituted a vassal or semi-sovereign state [Yu 1971: vol. 4, pp. 31–3]. That a protectorate was an independent country was a unique point of argument that was not to be found in Denny’s *China and Korea*. Although Yu discusses *poho* 保護 and *sokkuk* using the terms *chŭnggong* 贈貢 (to present tribute) and *suho* 受護 (to receive protection), he never makes any mention of the term *sangguk* 上國 (the upper state, suzerain). Yu’s position thus exhibited a marked contrast with that of Denny, who, in *China and Korea*, saw “vassalage” and “suzerainty” as interchangeable concepts, and in his prolonged discussions on them, did not make any reference to the question of “protection”.

Conclusion

The opinions of Inoue Kowashi, Yuan Shikai, and Yu Kil-chun on Sino-Korean relations in the late 19th century represented typical points of view in Japan, China, and Korea. In these divergent points of view, we find not only how the concept of *shangguo/sangguk/jōkoku* 上國 came to be defined in different ways by different people, but also the reasons which lay beneath the seeds of discord that were sown over *who* ought to constitute the ultimate arbiter of Korea’s “protection”.

The fundamental reason which underpinned this was the fact that the terminological conceptions each used to represent their reciprocal positions in their external relations were polysemous. Such a situation was engendered by both the transposing of international law texts to the East Asian context, and the ambiguities which arose from the translation of the suzerain[ty] concept into Chinese as *shangguo* 上國.

The terms “vassal” and “suzerain”, as used by Wheaton in his writings, originally came to the fore as a byproduct of the Ottoman Empire’s international relations and history, more specifically, through the “Eastern Question”. Yet, these terms were incongruent with objective facts, and their definitions in legal terms were decidedly ambigu-

¹² Yu Kil-chun, “Kukkwon” 國權 [Yu 1971: vol. 4, pp. 26–43]. Also see Yu, “Pangguk ūi kwonri” 邦國의權利 in Yu, *Sōyugyōnmun* 西遊見聞, part 4 [Yu 1971: vol. 1].

ous. What's more, their lack of a single, rigid, clear-cut definition became particularly problematic when the issue of Korean "protection" arose. These problems were also inherited by the later work of Bluntschli, whose tome on international law also became a fundamental text in East Asia following its translation into Chinese.

What is "suzerainty" generally perceived to be? As the Korean Question demonstrates, a suzerain was perceived as occupying a higher rank than that of its vassal and, in addition, to possess certain sovereign rights which allowed it to militarily defend said vassal and to some extent involve itself in its diplomacy. This, I venture to assert, is likely to be the generally accepted definition of "suzerainty" for most Westerners.

It is for these very reasons then, that the notion of "nominal suzerainty", becomes perfectly feasible. Take for example the case of the 1881 Convention of Pretoria, signed between the British and the Transvaal Boers, which ended the First Boer War and recognized the *de facto* independence of the Republic of Transvaal. In the convention's preamble, we find a reference to British "suzerainty". This "suzerainty" is often described in terms of being "nominal". However, "nominal" means no more than "nominal", and such cases can only be viewed as exceptions which held no real substance in practical terms.¹³

That being the case, given the nuances of "suzerainty", in the Ottoman Empire's treaties and in the "Eastern Question", could it not in fact be the case that exceptional provisions relevant to suzerainty were written into the articles of treaties? For example, while Wallachia and Moldavia directly fell under the suzerainty of the Ottoman Empire, it was implied that they could, in exceptional cases, receive protection from Russia. As "suzerainty" involves exceptions, it could take on many different guises according to time and circumstance. This is the origin of the term's ambiguity.

The concepts of suzerain and vassal were byproducts of the "Eastern Question". After the advent of the "Korean Question", however, these concepts came to be applied to the Sino-Korean relationship, and, having been translated into Chinese as *shangguo* and *shuguo*, became embedded in the conventional East Asian order, thus creating yet another layer of ambiguity around their precise definition. This ambiguity, whilst producing divergent interpretations in each East Asian country, conversely also led to the creation of a buffer which had both mitigating and intensifying effects upon conflict on the Korean Peninsula. Unless due regard is paid to the origins of these concepts of inter-

¹³ Similar cases can be observed in East Asia. For example, the question of Tibetan "independence", which is the subject of Chapter 8, is not directly unrelated to this question of the "nominalization" of suzerainty. George N. Curzon, the Governor-General of British India, considered Qing "suzerainty" over Tibet to be a mere "fiction" or "disguise", and thus, without reference to the Qing, concluded the Treaty of Lhasa directly with the Tibetan government in 1904. See [Okamoto 2017].

national law, and to the character and impact of their translations, achieving an understanding of the international relations of modern East Asia and their transformation will be impossible.