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**“The Mukden Incident as the Pretext of the Japanese
Imperialistic Intentions in East Asia”**

Introduction

"The Dawn of a New Order" - the words by Polish Prime Minister Ignacy J. Paderewski are a symbol for the idea of the League of Nations (LN, French: Société des Nations, German: Völkerbund). Brought together by the belief that a new era of international relations was ahead, the League of Nations was established in 1919 by the Treaty of Versailles. An Era of Achievements, such as international peace and security, should have begun.

The origins of the League of Nations, founded at the Paris Peace Conference, can be seen in the concept of a peaceful world community first written by Immanuel Kant in 1775 in his essay "Perpetual Peace: A Philosophical Sketch".

The founders of the intergovernmental organization hoped to overcome secret treaties and secret diplomacy and establish an organization that would endorse a peaceful world community "by the prescription of open, just and honourable relations between nations" and "by the acceptance of obligations not to resort to war".

The League of Nations is the historical forerunner of the United Nations. It was dissolved after it failed its main goal in 1939: to prevent any further world war, such as the Second World War.

The League of Nations was to be based in Geneva, Switzerland. Its organization was quite similar to today's United Nations, only it had far less member states and all decisions had to be unanimously. It was based on the constitutional organs: The Secretariat, the General Assembly and the Council. In the council, we will be simulating, all Member States involved in a conflict where not allowed to vote on matters which directly affected them.

Even though the Monroe-Doctrine and the idea of sovereignty and territorial integrity by US-President Monroe are integral parts of the LN-constitution, the United States never was an actual member state. The US-senate denied the ratification of the Treaty of Versailles, because they felt ignored by President Wilson, who did not include the senate in the negotiations.

There are several points of critique one could mention related to the development of the LN. The two main points are the missing affectivity due mandatory unanimously decisions and the fact that no super-power, like the United States, was a member for a long time-period. Another criticised point is that the member states were not willing to put enough effort in the work within the LN. National interests were to often put before the international interest of world peace and disarmament. A typical phenomenon one finds in international organisation and international relations. As also often seen within today's United Nations.

But the League of Nations also celebrated some success. For example the interventions in the conflict between Finland and Sweden about the Åland Islands was successful and prevented further damage. And the establishment of the United Nations as the historical forerunner is only one more. The LN also counts as the first organisation to inform the world about the problems in the "third world". It was the beginning of the awareness and fight against international social issues. It is a pity the LN failed due to their own "one and only" expectation: It's desire to end war.

World at the Beginning of 1930's

The beginning of the 1930's was marked by the unravelling economic downfall known as The Great Depression that followed the Wall Street Crash of 1929, the largest stock market crash in American history. The Great Depression had a widespread traumatic effect and the impact of it was marked with high rates of unemployment, severe poverty and subsequent rise of extreme nationalistic and militarized regimes. The instability caused by the deep economic crises led to civil wars and aggressive expansions of militarized states on weak states such as Ethiopia, Poland and China. The rising tension in the world politics of 1930's eventually escalated in the Second World War (WWII), the deadliest conflict in human history to date.

After the horrible onslaught of the First World War (WWI), there have been several initiatives to prevent similar development based on arms races, binding bi-lateral treaties and secret diplomacy. This effort led to the creation of the League of Nations (LN), an intergovernmental organization founded as a result of the Paris Peace Conference that ended the WWI. It was the first international organization whose main goals were maintaining world peace; preventing wars through collective security, disarmament and settling international disputes through negotiations. The legitimacy and effective impact of LN was severely limited from the very beginning by the absence of the rising world superpower – the United States of America. Nevertheless, LN managed to mediate several disputes throughout the 1920's, such as the Åland crisis, the solution of conflict in Upper Silesia, the decision about the status of Memel/Klaipėda among others.

1920's saw yet another major effort to prevent aggressive behaviour of states in the Briand-Kellogg pact. This pact was a binding international agreement in which the signatory states promised not to use war to resolve international disputes. Even though this pact was concluded outside of the League with the US and France as main initiators, it was signed by almost all independent states of the time. It remained a binding treaty under the international law throughout the 1930's and later served as a basis for UN charter's articles about use of force in international disputes. However, the pact did not effectively prevented use of force and did not contribute to international peace. Since the signatory states (including Japan and China) renounced the use of war, the pact effectively erased the legal distinction between war and peace as states begun to wage wars without actually declaring them. Several conflicts including the Mukden Incident and the subsequent invasion of Manchuria together with Italian invasion of Abyssinia (Ethiopia) and German and Soviet invasion of Poland were unfortunate examples of this development. Even though the pact was important as a basis for the international law norms that defined the threat or use of military force – and territorial acquisition based on them – as unlawful, it still did not prevent the rising tension in the Far East and elsewhere at the beginning of 1930's.

China and Japan at the Beginning of 1930's

Both China and Japan experienced radical changes in the first decades of the 20th century. The creation of the Republic of China in 1912 ended the 2000 years of the Chinese imperial rule, which was for the last 100 years weakened by the external pressure from the European colonial powers. China was in a state of disarray after rising civil unrests and uprisings such as the "Boxer Rebellion" from the beginning of the century. The civil unrest grew and finally the Wuchang Uprising succeeded in overthrowing of the empire and creation of the Republic. The Republic was plagued with internal disputes, weak central government and shattered rule of warlords. The nationalistic rule of Kuomintang and its leader generalissimo Chiang Kai-shek sought to unify China through the military campaign Northern Expedition. Even though they succeeded to defeat the warlords, the Communist Party of China was on the rise and the year 1927 marked the beginning of the long Civil War that further destabilized Chinese control over its own territories.

Japan underwent a major shift in its politics when it abolished the long period of isolationism, overthrown the old shogun system and begun its Meiji reforms according to Western principles. Japan became a centralized empire with modernized army, navy, institutions and infrastructure. Japan soon begun to follow its "line of advantage" policy, which maintained that Japan is vulnerable to Western imperialism unless it extends a line of advantage beyond its border. That in effect meant a militarized imperialistic policy towards Korea and Manchuria, which resulted in the first Sino-Japanese war of 1894-1895 and the Russo-Japanese war from 1904-1905, both of which Japan won. Those victories established Japan as the dominant power in the Far-Eastern area. Korea became formally a part of the Empire in 1910 and Japan slowly begun to strengthen its influence over Manchuria.

Japan was firmly present in Manchuria ever since the Russo-Japanese war. Japan gained the control over the South Manchuria Railway and the South Manchuria Railway zone (a strip of land around the railways). Japan stationed "railway guards" around the tracks. However, those guards were in fact regular soldiers of the largest part of the Japanese military – the Kwantung army. The Japanese presence in China was growing to such an extent that the US secretary of state John Hay decided to put the demand about the territorial integrity of China into the Nine-Power treaty about the Open Door Policy (part of the Washington Naval Conference of 1922), which had Japan as one of the signatories.

The Mukden Incident

On 18 September 1931, an explosion destroyed a small section of railway track near the city of Mukden. The Japanese, who controlled the railway, blamed Chinese nationalists for the incident and used the opportunity to retaliate and invade Manchuria. However, there were some whom speculated that the bomb may have been planted by mid-level officers in the Japanese army to provide a pretext for the subsequent military action. There were severe suspicions already at the time of the incident that the whole incident was just a Japanese provocation staged by the Kwantung Army. Nevertheless, the Japanese reaction was immediate and within a few short months, the Japanese army had overrun the region without almost any resistance from the untrained Chinese army.

The United States and other western powers had no effective measure to respond to the rapidly developing crisis. Even as the Japanese moved far from the original site of the "attack" at Mukden to bomb the city of Jinzhou, there was little sense that Western interests in the area were anywhere near profound enough to

make military intervention necessary or desirable. Given the 1930s worldwide depression, there was little support for economic sanctions to punish the Japanese. Instead, the United States sat in on League of Nations council meetings for the first time to try to convince the League to enforce the Kellogg-Briand Pact, which both Japan and China had signed, and the Nine-Power Treaty where Japan promised to preserve Chinese territorial integrity.

Development in the League of Nations After the Incident

China appealed to the League of Nations Council on 19 September 1931. A series of considerations repeatedly came up during discussions, such as Art 11 of the League of Nations Covenant, which established a prohibition of war. Before conducting war, the parties to the conflict were required to adhere to a "cooling off" period of 3 months. During this time, the countries should seek to settle the conflict by way of arbitration, judicial award or inquiry. The use of the term "war" later proved to be one of the main flaws in the covenant. By definition, war consisted of two elements: the act of aggression and the *animus belligerendi*, i.e. the intention to suspend all peaceful relations with another country and apply the laws of war. The intention of conducting war can easily be denied by a country, leaving the mere act of aggression, which in and of itself was not prohibited under the wording of the covenant.

Another important aspect invoked was the Briand-Kellogg Pact, a multilateral agreement initiated by the ministers of foreign affairs of France and the USA. China and Japan were also parties to this agreement and were thus bound by its prohibition of war. Secretary of State Henry Stimson, though empathetic of the situation, underlined that the US could not admit the legality of a *de facto* situation or a treaty brought about by means contrary to the Briand-Kellogg Pact.

In its original formal appeal China requested, pursuant to Art 11 of the Covenant of the League of Nations, that the Council take immediate action to prevent an escalation of the situation, the reestablishment of the *status quo ante* and the determination of adequate reparation to be paid by Japan for its unlawful acts against the Republic of China. In China's view, the restoration of the *status quo ante*, especially the withdrawal of Japanese troops, was a necessary prerequisite for further peaceful negotiations.

The British representative to the Council strongly endorsed China's position by warning against an aggravation of the conflict. He emphasized that cooperation within the League of Nations can only become fruitful if the parties to the conflict avoid further clashes. He therefore urged belligerent troops to withdraw from the opponent's territory. This suggestion was unanimously approved of within the Council and integrated in the first resolutions.

The first phase, from 19 to 30 September resulted in two unanimous resolutions, one on 22 September and the other on 30 September. By the first, the Council authorized the president

"(1) To address an urgent appeal to the governments of China and Japan to abstain from any acts which might aggravate the situation or prejudice the peaceful settlement of the problem;

(2) to seek, in consultation with the representatives of China and Japan, adequate means whereby the two countries may proceed immediately to the withdrawal of their respective troops, without compromising the security of life of their nationals or the protection of the property belonging to them."

The Council also "decided to forward, for information, the minutes of all the meetings of the Council, together with the documents relating to this question, to the government of the United States of America. The second resolution was approved on 30 September in the following form:

"The Council

1. Notes the replies of the Chinese and Japanese governments to the urgent appeal addressed to them by its president and the steps that have already been taken in response to that appeal;

2. Recognizes the importance of the Japanese government's statement that it has no territorial designs in Manchuria;

3. Notes the Japanese representative's statement that his government will continue as rapidly as possible the withdrawal of its troops, which has already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured and that it hopes to carry out this intention in full as speedily as may be;

4. Notes the Chinese representative's statement that his government will assume responsibility for the safety of the lives and property of Japanese nationals outside that zone as the withdrawal of the Japanese troops continues and the Chinese local authorities and police forces are reestablished;

5. Being convinced that both governments are anxious to avoid taking any action which might disturb the peace and good understanding between the two nations, notes that the Chinese and Japanese representatives have given assurances that their respective governments will take all necessary steps to prevent any extension of the scope of the incident or any aggravation of the situation;

6. Requests both parties to do all in their power to hasten the restoration of normal relations between them and for that purpose to continue and speedily complete the execution of the above mentioned undertakings;

7. Requests both parties to furnish the Council at frequent intervals with full information as to the development of the situation;

8. Decides, in the absence of any unforeseen occurrence which might render an immediate meeting essential, to meet again at Geneva on Wednesday, 14 October 1931, to consider the situation as it then stands;

9. Authorizes its president to cancel the meeting of the Council fixed for 14 October should he decide after consulting his colleagues, and more particularly the representatives of the two parties, that in view of such information as he may have received from the parties or from other members of the Council as to the development of the situation, the meeting is no longer necessary."

Following the first resolution Japan stated its willingness to settle the conflict as rapidly as possible and its intention to withdraw troops stationed on Chinese territory to the fullest extent that the safety of Japanese nationals and the protection of the railway allowed. Japan therefore insisted that an external intervention was premature and would risk aggravating the situation that actually showed signs of improvement. The British delegate agreed that at this point the dispute settlement was to be left to the parties of the conflict. China reiterated its refusal to negotiate bilaterally while Japanese troops were still present on its territory and suggested that a commission of neutral members be appointed to observe the retreat of the troops. Despite displaying willingness to cooperate, Japan continued its hostilities against China and soon acquired full control of the Manchurian region.

The second phase of the discussion, from 14 to 24 October resulted in a resolution unanimous, with the exception of Japan, on the latter date and in the following words:

"The Council, in pursuance of the resolution passed on 30 September Noting that in addition to the invocation by the government of China of Article 11 of the Covenant, Article 2 of the Pact of Paris has also been invoked by a number of governments;

(1) Recalls the undertakings given to the Council by the governments of China and Japan in that resolution, and in particular the statement of the Japanese representative that the Japanese government would continue as rapidly as possible the withdrawal of its troops into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured, and the statement of the Chinese representative that his government will assume the responsibility for the safety of the lives and property of Japanese nationals outside that zone - a pledge which implies the effective protection of Japanese subjects residing in Manchuria;

(2) Recalls further that both governments have given the assurance that they would refrain from any measures which might aggravate the existing situation, and are therefore bound not to resort to any aggressive policy or action and to take measures to suppress hostile agitation;

(3) Recalls the Japanese statement that Japan has no territorial designs in Manchuria, and notes that this statement is in accordance with the terms of the Covenant of the League of Nations, and of the Nine-Power Treaty, the signatories of which are pledged "to respect the sovereignty, the independence, and the territorial and administrative integrity of China;"

(4) Being convinced that the fulfillment of these assurances and undertakings is essential for the restoration of normal relations between the two parties,

(a) Calls upon the Japanese government to begin immediately and to proceed progressively with the withdrawal of its troops into the railway zone, so that the total withdrawal may be effected before the date fixed for the next meeting of the Council;

(b) Calls upon the Chinese government, in execution of its general pledge to assume the responsibility for the safety of the lives and property of all Japanese subjects resident in Manchuria, to make such arrangements for taking over the territory thus evacuated as will ensure the safety of the lives and property of Japanese subjects there, and requests the Chinese government to associate with the Chinese authorities designated for the above purpose representatives of other Powers in order that such representatives may follow the execution of the arrangements;

(5) Recommends that the Chinese and Japanese governments should immediately appoint representatives to arrange the details of the execution of all points relating to the evacuation and the taking over of the evacuated territory so that they may proceed smoothly and without delay;

(6) Recommends the Chinese and Japanese governments, as soon as the evacuation is completed, to begin direct negotiations on questions outstanding between them, and in particular those arising out of recent incidents as well as those relating to existing difficulties due to the railway situation in Manchuria. For this purpose, the Council suggests that the two parties should set up a conciliation committee, or some such permanent machinery;

(7) Decides to adjourn till November 16, at which date it will again examine the situation, but authorizes its president to convoke a meeting at any earlier date should it in his opinion be desirable."

The third phase of the discussion, from 16 November to 10 December, resulted in the passage by unanimous vote of the following resolution on the latter date: 30 September 1931, by which the two parties declare that they are solemnly bound; it therefore calls upon the Chinese and Japanese governments to take all steps necessary to assure its execution, so that the withdrawal of the Japanese troops within the railway zone may be effected as speedily as possible under the conditions set forth in the said resolution;

"(2) Considering that events have assumed an even more serious aspect since the Council meeting of October 24, notes that the two parties undertake to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life;

(3) Invites the two parties to continue to keep the Council informed as to the development of the situation;

4) Invites the other members of the Council to furnish the Council with any information received from their representatives on the spot;

(5) Without prejudice to the carrying out of the above mentioned measures, desiring, in view of the special circumstances of the case, to contribute towards a final and fundamental solution by the two governments of the questions at issue between them: decides to appoint a commission of five members to study on the spot and to report to the Council on any circumstances which, affecting international relations, threaten to disturb peace between China and Japan, or the good understanding between them, upon which peace depends. The governments of China and of Japan will each have the right to nominate one assessor to assist the commission. The two governments will afford the commission all facilities to obtain on the spot whatever information it may require. It is understood that should the two parties initiate any negotiations, these would not fall within the scope of the terms of reference of the commission, nor would it be within the competence of the commission to interfere with the military arrangements of either party. The appointment and deliberations of the commission

shall not prejudice in any way the undertaking given by the Japanese government in the resolution of 30 September as regards the withdrawal of the Japanese troops within the railway zone.

(6) Between now and its next ordinary session, which will be held on January 25th, 1932, the Council, which remains seized of the matter, invites its president to follow the question and to summon it afresh if necessary."

Actions taken by the League of Nations

As a reaction to the Manchurian crisis, the League of Nations sent the Lytton Commission on a fact-finding mission in order to assess the situation. Following the Lytton report, the League of Nations refused to acknowledge the Japanese puppet-state Manchukuo and considered it to be the result of an unlawful act of aggression. In reaction to the resolutions adopted and the hostile attitude of the international community, Japan decided to resign from the League of Nations in March 1933. The League of Nations failed to enforce any economic or military sanctions against Japan.

Suggestions for preparation

For some of the countries present at the Council it is going very difficult to find the exact positions of their countries on the topic at hand, but one does not necessarily need to have the exact position of his country about a certain topic, if the general position of the country at the time of the Mukden incident is known. In order to make an accurate representation of your country, the delegate should be able to answer the following questions:

- What type of government does your country have?
- What types of ideologies (political, religious, or other) influence your country's political environment?
- Which domestic issues might influence your country's foreign policy?
- What are some major events in your country's history? Why are they important?
- Which ethnicities, religions, and languages can be found in your country?
- Where is your country located and how does this geography affect its political relationships?
- Which countries share a border with your country?
- Which countries are considered allies of your country?
- Which countries are considered adversaries of your country?
- What are the characteristics of your country's economy?
- What is your country's gross domestic product (GDP)? How does this compare to other countries in the world?
- When did your country become a member of the League of Nations?
- Does your country belong to any other intergovernmental organizations, or did it sign an important international treaty?
- Does your country belong to any regional organizations?
- Does your country belong to any trade organizations or agreements?
- What are the main characteristics of the issue? How does it affect your country?
- What has your country done to support/combat the issue?
- What are the various positions in the debate?
- Which aspects of the issue are the most important to your country?
- If your country is not directly involved with the issue, how can it become involved?
- How will your country shape the debate at the conference?
- What arguments will other countries likely make?
- How do the positions of other countries affect your country's position?
- Is there evidence or statistics that might help to support your country's position?