
The Annexation of Korea to Japan

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The Fourth Pan-American Conference has given a new and strong expression to the solidarity existing among American countries. It is a notable fact that at a time when a great many differences separated the governments of individual countries, they could yet meet together and in perfect mutual confidence cooperate in the solution of many specific problems of American international life. All the prophets of evil came to grief. As the delegates became acquainted with each other a strong feeling of mutual confidence and of security grew up, so that alarmist reports and forecasts were heard with equanimity and amusement. The International Union of American Republics may indeed be said to be well established when its work can be done in this quiet and effective manner — a manner which involves a sincere mutual confidence and a feeling that the bases upon which our common action rests are well settled by convention, custom, and intimate mutual understanding.

THE ANNEXATION OF KOREA TO JAPAN

In an editorial comment which appeared in the *JOURNAL* in April, 1907, the international status of Korea was considered, with a review of the changes which had taken place in the Hermit Kingdom from 1876 to 1906. As a result of an examination of the various treaties between Korea and Japan, the view was expressed that Korea had surrendered its independence and that it ceased to be a member of the family of nations; for, by the treaty of November 17, 1905, Japan took charge of the external relations of Korea, which agreed not to conclude any act or engagement of an international character, except through the intermediary of Japan. The establishment of the Residency-General and Residents in Korea by the Japanese Imperial Ordinance No. 267, promulgated December 20, 1905, was a natural consequence and logical development of the status created by the treaty of November 17, 1905. For an examination of the successive acts by which Japan assumed sovereignty over Korea, see the editorial comment referred to above, Vol. 1, pages 444-449.

It would seem that the agreement of 1905 and the government established in accordance therewith, have not worked satisfactorily, and on August 29, 1910, Japan and Korea concluded a treaty by which Korea was formally annexed to Japan. The agreement of 1905 was in fact, if not in theory, virtual annexation, but the treaty of August 29, 1910, annexes Korea and incorporates it with the Japanese Empire under the

name of Chosen. The proclamation of Japan annexing Korea, dated August 29, 1910, stated that, "in order to maintain peace and stability in Korea, to promote the prosperity and welfare of Koreans, and at the same time to insure the safety and repose of foreign residents," it was necessary to make fundamental changes in the government of the country, and in order to effectuate this purpose the complete annexation of Korea was agreed to by the high contracting parties. The preamble of the treaty of annexation stated it as the desire of both countries "to promote the common weal of the two nations and to assure permanent peace in the Extreme East," and that the best method to attain these purposes was the annexation of Korea to Japan.

The important articles of this important treaty are the following:

Article I. His Majesty the Emperor of Korea makes complete and permanent cession to his Majesty the Emperor of Japan of all rights of sovereignty over the whole of Korea.

Article II. His Majesty the Emperor of Japan accepts the cession mentioned in the preceding article and consents to the complete annexation of Korea to the Empire of Japan.

For the purposes of administration, a governor-general of Korea is to be appointed, who is, under Japanese direction, to exercise "the command of the army and the navy and the general control over all administrative functions in Korea." In the Japanese proclamation annexing Korea, particular attention is devoted to matters relating to foreigners and foreign trade in Korea. Existing Japanese treaties are to be extended as far as practicable to Korea to take the place of Korean treaties which have ceased to be operative. Foreigners residing in Korea are, as far as conditions permit, to enjoy the same rights and immunities as in Japan and the protection of their rights is subject to Japanese jurisdiction. However, cases actually pending in any foreign consular court in Korea at the time of the treaty of annexation shall remain in said court until final decision. For the treaty of annexation, the proclamation of annexation, the Imperial rescript attached to the proclamation and treaty of annexation, and the announcement of the Japanese Foreign Office, all of which are dated August 29, 1910, see SUPPLEMENT, p. 1.

The absorption of Korea is thus complete. It has ceased to exist as a nation and has even surrendered the name by which it was known in the family of nations. The situation in Korea has been a cause of trouble and difficulty in the Far East for many years, whether as a

dependency of China or as an independent but struggling kingdom, exposed to designs on the part of its powerful neighbors, Russia and Japan. The protectorate created by the agreement of 1905 was but a step toward the absorption of the kingdom. It indicated clearly the ultimate intention of Japan, but it did not wholly subject it to the administrative control and domination of the protector. The formal annexation of Korea will no doubt be regretted by the Koreans who desire its independence, but there can be little doubt that its annexation will, in the language of the Japanese proclamation, "maintain peace and stability in Korea and promote the prosperity and welfare of Koreans, and at the same time insure the safety and repose of foreign residents."

"EL CHAMIZAL" DISPUTE BETWEEN THE UNITED STATES AND MEXICO

The announcement some time since that Mexico has accepted Secretary Knox's proposal for the arbitration of the long-pending controversy between the United States and Mexico over the international boundary at El Paso, Texas, would seem to promise an early solution of the only important boundary dispute now existing between the two countries concerned. The agreement provides that the matter is to be referred to the International Boundary Commission, now composed of two commissioners — one of whom this Government appoints and the other Mexico — which is to be augmented for the sole purpose of determining the international title to the land in dispute by the addition of a third commissioner who is to act as umpire and preside over the deliberations of the commission. This commissioner is to be a Canadian jurist, to be selected by the two governments, acting in common accord, or failing such agreement, to be appointed by the Government of the Dominion of Canada, and the decision of this commission upon the title to the land in dispute is to be final and conclusive.

The land involved in the dispute referred to, estimated at some six hundred acres, is within the so-called *El Chamizal* tract, which lies south of the channel of the Rio Grande as it ran in 1853 and north of the present channel of the river. Under the treaties of 1848 and 1853, which will be later discussed in detail, the Rio Grande from its mouth until it passes El Paso, Texas, forms the international boundary line between the United States and Mexico, and it is by virtue of certain provisions of these treaties that the people of Texas lay claim to the land in question, the said Chamizal tract lying wholly north, i. e., on the American side of the river as it now flows.