

The Conclusion of the First Dutch Treaty with Japan

Herman J. Moeshart

On Saturday morning 17 April 1852 a meeting took place in the Royal Palace in The Hague. King Willem III, the minister of the colonies Charles F. Pahud, the former minister of the colonies Jean Chretien Baud, and the brother of the king Prince Hendrik decided Dutch policy regarding Japan. Under the Dutch constitution of 1848, the king held great powers in colonial and foreign affairs. The meeting had become necessary because of disturbing news from the United States about plans for an expedition to Japan. The possibility of an American expedition to Japan caused the Dutch government some uneasiness. It was feared in The Hague and Batavia that the actions of the Americans would cause serious trouble for the Dutch in Japan. The Dutch government was convinced that the American request for trade and friendly relations would again meet with a Japanese refusal. Letters from the Dutch envoy in Washington had made clear that an important naval force was going to Japan and the Dutch feared that the Americans would be joined by the British. The Dutch authorities were afraid that hostilities would break out between the foreigners and the Japanese. If such a thing happened, it might be very difficult for the Dutch in Japan to avoid involvement. The Japanese authorities might ask for assistance. If assistance in any form was given, it could bring trouble for the Dutch vis a vis the other Western powers. The nations seeking contact with Japan would probably ask the Dutch for assistance and such assistance might endanger the Dutch position in Japan. Furthermore, the crux of Dutch foreign policy was neutrality and no interference in international matters. A solution suggested by the Governor General of the Dutch Indies in Batavia was the temporary withdrawal of the Dutch from Japan, but this was not acceptable to the Dutch government.

Former Minister Baud remembered all too well the letter that had been sent to Japan in 1844. He had countersigned the personal letter of King Willem II to the shogun to try to convince the Japanese government of the necessity of opening its harbors to foreign trade. The letter, written by Philipp F. von Siebold, was very badly composed if its intention had been to persuade Japanese leaders. In a paternalistic way, referring to friendly relations between Japan and The Netherlands, the Dutch king had invited the shogun to abolish the system of sakoku (national seclusion). The Japanese government answered a year later in a letter in which it declared that no friendly relations existed between The Netherlands and Japan. Friendly relations existed with the Ryukyus and China. With Korea and The Netherlands Japan maintained trade relations, but "trade is different from friendship." The Japanese warned the Dutch to send no more letters as they would not be accepted. Because of this negative result, Minister Baud had shelved plans to change the minds of Japanese government officials and made no mention of the royal letter or the Japanese response.

Hearing of the developments in Japan, Siebold, who acted as an advisor to the minister of the colonies, proposed to send special royal commissioners to Japan to conclude a treaty. The treaty would then serve as an example for treaties to be concluded with other countries that asked for contacts with Japan. In spite of his banishment from Japan, Siebold wrote in his letter that in fact he himself was the only suitable person to fulfill this mission.

These proposals were debated at the meeting on Saturday morning 17 April 1852. Baud, who dislike Siebold, advised letting the Chief Merchant (Opperhoofd) of the Dutch trading post on Deshima take care of the matter. If he was going to negotiate a treaty however, he could not do

so as a merchant, but should get a proper rank. Ex-minister Baud was supported by his colleague, Minister Pahud. Prince Hendrik, one of the protectors of Siebold, supported the ideas of his protege in vain. The outcome of the meeting was that Pahud ordered the Governor General of the Dutch Indies in Batavia to write a letter to the commissioner of Nagasaki (Nagasaki bugyo) in which the Japanese government was warned against the coming American expedition. In a mysterious way, the Governor General was to arouse the curiosity of the Japanese authorities by telling them that the Chief Merchant possessed knowledge of a way to avoid trouble for Japan. The plan for the treaty had to be kept secret until the Japanese asked for it. The new Dutch Chief Merchant would hand over the letter and conduct the negotiations with the Japanese authorities. The drawing up of a suitable treaty was left to the Governor General in Batavia. This would not only protect Dutch interests in Japan, but also make it possible for other nations to conclude treaties with Japan.

In this peculiar way, the Dutch government started out on the way of treaty making. Parliament was not informed. Much depended on the ability of the Chief Merchant who had to negotiate with the Japanese.

Negotiations

In Batavia, Governor General Albert J. Duijmaer van Twist was searching for a suitable man to be appointed Chief Merchant of Deshima. His choice was Jan Hendrik Donker Curtius, a lawyer with a long career in the Dutch Indies. He was a justice in the High Court of Justice and a member of the High Military Court of Justice in Batavia; he was thirty-nine years old. For his job in Japan he received the title of “Dutch Commissioner in Japan” and he was allowed to wear the uniform of an officer in the Dutch navy.

Duijmaer van Twist was not at all happy with the burden that Minister Pahud had placed on his shoulders. In his semi-official letter of 14 June 1852, he complained that the orders he received did not correspond to his views. He had wanted the Dutch to leave Japan to avoid trouble and he feared that the chances of success for the plan were very minimal. The Governor General saw as the main difficulties the refusal of Japanese authorities to accept a letter and the drawing up of a treaty. If the Japanese accepted the letter and the treaty, it was still to be seen if they were going to use the Dutch treaty in their negotiations with the Americans or the British.

In the orders for the Governor General, Pahud had written that the treaty should not ask for special favors for the Dutch, but that did not mean that the Dutch interests were to be neglected. The letter contained a draft treaty crafted by Siebold. The Governor General had dropped the stipulations by which the Dutch would get a place for a wharf and a coal dump, and that The Netherlands would put two steam ships at the disposition of the Japanese government. About the treaty he remarked that “it was not easy to find a suitable form for a treaty in which one is not asking something for oneself but for others, by whom one has not been authorized to do so, whose desires one does not know well, and who may not agree to the advantages that have been asked for them and will demand more.”

Donker Curtius arrived in Nagasaki on 21 July 1852. With the former Chief Merchant F. Rose, he tried in vain to hand the letter to the Nagasaki bugyo. As predicted by Duijmaer van Twist, the bugyo refused to accept the letter. He promised only to lay the matter before the government in Edo. A long period began in which the Japanese government tried to find out something about the contents of the letter. The Japanese were curious but could not accept the document without a loss

of face. From the Dutch side, Donker Curtius tried to press the Japanese to accept the letter, but he had no means of putting real pressure on Japanese authorities.

In September, the Japanese government made known to Donker Curtius that it wanted to receive the letter if no answer was demanded. Instead of an official delivery like in 1844, the letter would have to be handed over in a blank envelope. This was a typical example of Japanese diplomacy against which Donker Curtius and Rose were helpless. After deliberation, Rose and Donker Curtius decided that it was better to hand over the letter in this fashion than not at all and gave the letter to the Nagasaki bugyo. After a few days had passed, the bugyo told Donker Curtius that he was moved by the friendly feelings of the Dutch king and that he had sent the letter to Edo. The Japanese authorities were puzzled by the Dutch letter. They did not believe in the unselfishness displayed in the letter, as the Dutch would be the first to suffer if Japan opened its harbors to trade with other foreigners. They supposed a British plot, as the British owned half the world and the Dutch had executed British orders before. The warnings in the letter were to be taken seriously, however.

Though the Japanese interpreters at Deshima continued trying to get information about the Dutch plan for saving Japan, Japanese authorities did not specifically ask for it. Donker Curtius stubbornly refused to talk about the plan with the interpreters and declared that he was waiting for a high Japanese official to discuss the matter with him.

The shogunate played the same game it had with the acceptance of the letter: on 2 November, Donker Curtius received the message that the government regarded the matter as closed. At the same time, the Nagasaki bugyo told the Dutch Commissioner in secret that the plan might be discussed unofficially with the retiring bugyo, who was going to return to Edo in a few days. Donker Curtius, who was afraid that all would be lost if he followed his orders too strictly, gave a summary of the plan for the conclusion of a treaty to the Nagasaki bugyo. At the same meeting, he counseled Japanese authorities not to reject the demands of the American president completely and to open the harbor of Nagasaki for other nations too. After this meeting, Japanese authorities maintained silence on the matter for months. It was clear to Donker Curtius that something drastic had to happen in order to open negotiations.

The Dutch Commissioner was informed by the Japanese that large American war ships had been sighted near the Ryukyus on 7 July. On 22 July, they told him that the Americans had anchored near Uraga. Donker Curtius did not comment on this news in his letter to the Governor General, but he noted some Japanese reactions to the American visit. On 6 August, Japanese interpreters came to ask him for an English dictionary and the next day servants of the daimyo of Hizen inquired about the price of war ships. A Russian expedition to Japan under the command of Admiral Evfimii Putiatin arrived in Nagasaki on 10 August. The Russians handed a letter from Tsar Nicholas II to Japanese authorities and were answered by the Nagasaki bugyo that a response from Edo could take a very long time. On 11 November, still without a reply, Putiatin left for Shanghai.

Through pressure on Japan was gradually increasing, the Japanese government did not think it necessary to consult Donker Curtius. The bakufu had started to consult the daimyo to formulate a policy against American and Russian advances. The letters of the Dutch king, the American president and the Russian tsar had been studied and servants of the bakufu concluded that there were only minor differences between the Dutch and American letters. The Japanese presumed a Dutch-American plot. The idea was strengthened by the fact that the visit of Donker Curtius to the

shogunal court would coincide with the return of the American Admiral Perry in 1854. The voyage of Donker Curtius to the Edo court was therefore postponed. As Donker Curtius knew nothing of the plans of Perry and the true reasons for this postponement, he accepted the Japanese proposal without protesting or even asking for an explanation.

A Ship for the Shogun

Before the news from Japan about the arrival of Perry's squadron in Japan had been received officially in The Netherlands, Dutch newspapers had written about the event. Donker Curtius' letters had been sent to Batavia in December 1853 and the Cabinet Council discussed them in March 1854. The Governor General had reported that the Japanese had ordered many war ships. In the summer of 1854, they wished to receive a frigate and a steam corvette. The choice between a screw and paddle-wheel ship, as well as the size and price of the ships, they left to the Dutch government. The ships were to be delivered with full armament and sloops. The total order of the shogunate numbered seven war ships, a large quantity of fire arms, and books on military subjects. This shows the inexperience of the Japanese in military matters. In a panic about the return of Perry, they wanted to prepare themselves. Even if it had been possible to deliver all the desired ships and armaments, Japan lacked the trained seamen to take advantage of them.

The Japanese order placed the Dutch government in a delicate position. The delivery of war ships to Japan at a time when other nations were trying to open communications with that country would not be accepted graciously by those nations. It might turn The Netherlands into an active member in the conflict and endanger its sacred neutrality. The Governor General did not want to deliver ships to Japan. He wanted to wait for the results of the Russian and American expeditions first. Besides, it would be very difficult to find ships for the Japanese government. He proposed instead to send a Dutch war ship as a present from the king to the shogun. He saw a way to profit from the Japanese:

We now know the weak point of the Japanese; we know what they want above all. I think we should make use of this knowledge and take care that others do not profit from this before us. It does not matter what kind of goods Japan wants to import, they must be paid in Japanese products.

The Cabinet Council decided to maintain a careful policy in Japan, but the conclusion of a treaty was to be pursued with more insistence. In the treaty there should be more possibilities for trade and other nations should be allowed to trade in Japan too. Neutrality was very important. Japan could have a steam ship, but it should not be a ship from the Dutch navy. The Dutch government would search for a merchant ship for Japan and in the meantime an electrical telegraph would be sent to Japan as a present.

The Governor General received a letter telling him about these decisions and he was told to write to Donker Curtius that Japan should not make any concessions to other nations that The Netherlands was not receiving too. That was of course easier said than done. How could Donker Curtius prevent Japanese authorities from making concessions to the Russians or Americans? In fact the request of the Dutch government was the key component of the so-called "most favored nation clause" which would be included in the treaty. Obviously the arrival of the Russian and American expeditions in Japan had troubled the Dutch government. The long period without news from the Dutch Commissioner (a ship went only once a year from Batavia to Japan), prompted the Dutch

government to send a naval ship from the East Indian Squadron to Japan.

Protesting that he could not do without a single naval ship in the archipelago, the Governor General sent the Dutch navy paddle-wheel steamer Soembing, captained by G. Fabius, to Japan. The Soembing arrived in Nagasaki on 22 August 1854. Immediately upon its arrival, many Japanese visited the ship posing questions on seamanship, navigation, etc. Within a few days, regular courses for the Japanese were being organized.

On almost the same day that the Dutch Cabinet Council deliberated on the Japan policy, Perry returned to Japan, where he signed a convention with Japanese authorities. The convention did not allow trade, however, and the American claim that it opened Japan is rather exaggerated. Shimoda and Hakodate were opened only for American ships and then only under certain conditions. In September, a British squadron under the command of Sir James Stirling entered the harbor at Nagasaki in search of the Russian squadron under Putiatin. The British and Russians had become enemies because of the Crimean War that had broken out in March. The following month Stirling signed a convention with the Japanese allowing his ships to obtain water and food and enter Japanese harbors in an emergency.

The Dutch Commissioner had not been able to profit from the increased Western interest in Japan. Even the American-Japanese convention had not been shown to him, though Fabius had seen a copy when he visited Hong Kong on his way to Nagasaki. The time in Nagasaki passed with teaching the Japanese and making short trips in the Soembing with Japanese authorities on board. At last, on 18 October 1854, the Dutch Commissioner received a copy of the American convention and the assurance that all concessions that Japan had given to the Americans would also be granted to the Dutch. Immediately after this message had been received, the Soembing was dispatched to Batavia. The Governor General was in a euphoric mood when he wrote to the Minister of the Colonies:

We got everything without a display of power, even without asking, which the Americans have extorted from Japan with threats, and the general promise that we shall get all that other nations may get.

Duijmaer van Twist was probably carried away by the too rosy report that Fabius had drawn up. Fabius based his report on Japanese who had told him that soon Japan would abolish the sakoku system. There was, however, no reason for great rejoicing. All The Netherlands had obtained was permission to enter the harbors of Shimoda and hakodate where no trade was allowed. There was also no reason to be proud of this achievement. Donker Curtius had not exerted any pressure or shown exceptional diplomacy. The policy of waiting, patiently waiting, can hardly be called a policy at all.

Duijmaer van Twist sent Fabius, with his letters of the report, to The Netherlands, where he arrived in the spring of 1855. The Minister of the Colonies thought it very important to send again a warship to Japan, this time the Gedeh under the command of Fabius. The lessons for the Japanese could be continued and it was important to show the Dutch flag at Shimoda. At the same time, the Japanese request for a war ship was reconsidered. Even if a new ship was built, it could not be ready before 1857, but by delivering a model of the ship, the Dutch government hoped to keep the Japanese interested. The matter became urgent, however, when the British government asked parliament for 10,000 to build a steam yacht for the shogun.

The government in The Hague did not join in the rejoicing in Batavia. The only result of the information from Japan was the issuance of new orders for the conclusion of a treaty in which the emphasis was now laid on the Dutch position in Japan. Dutch trade in Nagasaki had to be confirmed, as did the freedom to move about for all foreigners like that which existed in Shimoda and Hakodate. The Netherlands also had to receive all rights granted to the United States and Great Britain or still to be granted to them or to other nations (the “most favored nation clause”) and a declaration from Japan that it would allow other nations to trade. The “Report to the King” of 12 February 1855 was published to inform the public. The report contained not much more than the history of Dutch-Japanese relations since the letter of King Willem II of 1844, the text of the Perry Convention, and the text of the treaty that Donker Curtius had brought to Japan in vain.

Minister Pahud decided to force the matter of the ship for Japan. He discussed the possibility of giving a ship from the navy to Japan with his colleague A.S. Smit van den Broeke, Minister of the Navy. Smit van den Broeke suggested giving the Soembing to the Japanese: they already knew the ship and they were much fascinated by it. He was prepared to sell the Soembing to the Ministry of the Colonies for 250,000. The king approved this proposal. Fabius, who had returned to Batavia on 23 May 1855, was charged with the command of the Gede, and he was to accompany the Soembing commanded by G.C.C. Pels Rijcken. After the transfer of the Soembing to the Japanese, the Gede would return to Batavia the crew members of the Soembing that were not staying in Japan to teach the Japanese. The Gede and the Soembing arrived in Nagasaki on 22 June. In a solemn ceremony the Soembing was handed over to Japanese authorities on 5 October 1855.

The gift of the ship to the Japanese was severely criticized in the Dutch parliament in a debate on the budget for 1856. The state of the Dutch navy was very bad and members of parliament could not understand why a ship had been donated to Japan when there was such a lack of good ships in the Dutch Indies. Minister Pahud could however take shelter behind the king who had the last word in matters of the colonies.

The transfer of the Soembing had required intensive contacts between the Dutch Commissioner and Japanese authorities. Donker Curtius had succeeded in once again bringing his plans for a treaty to the attention of the Japanese. In September, the Nagasaki bugyo had asked for a draft of the treaty. The Japanese were not prepared to open the country; they wanted only to confirm the trade customs already in place at Nagasaki. The coming departure of the Gede gave Donker Curtius a chance to negotiate. The Japanese were very happy with the teaching of the *via* was a weapon that Donker Curtius used to his advantage. It seems strange that it cost him so much trouble to achieve freedom of movement for the Dutch in Nagasaki. Since Americans had freedom of movement around Shimoda, Donker Curtius could have claimed the same for the Dutch at Nagasaki on the grounds that the Japanese had granted the Dutch everything the Americans had received. It is incomprehensible why he did not make use of this. On 9 November 1855, however, a convention was signed. According to this convention, the land gate at Deshima was to be opened on 1 December 1855, never to be closed again. The treaty was finally signed on 30 January 1856.

The articles of the treaty can be summarized as follows:

1. Freedom of the Dutch to leave Deshima whenever they wish and to move without hindrance in the area around Nagasaki.
2. Dutch nationals who commit crimes will be brought to the highest Dutch civil servant on

Deshima to be judged according to Dutch law (extraterritoriality clause)

3. Japanese criminals will be handed over to Japanese authorities.
4. The Dutch will receive all concessions that other nations may receive (most favored nation clause)

5-13 Confirmation of trade at Nagasaki.

14. Freedom of Dutch to sail in Nagasaki Harbor and to catch fish.
15. The keys of the Deshima water gate shall be kept by the highest Dutch civil servant on Deshima.

16-29 Confirmation of existing customs.

Remarkable is the text of article 27 that stipulates that the way in which trade was conducted with the Dutch factory would not be changed. This meant that direct trade between Japanese and Dutch merchants was not possible. Japanese authorities maintained an office in Nagasaki called Geldkamer (lit. Money Room) by the Dutch. This office worked as an exchange. Dutch traders brought their goods and received Japanese goods in return without having direct contact with Japanese buyers. It is unnecessary to point out that a lot of money went into the pockets of the Japanese civil servants working in this office.

The inclusion in the treaty of the “most favored nation clause,” which had already appeared in the American convention, and the “extraterritoriality clause” must be attributed to the lack of knowledge concerning international relations on the part of Japanese negotiators. Both clauses were included in the treaties that Japan concluded in 1858 and they caused much trouble for the Japanese government. The “most favored nation clause” meant for Japan the loss of freedom to conclude treaties with other countries, as all new elements in such treaties would have to be granted automatically to the nations possessing a treaty with the clause in one of its articles. The “extraterritoriality clause” was nothing new to the Western countries. This article was insisted on in treaties with, for instance, Muslim countries, in order not to expose Western (Christian) nationals to barbaric justice.

The treaty lacked two elements: the principle of reciprocity and provisions about the term of operation of the treaty. These provisions were of course not omitted by accident. A seasoned lawyer like Donker Curtius must have known that these provisions should have been included in the treaty. Japan was not regarded as an equal in the negotiations and the aim was the conclusion of a treaty that would have as many advantages for The Netherlands as possible, though throughout friendship for Japan was professed by the Dutch.

Even so, the treaty was severely criticized in the Dutch parliament. The fact that the treaty brought nothing new and was a confirmation of the status quo angered members of parliament. Much money had been spent, a navy ship donated, but with only meager results. With the publication of the “Report to the King,” the whole matter of the conclusion of the treaty had become public. Until the publication, the matter of the treaty had been discussed only in a circle of ministers and the king, some of whom were driven by idealism, though the interests of Dutch trade were never completely ignored. After the publication, the merchants and their representatives in parliament gave their opinion. They were driven by other motives, wanting to profit as much as possible from the trade with Japan and certainly not less than their American or British competitors.

The Dutch Commercial Treaty with Japan

Donker Curtius realized that the treaty had little to offer merchants and in August 1856 he started negotiations on a commercial paragraph, the so-called Additional Articles. He did this on his own initiative, without orders from The Hague or Batavia. On 21 August 1856 an American competitor had arrived in Japan, unbeknownst to Donker Curtius. The American Consul Townsend Harris had been put ashore at Shimoda by the American war ship San Jacinto. The isolation of Harris in Shimoda was even more effective than that of the Dutch on Deshima had been. Harris tried in vain to open talks with Japanese authorities.

Donker Curtius started by handing his proposals and a draft of fifteen articles to the Nagasaki bugyo. The Japanese reacted in the same old way: they postponed talks. Donker Curtius resigned himself to another long period of waiting without taking further initiatives.

The Dutch government had sounded out opinions on Japan in the capitals of the nations that had opened contact with Japan London, Washington and St. Petersburg. In London, Foreign Secretary Lord Clarendon had told the Dutch envoy that he thought the giving of advice to the Japanese useless. The sight of a large fleet in Tokyo Bay would change their minds much more quickly. In Washington, Secretary of State Lewis Cass had given no opinion about Japan. From St. Petersburg came news that a large fleet was being prepared to sail to Japan.

The Japanese started serious negotiations with Donker Curtius in July 1857. The arrival of Admiral Putiatin in September of that year provided unexpected support for the Dutch Commissioner. He pointed out to the Japanese that Putiatin would certainly negotiate for himself and if the Japanese had no treaty available as an example, they would be forced to sign whatever the Russians would dictate as they came with strong war ships. With this incentive, the additional articles were accepted. A short time later, Putiatin concluded a treaty of the same tenor, having used a French translation of the Dutch treaty as a model.

Donker Curtius had succeeded in getting his way in many of the articles. The opening of Hakodate to the Dutch had been included and the number of ships that were allowed to sail to Japan was no longer fixed. Free trade was still not possible however. In the treaty, the Japanese also declared themselves willing to conclude treaties with nations that asked for them.

The Dutch parliament again criticized the treaty and the indolent attitude of Donker Curtius. According to some members of parliament, Donker Curtius had been satisfied to kick his heels in Nagasaki when he should have gone to Edo instead to negotiate there with the proper authorities. In his negotiations with the Japanese, Donker Curtius had shown little initiative and ingenuity. This was also the opinion of one of the civil servants at the Ministry of Foreign Affairs, who wrote the following in the margin of one of the documents:

The pitiful little that has been accomplished with much self-exaltation and bombast by the gentlemen Curtius and Fabius, proves clearly that if The Netherlands continues in this way, it will never have the honor of opening Japan and that other nations will not have the patience that the Commissioner thinks necessary.

In fact these skirmishes in parliament were almost meaningless as they were fought a long time after the fact. Because of the lapse of time between the conclusion of the Additional Articles and

the arrival of the information in The Hague, the commission of parliament that reported on the treaty finished its report on 3 August 1858.

One of the gravest shortcomings of the treaty was the continued existence of the Geldkamer (Exchange) that prevented direct trade between the Dutch and Japanese merchants. A curious intervention came from the side of Prince Hendrik. In a letter to the minister of the colonies, he regretted the attitude of the Dutch government and objected to free trade. He regarded the desires of the merchants as harmful to the Japanese empire. He pleaded for the establishment of a Dutch naval station in Japan mainly to transport mail between Japan and Java. The ministry suspected that the letter was inspired by Siebold and did not react to it.

In their defense of the treaty, the ministers of the colonies and foreign affairs pointed out that the trade had been freed from the restriction of only one ship per year. Deshima had been converted into a free bonded warehouse lying before the shore of a nation with forty million inhabitants. They also expected great results because of the proximity of China, Korea and the new Russian expansion in Eastern Siberia. They emphasized the moral consequences of the treaty and the additional articles:

The Netherlands did not use its monopoly position in Japan to further its own interests at the exclusion of others, but improved trade, not only for the Dutch, but for all nations. Along the peaceful road of persuasion and conviction, the Japanese government was moved to leave the old system of seclusion and to admit all nations, even Portugal, to the conclusion of treaties of commerce and friendship.

Never mind whatever others might say, The Netherlands concluded the first commercial treaty with Japan by concluding the Additional Articles. While this trade in its beginning was still hindered by regulations, the road to unlimited growth has been opened and it is now clear which regulations are to be observed.

The Netherlands made the most important inventions of the civilized world known to Japan; it introduced vaccination to Japan; it obtained for the Christians the free confession and profession of the Christian religion and the abolition forever of the custom, so insulting to all Christians of the world, that of treading with the feet on the image of Christ.

The debate concluded at the beginning of 1859. As it was known at the time that a new treaty had been concluded in August 1858, the parliamentary commission advised letting matters rest in terms of expectations of the new treaty. In his final words, J.J. Rochussen, Minister of the Colonies, underlined that the Dutch policy had been the right one, following the advice in the letter of King Willem II. He thought it certain that the United States and Britain only obtained treaties with Japan after The Netherlands had opened that country not only for itself but for all nations of the world. The Netherlands would stay in Japan forever and always have a special place in the minds of the Japanese.

In its final conclusion, the parliamentary commission stated the following:

A treaty which substantially contains nothing else than the confirmation of a way of trading which does not deserve the name of commerce, the abolishment of regulations which had not been kept for years, is and remains the meager result of all that has been done by The Netherlands to try to change the Japanese system of government.

Conclusion

Did The Netherlands attain its idealistic aim set forth in the orders for the conclusion of the treaty? The answer must be: only partly. The Dutch treaty functioned as an example only for Putiatin in 1857. The American Consul Townsend Harris rejected the Dutch treaty as insufficient and negotiated his own treaty in July 1858. Donker Curtius concluded a similar treaty only a few days after Harris, using the American treaty as an example, abandoning all Dutch idealism. The other nations interested in intercourse with Japan Great Britain, France and Russia concluded similar treaties shortly thereafter.

What went wrong? Donker Curtius had been put in charge of a nearly impossible mission. He was powerless against Japanese refusals and delaying tactics. On the other hand, he seems to have been all too ready to let matters rest and showed very little initiative.

The union of idealism and trade was unfortunate. The idea of opening Japan for friendship and trade with other nations by counseling the Japanese government to abolish its system of seclusion in exchange for a system of treaties was not bad. Maybe the Dutch treaty of 1857 that had left trade in Nagasaki in the hands of the Japanese Geldkamer came closest to the ideals of the Dutch government. However, the ideals of the Dutch king and his ministers were not those of the merchants. Demands of trade and international competition made Donker Curtius include the unfriendly “most favored nation clause” and “extraterritoriality clause” in his treaty. The friendship with Japan, professed in all official letters from the Dutch to the Japanese, had resulted in a treaty containing articles which restricted the freedom of action of the Japanese government. The Japanese remark that friendship and trade were not the same things seems all too true. Friendship between nations is not the same as friendship between people. Friendship between nations is ruled by national interests.

Dutch idealism diminished as the negotiations took more and more time and the probability of competition from other foreign merchants in Japan increased. Friendship and idealism were completely abolished in the “unequal” treaty of 1858 which bound the Japanese government until its revision went into effect in 1899.

Herman J. Moeshart. “The Conclusion of the First Dutch Treaty with Japan.” *Crossroads: A Journal of Nagasaki History and Culture*, no. 5 (Autumn 1997), 1–22.