

中國評論週報

## The China Critic

SHANGHAI, CHINA.

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### A War In Disguise

The Japanese consul here, Mr. Murai, wants us to believe by his statement to the press that the Japanese warships and marines are here to protect Japanese life and property, and that it was the Chinese troops that started the fighting. We would like to take his words at their face value if the marines had landed in the International Settlement where the Japanese live and transact their business, instead of entering as they did the Chinese territory of Chapei, and if Japanese airplanes had not dropped combustible bombs and burned up buildings in the very quarter where there are most Japanese residents and shops. It requires a long stretch of imagination to consider such acts as being done for the protection of life and property.

The Japanese ultimatum of January 28 demanded that the Chinese troops in Chinese territory outside the Settlements to evacuate their positions so that the Japanese might occupy that territory. Were it not for the serious consequences that followed, we might take it as a huge joke. According to international law, an ultimatum may be simple when it does not mention the measures to be taken if the demands are not complied with, or qualified when it specifies the measures. But the demands usually embody terms which represent either real or imaginary grievances, as the first four Japanese demands were which the Shanghai Mayor accepted. To ask point blank that one country should give up a part of its territory to another is something out of the ordinary. It is a clear indication that the Japanese admiral was unable even to find a pretext for his warlike action.

To quote Oppenheim, ultimatum is the technical term for "a written communication by one State to another which ends amicable negotiations respecting a difference, and formulates, for the last time and categorically, the demands to be fulfilled if other measures are to be averted." Now, if the Shanghai Mayor had not accepted the first four demands made by the Japanese Consul, and the latter had not expressed his satisfaction of the acceptance, Japan might have reason for sending an ultimatum to formulate the demands categorically and for the last time. The military occupation of Chapei might then be the specified measure of a qualified ultimatum. But such was not the case. The so-called ultimatum of the Japanese admiral demanded the very thing that should be averted through negotiations. Therefore, we can hardly consider it as an ultimatum. It is a declaration of war.

The Japanese Consul again blamed the Chinese troops for starting the hostilities. It was of course not true. Even if we leave out of question as to which party started the fighting we must still ask as to where and when the hostilities began. Was it not in Chinese territory which the Japanese admiral threatened in his ultimatum to occupy, and after the ultimatum had been sent? Is not the very invasion of our territory under such circumstances a hostile act in itself?

Japan did not want to declare war formally because she still wanted to pretend that she had not violated the League

of Nations Covenant, the Nine Power Treaty or the Kellogg Anti-War Pact. But to invade Chinese territory and attack her regular troops is certainly war. There is no use to dispute a fact. What we want to discuss are the act of Japanese marines and volunteers after the fighting started on the 28th. ultimo. How often have they violated the laws of belligerency?

It is agreed by both parties that there should be no fighting in the foreign settlements. Unfortunately Japanese marines were allowed by the Municipal Council to guard the very section of the International Settlement which was next to Chapei. However, such guards were to protect the life and property of the residents of that section, be they Chinese, Japanese or citizens of other nations. They must not take part in the fighting against Chinese troops in Chapei. Yet that was exactly what they did, and in addition to taking part in the fight, the other Japanese marines who are fighting with our troops in Chapei retreat to the settlement whenever they want. Thus they form one unit and utilise the settlement as their base to attack the Chinese troops. By mutual agreement the foreign settlements of Shanghai have acquired for the time being neutral character, but the Japanese marines have violated this neutrality. As this matter has been the subject of repeated protests by other foreign consuls in Shanghai, it is unnecessary to enlarge upon it.

While the Municipal Council is made to believe that the Japanese marines in the Settlement are to protect the life and property of the residents in the section in which they are stationed, later developments show that it is sorely deceived. Thousands of Chinese residents in Hongkew and other parts of the Settlement are taken prisoners, tortured, or killed. Others are spirited away by Japanese marines or civilians, including an English boy and two Americans. Houses are ransacked and destroyed by hundreds. Japan does not take this as war, but even in war such measures cannot be justified.

The laws of war forbid the killing of defenseless civilians. They forbid also the killing of soldiers who are prisoners of war. But the Japanese have no regard for such laws. According to a news report in the China Press, one hundred and fifty Chinese prisoners were killed last Sunday, most of whom were captivated soldiers and civilians.

Japan tells the world this is not war. Can war be any worse than this?

### Nanking To Loyang

THE removal of the National Capital from Nanking to Loyang during the course of last week indicated that the Chinese Government at last realized the futility of its former policy of non-resistance and conciliation. For a long time it has been well-known that General Chiang Kai-shek and a number of other government leaders did their utmost to keep the country from coming to an open conflict with Japan despite the latter's invasion of Manchuria and provocative acts in other parts of the country. As has been indicated in a previous issue of the Critic, the Japanese could not be satisfied with the conquest of Manchuria but must make an attempt to bring the whole country under her heel. Such being the case, it is only suicidal for China to adopt a policy of non-

resistance. Had the Capital remained in Nanking, it would have been impossible for the Government to exercise its free will, because the city of Nanking is situated right on the Yangtse river and is only a short distance from Shanghai on the sea coast, making it very easy for an invading force to bombard the Government both from the river and from the air. Loyang being rather inaccessible is better suited for the site of National Capital in a crisis that is facing the country. It will enable the Government to exercise its free will with complete freedom from coercion and duress. Loyang was China's capital when the country was witnessing an important development in its history. May the present removal bring back the prosperity and influence that should be the heritage of a country like that of ours.

### A Chinese Louvain

HISTORY repeats itself. Across two continents and over a span of eighteen years, there is being enacted at the moment of writing the tragedy of Louvain, this time in Shanghai, Asia.

The Commercial Press represents the largest educational agency in China. It has served as something like the nerve center of China's intellectual life. From it students get what they can from its text books; by it scholars get their works published. Altogether, it is an indispensable distributing center of Chinese culture.

It was established in 1896, and for the last 36 years has supplied 75% of China's school books. Its assets total \$25,000,000 of which \$15,000,000 are material property. It has a library of 600,000 volumes of which many are invaluable Sung editions. This library, known as the Oriental Library, is said to have the largest number of books, in China.

The whole paraphernalia of this publishing house, occupying a compound of about 100 mow, has the misfortune of being situated at a point in Chinese territory easily accessible to Japanese invaders of Shanghai. It also is unfortunately near the North Station of the Nanking-Shanghai Railway, another objective of Japanese vandalism.

All was quiet on the morning of Jan. 29, 1932 until about 9 a.m. when the first Japanese bomb from a Japanese aircraft struck the ink manufacturing department and destroyed it together with the water supply. Other bombs wrecked the press room and the book godown, and the building housing the color printing press and the rotogravure sections. It is said that altogether more than 5 bombs were thrown three of which wrought havoc.

On account of the presence of a large amount of paper and fire that followed the explosion of the bombs spread with incredible rapidity. The leaves of books, published and unpublished, flew about like leaves. The fire brigade which the publishers themselves maintain could have extinguished the fire had it not been for the incessant bombing from above which prevented any training of water to the inflamed structure.

The Commercial Press with its buildings and what are said to have been insured for \$6,000,000, which, however, does not cover war damages.

It is supposed that the publication and distribution of anti-Japanese books caused the bombing. But there are many