

University of Strathclyde

Department of History

**Opium, the British Empire and the Beginnings of an International Drugs
Control Regime, ca. 1890-1910**

A thesis presented in fulfilment of the requirements for the degree of Doctor of Philosophy
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Abstract

This thesis will examine British attitudes and agendas during the build-up, proceedings and aftermath of the Shanghai Opium Commission (1909) which marked the first step towards the establishment of an international drugs control regime. The research is presented chronologically and draws on a wide range of primary and secondary source documents, including previously unused material in the National Archives of India. It will assess how far revenue concerns shaped British positions on the questions of the opium traffic and the regulation of opium consumption around the turn of the twentieth century.

I argue that a more nuanced and complex appreciation of British positions is necessary in order to understand the foundation years of the international drugs control regime. The British agenda at the Shanghai Opium Commission represented varied and often competing visions of opium regulation held at different levels of the imperial and colonial administration. Moral, political and commercial concerns amongst some British groups motivated their commitment to end the India-China opium trade. The British no longer sought to defend their revenues derived from exports of opium from India to China. Instead the British saw the Shanghai Commission as an opportunity to ensure that the Chinese government fulfilled its own obligations to reduce its domestic production and consumption of opium in line with reductions of Indian exports to China. Nor were the British simply defending their opium revenues from domestic sales to Indian consumers. Instead, the representatives of British colonial governments in Asia, especially India, sought to protect systems of opium regulation which had been elaborated over two hundred years of colonial rule and which colonial administrators believed were tailored towards its maintenance. As such, the British fought to prevent the Commission establishing a principle of non-medicinal opium use which would make illicit widespread quasi-medical and recreational opium consumption. Colonial officials considered such stringent controls antithetical to a colonial policy regulating what they considered as culturally accepted and popular forms of opium consumption. Officials also considered the non-medical prohibition of opium consumption impracticable and, by interfering in the habits and customs of the native population, an unnecessary risk to the security and stability of colonial rule.

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Abbreviations

BLPES – British Library of Political and Economic Science (London School of Economics)

CO - Colonial Office

EIC - English East India Company

FO - Foreign Office

GOI - Government of India

HC - House of Commons

HMG - Her/His Majesty's Government

IMS - Indian Medical Service

IO - India Office

IOL – India Office Library

MP - Member of Parliament

NAI – National Archives of India

RCO - Royal Commission on Opium

Re/Rs - Rupee

SOC - Shanghai Opium Commission

SSOT - Anglo-Oriental Society for the Suppression of the Opium Trade

TNA – The National Archives (Kew)

US - United States of America

Introduction

On the 16 February 1910 the Collector of Rangoon Town, J. B. Wingate, replied by letter to the Commissioner of the Pegu Division in Burma. The Commissioner asked Wingate for his view on possible changes to opium regulations.¹ Inquiries into the possible reform of the system of opium control had been proposed by the Secretary of State for India, John Morley (1838-1923), to the Government of India (GOI) following the resolutions of the International Opium Commission (SOC) that had taken place the previous year in Shanghai. In his reply Wingate wrote:

In the circumstances it appears to be a strange inversion of the ordinary course of things that the Government of India should be invited to amend a policy for no better reason than that a country like China has adopted the course recommended. It seems improbable that the International Commission, as a body knew or cared about India and it is not to be supposed that the members either know or cared whether the light-hearted recommendation was likely to embarrass the Government of India.²

Following the SOC inquiries in Burma were principally concerned with the question of whether the prohibition of opium smoking should be extended to all classes in the province including Chinese and Indian immigrant labourers.³ At the time opium prohibition was limited to the ethnic Burmese who were considered particularly vulnerable to the moral and physical harms of intoxicants. The Government of Burma before formulating its response to the GOI consulted local officials involved in the regulation of opium. In his reply Wingate argued that there were 'slender grounds' to justify the extension of prohibition to 'all classes' in Burma. In particular, he rejected the second SOC resolution which called upon governments to take measures for the gradual suppression of opium smoking in their territories. He pointed out that the resolution did not specify which government should make administrative changes and did not give evidence of why it was necessary. Wingate noted that during proceedings at the SOC delegates had raised serious doubts about the success of Chinese opium suppression which were echoed by recent Consular reports published in local newspapers. He accepted that the GOI would have to uphold the first SOC resolution - the second resolution was intended to support this – which recognised the sincerity and progress of China's recent and ongoing opium suppression campaign. There was, Wingate argued, undue weight afforded to Chinese policy in the GOI's proposal for reforming opium policy in Burma. Furthermore Wingate questioned the GOI's broader enquiry into reforming opium

¹ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

² IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

³ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

regulation across the whole of British India along the lines of the SOC resolutions. Wingate pointed out that the SOC resolutions and GOI proposals appeared ignorant of the conditions of opium consumption in India.

I have assumed that the International Commission and the Government of India are talking of the prohibition of the use of opium, but in point of fact they refer to the smoking of opium which is only prevalent to a very limited extent in India proper. From the tone of the correspondence I gather that my assumption is correct, but the mistake seems a curious one.⁴

Wingate was strongly opposed to government prohibition of intoxicants but was in favour of regulation and even accepted the need for reforms of the system in British India provided that they took account of the 'special conditions' of the country.⁵ He even proposed close government supervision of opium markets by replacing the system which saw licensed vendors retail opium with one in which government officials would themselves sell opium directly to consumers. A proposal for such a system of official vend in Burma had been rejected only two years earlier by the Secretary of State for India who was concerned that closer association of government with the sale of opium would excite anti-opium criticism especially in Britain. Wingate was also anxious to make clear his opposition to the GOI's suggestion that local administrations raise the price at which opium was issued to licensed vendors. He feared that such an increase in price would stimulate the already well-established and extensive illicit networks of opium distribution serving the Burma market.

Wingate's letter to his superiors in the provincial government in Burma raises two key questions about the relationship between empire, intoxicants and the international drugs control regime⁶ which will be addressed in this thesis. Perhaps the most obvious is why there is no mention of the impact upon opium revenues of changes in regulation. Historians have in the past tended to assume that the British administration in India was solely driven by financial concerns in governing opium in Asia throughout the period of imperial rule.⁷ An assessment of the historiography explores this

⁴ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁵ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁶ The term 'international drugs control regime' is adapted from Brook and Wakabayashi's definition of an 'opium regime' as 'a system in which an authority declares its right to control certain practices, and develops policies and mechanisms to exercise that right within its presumed domain.' Brook and Wakabayashi use the term to refer to national or imperial systems of control whereas the adapted term used in this thesis serves to represent the emergent international, though not yet global, character of the regime as envisaged at the Shanghai Commission. See T. Brook and B. T. Wakabayashi, *Opium Regimes: China, Britain, and Japan, 1839-1952* (London: University of California Press 2000) p. 4

⁷ For a recent versions of this well established thesis see C. A. Trocki, *Opium, Empire and the Global Political Economy* (London: Routledge 1999) and H. Derks, *History of the Opium Problem: the Assault on the East ca. 1600-1950* (Leiden: Brill 2012)

below in more detail, but one of the core issues tackled here is that of how far revenues were important in shaping policy in the period in which the international drugs control regime was being put into place.

A second issue touched on by Wingate's letter is that of tensions within the British colonial regime on the question of opium. It is obvious that, as one of the officers on the ground who could observe local conditions and who would be expected to implement changes, his views differed significantly from those at the GOI and officials that had represented British interests at the Opium Commission. Wingate's correspondence suggests that he felt that these distant imperial representatives lacked his local knowledge and an understanding of simple distinctions such as that between opium eating and smoking. This thesis argues that this observation is crucial in understanding that it is difficult to speak of a homogenous or easily discerned 'British' approach to opium control in Asia during this period. In fact there were differing and often competing visions of opium regulation held at the IO in London, at the GOI in Calcutta, at local government headquarters across the colony, and even at the level of the district or urban municipality. Indeed, there were often also differences within each of these levels of imperial and colonial administration.

This thesis will examine British attitudes and agendas during the build-up, proceedings and aftermath of the Shanghai Opium Commission which marked the first step towards the establishment of an international drugs control regime. It argues that a more nuanced and complex historical account than is currently available is necessary in order to understand the early stages of this system. The idea that there was a single British approach, and that this was largely driven by a desire to protect revenues, will be challenged. It also argues that a more complex understanding of British positions enables sense to be made of a number of other issues, such as British relations with other nations during opium negotiations, its refusal to discuss treaties regulating the India-China opium trade and, its resistance to the imposition of international standards of opium regulation which aimed towards the prohibition of the non-medicinal consumption of opium.

Background and historiography

Historians continue to stress the importance of opium revenues to the expansion and maintenance of the British Empire in Asia. Recently, Carl A. Trocki has written a basically Marxist historical narrative of the relationship between opium and British imperialism starting with John Fairbank's acerbic judgment that the British opium trade to China was 'the most long-continued and systematic international crime.'⁸ Broadly speaking, Trocki tells the story of how opium not only

⁸ J. Fairbank, 'The creation of the Treaty System' in J. Fairbank (ed.) *The Cambridge History of China, Vol. 10, Part 1: Late Ch'ing 1800-1911*(Cambridge: Cambridge University Press 1978), p. 263

funded the empire but was a means of imperial and Asian capital accumulation which thereby created an imperialist commercial lobby and laid the foundations of the global capitalist economy. In Trocki's narrative: 'Without opium there would not have been an Empire.'⁹

Paul C. Winther's recent work on the Royal Commission on Opium (RCO) of 1893-1895 has argued that the GOI's financial opium interests extended beyond exports to China.¹⁰ The RCO eventually concluded in favour of the continuation of the production of opium in India and of exports to China despite widespread anti-opium pressure at home and abroad. Winther argues that the final report of the RCO not only thwarted attempts by anti-opiumists in Britain to bring an end to what they argued was the 'morally indefensible' India-China opium trade, but also defended GOI sales of opium to consumers within India.

The Commission's *real* success was domestic...The Commissioner's pronouncement about the medical benefits of eating opium condoned a dramatic increase in poppy cultivation and the amounts manufactured for use within India.¹¹

The British government agreed to the gradual cessation of the India-China opium trade through the Anglo-Chinese Opium Agreements, otherwise known as the Ten Years Agreements (1907-1917). However, historians such as Winther have assumed that British motivations shaping their opium policy and diplomacy remained purely financial. Similarly, the political scientist M. Emdad-ul Haq has argued that the GOI sought to replace lost revenues from the reduction in the opium trade by reversing its earlier principle of domestic opium regulation broadly characterized as maximization of exports and revenue and minimization of consumption within India.¹² The historian Marc Jason Gilbert has even argued that revenues from government monopoly sales of opium and other intoxicants to their colonial subjects in India continued to underpin British rule well into the twentieth-century.¹³ Therefore, as Haq and Gilbert argue, revenues from the sale of opium to Indians, not just from exports to Chinese consumers, underpinned British imperial rule in Asia.

Revisionist historians have recently begun to question the financial 'opium as empire' consensus. Harry G. Gelber has traced back these historical judgements of the opium trade to moral debates surrounding the narcotic in the mid-nineteenth-century. Gelber argues that sections of public opinion in the Atlantic Anglophone world, already sympathetic to anti-imperial and anti-capitalist

⁹ Trocki, 1999, pp. 9, 11, 17 and 57

¹⁰ P. C. Winther, *Anglo-European Science and the Rhetoric of Empire: Malaria, Opium, and British Rule in India, 1756-1895* (Oxford: Lexington Books 2003)

¹¹ Winther, 2003, p. 13

¹² M. Emdad-ul Haq, *Drugs in South Asia: From the Opium Trade to the Present Day* (London: Macmillan 2000), pp. 70-77

¹³ M. J. Gilbert, M. J., 'Empire and Excise: Drugs and Drink Revenue and the Fate of South Asian States in South Asia' in J.H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

arguments and impassioned by religious revivalism were persuaded through the heated debates surrounding the first Opium War (1839-1842) to adopt the thesis of a criminal imperial opium enterprise.¹⁴ The historian John F. Richards argued that this anti-opium discourse was rooted in European and American ‘cultural imperialism’ of the nineteenth-century and later was adopted by nationalist and reform movements in the East.¹⁵ As such, these revisionist historians have argued that the anti-opium movement and their arguments were as much a feature of European imperialism in Asia as the opium trade itself.

The Orientalist and imperialist traits of the anti-opiumist arguments, as Winther has himself acknowledged despite prioritising financial opium motivations in his analysis, are evident in two competing visions of empire pulling at British opium policy in the Indian subcontinent.¹⁶ Anti-opiumists led by the Anglo-Oriental Society for the Suppression of the Opium Trade, founded in 1878, saw opium as an impediment to their civilizing and evangelizing mission in India. Some anti-opiumist argued that natives who consumed opium would be too befuddled to take on the word of God and the lessons of Western civilization. Opium prohibition or its strict regulation was the nostrum they prescribed. GOI officials, on the other hand, were concerned to maintain their opium revenues and a system of opium regulation deliberately reflective of native habits and customs in order to ensure ‘domestic political stability’ fundamental to British rule in the subcontinent. Monopoly and regulation within what they perceived as the bounds of native opium custom and practice was the regime they defended. However, Winther has also argued that through the RCO the GOI ‘had succeeded in eliminating the SSOT in the battle over whose version of imperialism would be the future of India’¹⁷ Thereafter, Winther has argued, ‘future policy regarding the China trade, would remain the prerogative of British India’s administrators, not the moralistic evangelists.’¹⁸ For Winther it is the anti-opiumist that are ‘moralistic’ and therefore presumably, despite acknowledging the competing visions of empire in the opium debate, the ‘pro-opium’ advocates are essentially motivated by Mammon - this thesis will take issue with this simple binary.

As we have seen, in the period of the emergence of an international drugs control regime, the India-China opium trade, in which lay Britain’s principal financial interest in opium, was ended by

¹⁴ H. G. Gelber, *Opium, Soldiers and Evangelicals: Britain’s 1840-42 War with China, and its Aftermath* (New York: Palgrave Macmillan 2004). This paper focuses on British, American and South Asian histories of opium in the modern period. For a recent study of opium narratives in China see Julia Lovell, *The Opium War: Drugs, Dreams and the Making of China* (Picador 2011).

¹⁵ J. F. Richards, ‘Cannot We Induce the People of England to Eat Opium?’ The Moral Economy of Opium in Colonial India in J.H. Mills and P. Barton, *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (New York: Palgrave Macmillan 2007) p. 79

¹⁶ Winther, 2004, pp. 2-5 and 323-328

¹⁷ Winther, 2003, p. 13

¹⁸ Winther, 2003, p. 13

a bilateral agreement between the British and Chinese governments.¹⁹ The origins of the Anglo-Chinese opium agreements and indeed of the Shanghai Opium Commission have been traced by historians as much to events in the West as those in China and to international movements that aimed to tackle trans-national humanitarian and sanitary problems.²⁰ In the Europe and North America of the end of the nineteenth century, new intoxicating substances were being manufactured, aggressively marketed and sold at ever lower prices to ever more people. Concerns with unrestricted access and the harms from the use of manufactured drugs such as morphine and cocaine were however not a preserve of Western governments.²¹ At the same time a consensus formed between the public, medical and pharmaceutical professionals and the state for some sort of regulation of opium. This process was driven by a combination of professional ambition, social reformism, the increasing availability of professional health care to the general populace, the arrival of new pharmaceuticals which would replace some of the applications of non-specific opiates, and drugs-scandals in the press. Control of such substances, whether at home or in their colonial possessions in Asia,²² was now seen as a means to protect society from the infection of both the supposedly deviant ‘dope-fiend’ minorities within and foreign drug habits invading from without. The Japanese in Formosa, the United States in the Philippines and the Dutch in the East Indies all established state monopolies aimed at containing in their colonial enclaves the contagion of the opium habit, not least to prevent its dissemination to the imperial metropolis.²³

Missionary societies, their reformist allies in the press, parliament and commercial interests were largely successful in campaigning for the tighter regulation of opium and other intoxicating substances in Western colonies in Asia in this period.²⁴ The RCO may have successfully protected the government opium policy within India but it ultimately left the China opium trade question unanswered, its findings denounced by anti-opiumists as a ‘whitewash.’²⁵ British and American

¹⁹ Richard K. Newman, ‘India and the Anglo-Chinese Opium Agreements, 1907-14’, *Modern Asian Studies*, Volume 23, Issue 03, July 1998, pp. 535-560; David E. Owen, *British Opium Policy in China and India* (New Haven: Yale University Press, 1934)

²⁰ On the background to the international drugs regulation system and the Anglo-Chinese opium agreement see McAllister, 2000, pp. 9-24; V. Berridge, *Demons: Our Changing Attitudes to Alcohol, Tobacco & Drugs* (Oxford: Oxford University Press 2013) pp. 117-126

²¹ J. H. Mills., ‘Cocaine and the British Empire: The drug and the diplomats at the Hague Opium Conference, 1911-1912,’ in *Journal of Imperial and Commonwealth History*, 41, 1, 2014 (in press) on cocaine

²² Anne L. Foster, ‘Prohibition as Superiority: Policing Opium in South East Asia, 1898-19025’, *The International History Review*, 22: 2, 253-273; Anne L. Foster, ‘Models for Governing: Opium and Colonial Policies in Southeast Asia, 1898-1910’ in Julian Go and Anne L. Foster (eds), *The American Colonial State in the Philippines: Global Perspectives* (London: Duke University Press, 2003)

²³ J. M. Jennings, *The Opium Empire: Japanese Imperialism and Drug Trafficking in Asia 1895-1945* (Westport CT: Greenwood Publishing Group 1997) pp. 17-38; A. L. Foster, ‘Prohibition as Superiority: Policing Opium in South-East Asia, 1898-1925; in *The International History Review*, 22, 2, 2002, pp. 253-273; J. R. Rush, *Opium to Java: Revenue Farming and Chinese Enterprise in Colonial Indonesia 1860-1910* (London: Cornell University Press 1990) pp. 189-241

²⁴ McAllister, 2000, pp. 20-21

²⁵ Newman, 1989, pp. 529-530

missionaries still targeted the India-China trade as a moral and physical plague upon Asian societies and as an obstacle to their proselytizing in China. Commercial interests likewise saw opium's grip on Chinese domestic consumption as a barrier to their exploitation of its vast domestic market. Pressure on British officials to end the India-China opium trade was sustained through diplomacy, the press and parliamentary campaigns culminating in the International Opium Commission at Shanghai in February 1909.²⁶

In the nineteenth century opium was omnipresent in the Chinese economy, society and politics.²⁷ Opium was consumed by the poorest of the labouring poor and the mandarins of the Imperial Household alike. Many peasant cultivators relied on it as a cash-crop while it served as a medium of exchange especially in the impecunious internal provinces. Periodically the Imperial government attempted to purge China of opium but given its social and economic pervasiveness such attempts were largely resisted. However, by the turn of the century moral and commercial anti-opium campaigns found an increasingly receptive official audience at the court of the Empress Dowager Cixi (1835-1908) in Peking.²⁸ The cataclysm of the Boxer Rebellion, a violent anti-missionary and anti-Foreign uprising, the subsequent intervention of the European and American Eight Nation Alliance between 1899 and 1901 and the imposition of a significant war indemnity further weakened the central Imperial Government. The Chinese Imperial Household was seeking to stem the tide of foreign encroachment and internal disintegration through wide-ranging reforms. British anxieties and Qing reformism in China would coalesce on the issue of opium.²⁹

In Britain officials became increasingly concerned with the possible break-up of the Qing Empire. They sought to maintain China's territorial integrity but continued to promote British commercial and financial exploitation of the apocryphally vast potential of her domestic market.³⁰ In India there was little political pressure for an end to the India-China opium trade even among critics of British rule.³¹ Indian nationalist leaders were critical of the willingness of their radical allies in London to sacrifice India's financial position in order to cleanse Britain of her guilty role in the opium trade to China. The majority of Indian critics of the British colonial state, when criticizing government revenues from intoxicants, were more concerned with government monopoly sales of

²⁶ Newman, 1989, p. 530

²⁷ Zheng Yangwen, *The Social Life of Opium in China* (Cambridge: Cambridge University Press 2005) pp. 146-163; F. Dikötter, L. Laamann and Zhou Xun, *Narcotic Culture: A History of Drugs in China* (London: C. Hurst & Co. 2004) pp. 46-73

²⁸ McAllister, 2000, pp. 23-24

²⁹ McAllister, 2000, p. 24

³⁰ McAllister, 2000, pp. 23-24

³¹ M. J. Gilbert, 'Empire and Excise: Drugs and Drink Revenue and the Fate of South Asian States in South Asia' in J. H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007); B. Chandra, *The Rise and Growth of Economic Nationalism in India: Economic Policies of Indian Nationalist Leadership 1880-1905* (New Delhi: People's Publishing House 1966) pp. 561-571

alcohol, a substance which they increasingly argued was alien and deleterious to Indian society.³² Opium was an economic opportunity for Indian peasants, officials, merchants, princes and bankers.³³ The majority of Indian nationalist leaders acquiesced rather than pushed for an end to the India-China trade. In London, the Liberal landslide election victory of 1906, and as we will see in chapter two, the subsequent leadership of John Morley at the India Office, gave the anti-opiumist movement decisive influence in Westminster and Whitehall.³⁴ Consequently, as the historian Richard Newman has argued, by 1906 the political and moral arguments against the India-China opium trade were more important for Britain's overall position on opium. On 1 January 1908 the first Anglo-Chinese opium agreement came into effect though British India and China had already begun their agreed reductions in 1906. In February 1913, ahead of schedule, the final exports of India opium left Bombay for China and the India-China opium trade was finally terminated.

Despite Newman's work on the changing British position on the India to China opium trade in the first decade of the twentieth century, the portrayal of the British at the Shanghai Opium Commission remains largely wedded to the assumption that it was determined by a desire to protect their revenues from India opium exports to China. The two most detailed accounts of the SOC remain those of the historians Arnold H. Taylor and S. D. Stein. Taylor, looking from the perspective of US sources, argued that the British gave assurances to the US government that they would be willing to discuss the opium agreement at the SOC, but under pressure from India's wish to preserve the opium trade, in fact refused to do so.³⁵ Stein also argued that the British commissioners at Shanghai sought to defend their opium exports to China.³⁶ Stein and Taylor as such emphasised the opium as empire thesis in their histories of the foundation of the international drugs control regime at the SOC. However, there is emerging a more nuanced picture of the 'British' position in the period of the emergence of international drugs control.

Recent historical studies have questioned the idea of single British position on opium and the control of drugs. William B. McAllister has told the story of how in the 1920s a plurality of British positions emerged that resulted in intra-imperial tensions that beset their opium policy at the

³² L. Carroll, 'The Temperance Movement in India: Politics and Social Reform' in *Modern Asian Studies*, 10, 3, 1976, pp. 417-447

³³ J. F. Richards, 'The Opium Industry in British India' in *Modern Asian Studies*, 36, 2, 2002, pp. 149-180; A. Farooqi, *Opium City: The Making of Early Victorian Bombay* (Gurgaon: Three Essays Collective 2006)

³⁴ Newman, 1989, pp. 533-534

³⁵ A. H. Taylor, *American diplomacy and the narcotics traffic, 1900-1939* (Durham NC: Duke University Press 1969) pp. 52, 65, 80

³⁶ S. D. Stein, *International Diplomacy, state administrators and narcotics control* (Aldershot: Gower, 1985) pp. 51, 53

League of Nations, under the aegis of which drugs control treaties sat in the inter-war period.³⁷ In particular, McAllister argues that it was the GOI and other British colonial administrations that ‘demonstrated a propensity to steer a separate course from that promoted by Whitehall and the HO.’³⁸ Moving backwards in time towards the initial stages of international drugs control, James Mills, has highlighted the explanatory weakness of an assumption of British dishonesty, born of their desire to protect their revenues, in historical assessments of British drugs diplomacy. In particular, Mills has questioned accounts of the British position at the Hague Conference of 1911-1912 which have assumed that their focus on establishing international controls on morphine and cocaine was simply a means to divert attention away from their colonial opium revenues. Instead, Mills argues that the British were genuinely alarmed at burgeoning markets for these manufactured drugs which they had already struggled to control in their South Asian and Far Eastern colonies for at least a decade.³⁹ The work of the likes of McAllister, Mills and Newman shows us that we can no longer assume a single British position during diplomatic negotiations leading to the foundation of an international drugs control regime, and that the British were concerned to regulate not just profit from markets for intoxicants in the colonial territories in Asia.

This thesis will follow that revisionist historiography which has opened the way for further investigations into a plurality of British positions on international drugs control not solely preoccupied with their opium revenues, will examine British attitudes and agendas during the build-up, proceedings and aftermath of the SOC. Chapter one will trace British attitudes towards opium regulation in India in the late nineteenth and early twentieth century. It will show how the British Indian opium monopoly was an aspect of the imperial administration disputed by groups with often divergent and competing visions of empire. Provincial governments and local officials in towns and the countryside also held views on the principles and best methods of opium regulation which often differed with principles of opium regulation espoused in London and Calcutta. Chapter two will examine the origins, negotiations and enforcement of the first Anglo-Chinese opium agreement and will demonstrate that the interests of British agencies other than the GOI were as least as important in shaping the British position on the end of the India-China opium trade and opium suppression in China. Chapter three will look at the British response to the American proposal for an international opium commission which was determined by British positions on the Anglo-Chinese opium agreement and by the threat that the Commission came to pose to the system of opium regulation in British colonies in Asia. Chapter four argues that British

³⁷ William B. McAllister, ‘Wolf by the Ears’: The Dilemmas of Imperial Policymaking in the Twentieth century’ in J. H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007), p. 207

³⁸ McAllister, 2007, p. 207

³⁹ J. H. Mills, ‘Cocaine and the British Empire: The drug and the diplomats at the Hague Opium Conference, 1911-1912’ (Unpublished article), p. 4

unwillingness to discuss the opium agreement at the Shanghai Commission was more a response to the diplomatic manoeuvres of their anti-opium adversaries at the Commission than any predetermined plan to defend their opium export revenues. Finally, chapter five will look at British objections to attempts at the Shanghai Commission to establish international principles of opium regulation and in turn to the responses of provincial and municipal officials in British India to the GOI's proposals to reform opium regulation in light of the SOC resolutions. It will further explore the ideological and practical origins of the divisions and tensions on British opium position on the regulation of opium within India. The aim throughout the chapters is to trace the differing and often competing visions of opium regulation held at different levels of the imperial and colonial administration. In so doing, the thesis will assess how far a revenue agenda, in relation to other concerns, shaped British positions on the questions of the opium traffic and the regulation of opium consumption during the foundation years of the international drugs control regime.

Chapter one: Opium regulation in British India ca. 1890-1909

This chapter traces British attitudes towards opium regulation in India in the late nineteenth and early twentieth century. British control over the production, distribution and consumption of opium in India was vital to guaranteeing their revenues from opium exports to Southeast and East Asia and from their opium sales to consumers within India. However, the British Indian opium monopoly was an aspect of the colonial administration disputed by groups with often divergent and competing visions of empire. Such tensions between imperial agencies reflected how the control of opium – as a medicine, tonic, native custom and tradition, object of ceremony and hospitality, and private pleasure and vice – was for many, fundamental to the maintenance and mission of Britain’s empire in India. As the historian Paul C. Winther has argued, anti-opiumists in London sought to eradicate opium as part of a civilizing mission whilst Government of India officials in Calcutta sought to maintain the government control of opium markets in order to protect the financial and political security of the colonial administration.¹

Provincial governments and local officials in towns and the countryside also held differing and sometimes conflicting views on the principles and best methods of opium regulation. In reflecting upon their experience of managing opium markets, GOI officials would draw upon a collected body of colonial knowledge, especially the final report of Royal Commission on Opium published in 1895. As such debates about opium regulation during the period in which an international drugs control regime emerged, echoed voices from over two centuries of the British colonial administration of opium societies in South Asia. In later chapters we will see how these competing visions of opium regulation in India shaped the objectives and strategies of British international drugs diplomacy. Therefore, an examination of the government control of opium in British India will provide essential background to the project of re-imagining the British role in the emergence of a system of international drugs control between 1906 and 1910. We will start with a defining moment in the history of British opium regulation in India, the RCO of 1893-1895.

The objectives and strategies of opium regulation in late imperial British India

In 1894 George Bruce Malleson (1825-1898), military historian and former East India Company military officer, in the preface to his biography of the late British Governor-General of Bengal, Warren Hastings (1732-1818) discussed the ongoing RCO of 1893-1895.

But had it been otherwise; had the Commission recommended the cessation of the traffic; and had the Home Government, in consequence, decreed its cessation, there can be no doubt—

¹ P. C. Winther, *Anglo-European Science and the Rhetoric of Empire: Malaria, Opium, and British Rule in India, 1765-1895* (Lanham, MD: Lexington Books 2003) pp. 2-5 and 323-328

amongst those who really know the Indian people—that there would have been a general uprising, an uprising so universal, so inspired by the heart of the people, that it would have been impossible for Great Britain—that Great Britain which permits the sale of intoxicating spirits in all its streets of her cities, her towns, and her villages – to repress it. Every domestic servant would have been a conspirator. The form the disaffection would have taken would not have been modelled on the outbreak of 1857. In its conception and in its action it would have been more deadly than the massacre of St. Bartholomew, wider-reaching than the Sicilian Vespers.²

The RCO had just investigated whether the production and consumption of opium in India should be prohibited except for medical purposes.³ The RCO was in its eventual remit and conclusion a disappointment to critics of British opium policy who through it had sought the cessation of the India-China opium trade. The years between 1889 and 1893 marked the apogee of the anti-opium movement in the nineteenth century; missionaries, clergymen and nonconformist congregations with Liberal support in parliament secured a resolution in the House of Commons on 10 April 1891 which declared Indian opium revenues ‘morally indefensible.’ The Liberal election victory of 1892 gave the anti-opium movement, spearheaded by the Society for the Suppression of the Opium Trade, even more cause for optimism as they now had around 240 supporters in the House of Commons including such leading lights as Sir Edward Grey (1862-1933) at the Foreign Office and George W. E. Russell (1853-1919), the Parliamentary Under-Secretary of State for India. However, Lord Kimberley (1826-1902), the new Secretary of State for India, supported the continuation of the opium trade and in his support received the backing of Prime Minister William Gladstone (1809-1898) despite his own earlier anti-opium statements.⁴ In ensuring the continuation of the opium trade and sales in India the RCO, if Malleeson’s dark prophecy of an ‘opium mutiny’ had any truth to it, secured British dominion in India. However, it left a bitter legacy of accusations that the GOI had orchestrated a ‘whitewash’ through the Commission.⁵

² Colonel G. B. Malleeson, *Life of Warren Hastings: First Governor-General of India* (London: Chapman & Hall 1894) pp. 372-373

³ On the origins, proceedings and results of the Commission see V. Berridge, *Opium and the People: Opiate Use and Drug Control Policy in Nineteenth and Early twentieth Century England* (London: Free Association Books 1999), pp. 185-189; J. F. Richards, ‘Opium and the British Indian Empire: The Royal Commission of 1895’ in *Modern Asian Studies*, 36, 2, 2002, pp. 375-420; P. C. Winther, *Anglo-European Science and the Rhetoric of Empire: Malaria, Opium, and British Rule in India, 1765-1895* (Lanham, MD: Lexington Books 2003); J. Madancy, *Royal Commission on Opium, 1893-1895: Reports, Minutes of Evidence, and Appendices* (London: Ganesha 2003); M. J. Gilbert, ‘Empire and Excise: Drugs and Drink Revenue and the Fate of South Asian States in South Asia’ in J. H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

⁴ D. E. Owen, *British Opium Policy in China and India* (New Haven: Yale University Press 1934) pp. 314-315 and Richards, 2002, pp. 386-388

⁵ On the controversy surrounding and criticisms of the Final Report of the RCO see Richards, 2002, pp. 379-382; J. Madancy, ‘Introduction: Money, Morality, and the Opium Trade: Re-examining the Royal

George Malleon had been stationed in Calcutta during the Indian Mutiny (1857-1859). Based upon this experience Malleon wrote and published anonymously *The Mutiny of the Bengal Army* (1857) which became known, with some notoriety, as the 'red pamphlet.' In it Malleon blamed the uprising on the administration of Lord Dalhousie, especially the annexation of the Kingdom of Oudh (1857).⁶ In contrast, Malleon's biography of Hastings was an attempt to rehabilitate the late Governor-General's reputation. Malleon depicted Hastings as a founder and saviour of the British Empire in India. For Malleon, Hastings' successful administration was predicated on his following 'Asiatic principles of government',⁷ two examples of which, Malleon argued, were the farming-out of the opium districts to contractors and his assuring to the Company a monopoly in the salt trade.⁸ Similarly, Sir John Robert Seeley (1834-1895), Regius Professor of Modern History at Cambridge and political scientist of British imperialism,⁹ wrote how the British, in governing a 'distant' and 'wholly alien' population in India, had to resort to 'un-English methods including the raising of revenues through 'monopolies in salt and opium.'¹⁰ However, Seeley also remarked that the English public was 'bewildered when called upon to enter into subtleties' and looked upon British administration in India with 'blank indignation and despair.'¹¹ In the midst of the furore of the RCO, Malleon was in effect warning the British administration that in going against Asiatic principles, the campaign of anti-opiumists to end the India-China opium trade and even check its consumption in India endangered the stability and very existence of British rule in the subcontinent. Though Malleon was confident that the Commission would indeed 'prove favourable to the present system,' he complained that the anti-opium campaign was just one more in a succession of dangerous interferences coming from the imperial metropolis.

Nor has the plan of governing, not on Asiatic, but on purely European principles exhausted the vial of mischief inherent in it. The parliament of Great Britain decided, in the plenitude of its pharisaism and its ignorance, to condemn the consumption of opium in India; and the

Commission on Opium, 1893-1895' in J. Madancy, *Royal Commission on Opium, 1893-1895: Reports, Minutes of Evidence, and Appendices* (London: Ganesha 2003) pp. v-xxxix; Winther, 2004, pp. 11-26; K. L. Lodwick, *Crusaders Against Opium: Protestant Missionaries in China 1874-1917* (Lexington KY: The University Press of Kentucky 1996) pp. 97-109 J. Woodcock, 'Commissions (Royal and other) on drug misuse: who needs them?,' in *Addiction*, 90, 1995, pp. 1297-1308

⁶ E. M. Lloyd, 'Malleon, George Bruce (1825-1898),' rev. James Falkner, *Oxford Dictionary of National Biography*, Oxford University Press, 2004

⁷ Colonel G. B. Malleon, *Life of Warren Hastings: First Governor-General of India* (London: Chapman & Hall 1894) pp. vii-x and 374

⁸ Colonel G. B. Malleon, *Life of Warren Hastings: First Governor-General of India* (London: Chapman & Hall 1894) pp. 113-114

⁹ R. T. Shannon, 'Seeley, Sir John Robert (1834-1895),' *Oxford Dictionary of National Biography*, Oxford University Press, 2004

¹⁰ J. R. Seeley, *The Expansion of England: Two Courses of Lectures* (London: Macmillan and Co. 1885) pp. 190-191

¹¹ J. R. Seeley, *The Expansion of England: Two Courses of Lectures* (London: Macmillan and Co. 1885) pp. 190-191

Government of the day, obeying the mandate of the faddists and crotchet-mongers upon whose support it depended for its existence, despatched to India a Commission to examine as to the pernicious nature of the produce of the poppy as an article of consumption in its various forms. There was scarcely a man of the nearly three hundred millions who inhabit India who would not have been affected by the result of the enquiry, if that inquiry had forbidden the consumption of opium. It is understood that the report of the Commission will prove favourable to the continuance of the present system.¹²

There is evidence to suggest that Malleeson's dark rhetoric of an 'opium mutiny' was not atypical of official thinking on opium regulation in late imperial India. GOI officials believed themselves to be following indigenous government practice in raising opium revenues through a state opium monopoly. The historical memoranda appended to the final report of the RCO by Sir James B. Lyall, former Governor-General of the Punjab, and Sir Richard M. Dane (1854-1940) both argued that Indian rulers prior to British rule had obtained revenues through the monopoly of the production and consumption of opium.¹³ The RCO had concluded in 1895 that such a monopoly was also the best means of regulating opium production.¹⁴ The government monopoly was, GOI officials argued, the best means of regulating consumption; as such increased sales represented the successful restriction of illicit opium markets, not increased consumption.¹⁵ Though the GOI were anxious about interfering in Indian customs and habits of opium consumption they still followed the RCO's recommendations to tighten the regulation of accepted forms of opium consumption in the subcontinent and made efforts towards the eradication of opium smoking which many Indians considered a vice and public menace.¹⁶

¹² Colonel G. B. Malleeson, *Life of Warren Hastings: First Governor-General of India* (London: Chapman & Hall 1894) pp. 372-373

¹³ J. B. Lyall, 'Note on the history of opium in India and of the trade in with China' in *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 7 and R. M. Dane, 'Historical memorandum' in *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 35

¹⁴ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 96

¹⁵ On the increasing revenues from sales of opium to consumers in India as compared to exports to East Asia see Winther, 2004, pp. 10-11 and on British monopolies on a range of intoxicants see M. J. Gilbert, 'Empire and Excise: Drugs and Drink Revenue and the Fate of South Asian States in South Asia' in J.H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007) Haq, 2000, pp. 31-35

¹⁶ Resolution by the Government of India, Finance and Commerce Department No. 5460 Separate revenue, dated 19 November 1895 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

Anxieties about interfering in Indian opium habits and customs were perhaps rooted in late imperial ideology. The historian and political scientist Karuna Mantena has recently argued recently that this late imperial ideology developed out of the mid-nineteenth century crises of empire, most notably the ‘Sepoy Mutiny’ in India (1857) and the Morant Bay Rebellion in Jamaica (1865).¹⁷ The original and most influential theoretician of the subsequent ideology of empire, which was often labelled as ‘indirect rule’, was Sir Henry Sumner Maine (1822-1888). His career included work as the Legal Member of the Viceroy’s Council in British India. In essence, Mantena argues that this ideology grew from the imperial crises of the mid-nineteenth century which exposed contradictions in British liberal imperialism, in particular, its moral universalist and reformist foundations and governing strategies. No longer was colonial government willing to pursue a radical modernising reform of Indian society by the removal of indigenous barriers to ‘moral and material progress.’ Rather, imperial rule pursued and justified itself by a project aimed at preserving the political and social forms of native society from the destructive impact of the earlier modernising imperial rule which had led to native disaffection and revolt. The ideology of ‘indirect rule’, as Malleson’s ‘opium mutiny’ testifies, featured in debates about opium regulation in colonial India.

The presence of the ‘indirect rule’ imperial ideology in debates about opium policy in British India has been noted in recent historical scholarship. Winther has specifically pointed to the importance of ‘1857’ in British Indian opium policy,¹⁸ in reference to the work of Mark Harrison on the Indian Medical Service (IMS).¹⁹ According to Winther’s reading of Harrison’s thesis, after the Mutiny British officials were more contemptuous of Indians and fatalistic about their ability to bring moral and material progress to India. The IMS increasingly blamed Indian habits and customs rather than the environment for a disease-ridden subcontinent. In this context the IMS became sclerotic, fatalistic, and even indifferent to helping the Indian population. As such the IMS was hostile to adopting new medical ideas and practice such as ‘germ theory’ and bacteriology. IMS officials were also wary about imposing ‘nonindigenous practices upon a suspicious, if not hostile populace.’²⁰ This meant, according to Winther, that the GOI and IMS officials accepted the RCO’s refusal to condemn what were considered native and traditional uses of opium as a treatment for malaria. Non-interference in accepted forms of opium consumption was established

¹⁷ See K. Mantena, *Alibis of Empire: Henry Maine and the End of Liberal Imperialism* (Princeton: Princeton University Press 2010); T. R. Metcalf, *Aftermath of Revolt: India, 1857-1870* (Princeton: Princeton University Press 1964) pp. 289-327; F. G. Hutchins, *The Illusion of Permanence: British Imperialism* (Princeton: Princeton University Press 1967) pp. 153-202; E. Stokes, *The English Utilitarians and India* (Oxford: Clarendon Press 1963) pp. 287-322

¹⁸ Winther, 2003, pp. 333-334

¹⁹ See M. Harrison, *Public Health in British India: Anglo-Indian Preventive Medicine 1859-1914* (Cambridge: Cambridge University Press 1994). Pages cited by Winther include 35, 49 and 59.

²⁰ Here Winther cites the work of Anil Kumar. See A. Kumar, *Medicine and the Raj: British Medical Policy in India 1835-1911* (Walnut Creek CA: AltaMira Press 1998) pp. 161

as a principle of British opium regulation in India. Consequently, as the historian John Richards noted, the final report of the RCO was concerned to emphasize that opium regulations were designed to not interfere in the habit and customs of Indian society,²¹ a principle upon which it was unambiguous.

In a matter closely affecting the habits and customs of the people, it would be obviously imprudent to make sweeping changes without some indication of popular approval. We are satisfied that if any desire for the suppression of the use of opium had existed in India, on the part of any large section of the population, it would have made itself felt during the lengthened tour of the Commission.²²

Perhaps concerned with the potential of another ‘Indian Mutiny’, the RCO focused its interviews about the question of opium consumption in India upon those considered the ‘opinion-shapers’, the educated middle classes. The RCO dismissed those Indians – even if of the educated middle class - who shared with metropolitan and missionary campaigners a revulsion towards the habit and traffic in opium as either ‘faddists’ or ‘extremists’.²³ The RCO pointed out that the Indian National Congress, comprised of delegates from all over India and never slow to criticize the British administration, including for its profits from sales of alcohol to Indian consumers, had been largely silent on the question of opium.²⁴ The RCO argued that the people of India were against prohibition and were unwilling to pay for it.²⁵ Therefore, the RCO concluded decisively against the prohibition of opium consumption in India.

Upon every consideration of prudence and statesmanship, it seems clear that in the position of the British Government in India, we cannot deal experimentally with 290 millions of people, in a matter involving interference with the innermost concerns of personal life, without a clear pronouncement of Native opinion favour of such a step.²⁶

A system of opium regulation that sought not to interfere in native customs and traditions had to take account for the variety in opium markets and cultures of consumption across the subcontinent. In this system of opium control as it appeared in the late nineteenth century, the GOI set the

²¹ Richards, 2002, pp. 379-380

²² *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1895) pp. 93-4

²³ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1895) p. 94

²⁴ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1895) p. 94

²⁵ Richards, 2002, pp. 395, 399-400

²⁶ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1895) p. 94

fundamental principles of regulation, the gradual eradication of opium smoking and the setting of opium prices to ensure the maximum revenue from the minimum consumption.²⁷ From the British experience of regulating opium consumption in India for over two centuries there emerged an important distinction between what were considered acceptable forms of opium consumption (eating and drinking) and opium smoking which was considered as alien, rare and disreputable. Opium smoking therefore became the object of much more stringent regulations with a view to its eventual eradication.²⁸ The *Imperial Gazetteer* of 1909 in explaining excise policy reiterated the RCO's 1895 conclusions that anti-opiumists had exaggerated the 'evil effects' of consumption, that 'the arrangements for retail vend were in general sufficiently strict.'²⁹ The *Imperial Gazetteer* quoted the RCO's conclusion that "the temperate use of opium in India should be viewed in the same light as the temperate use of alcohol in England. Opium is harmful, harmless, or even beneficial, according to the measure and discretion with which it is used."³⁰ The RCO would remain the guide and authority for GOI officials on the internal regulation of opium, throughout the period and so further reinforced confirmed the fundamental principle of not interfering in accepted and widespread form of opium consumption across India.

The final report of the RCO had 'acquitted' the British system of opium regulation and sale in India of the anti-opiumist charge of immorality and injuriousness.³¹ The system of regulation was said to limit opium consumption in India. The contemporary British medical press supported many of the conclusions of the RCO.³² Opium, when consumed by Indians, was deemed less harmful than when consumed by Europeans and less injurious than alcohol for the indigenous inhabitants of the subcontinent. Only a minority of consumers were considered regular users, most were believed to be older men who found a steady lifelong level of consumption and remained healthy as long as they consumed within this limit. 'Opium sots' were few and far between and it was not found to cause insanity or suicide. The giving of small doses of opium to small children was, contrary to anti-opiumists anxieties, deemed harmless. Opium was commonly given to infants from birth to the age of two or three years across much of northern and western India. It was not administered only to keep children quiet but also to treat various ailments such as diarrhoea, fevers, chills, and teething pains. The RCO concluded that, despite some risks of accidental over-dosing, it was safe and perhaps beneficial, citing widespread use as supporting evidence.³³ Similar

²⁷ Richards, 2002, pp. 409-414

²⁸ See R. K. Newman, 'Early British Encounters with the Indian Opium Eater' in J.H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

²⁹ *Imperial Gazetteer of India*, New Edition, Volume 4 (Oxford: Clarendon Press 1909) p. 245

³⁰ *Imperial Gazetteer of India*, New Edition, Volume 4 (Oxford: Clarendon Press 1909) p. 245

³¹ Richards, 2002, p. 378

³² Richards, 2002, pp. 407-408

³³ Richards, 2002, p. 405

medication of infants with opium (a ‘few drop of laudanum in a baby’s bottle of milk’) continued in England at this time but metropolitan scares about ‘baby-doping’ which reached their apogee during the 1860s were shot through with the politics of class; only working-class mothers were singled out as transgressors.³⁴ Judgements on the legitimacy of opium consumption in the imperial metropolis and colony alike were often shaped by the prejudices such as race and class.

Crucially, the RCO concluded that no clear line could be drawn between the medicinal and non-medicinal uses of opium in India.³⁵ The historian Winther has stated that ‘the Government of India and its supporters asserted that the drug [opium] prevents and cures malaria, and that narcotine, one of the drugs’s components, was responsible for this capability.’³⁶ However, the RCO and those GOI officials citing or referring to its final report rarely referred to medico-scientific evidence about supposed anti-malarial properties of opium and the supposed key alkaloid for this, narcotine, to justify a regulatory as opposed to a prohibitory opium policy. The RCO and GOI officials instead argued that it was the medical belief of the Indian population not scientific evidence that really mattered.

In respect to the use of opium in connexion with malarial disease we have already pointed out that the relative consumption is higher in the moist and low-lying plains and valleys than in the drier and more open country. Most of the witnesses with experience of the rural tracts spoke to the popular belief in the efficacy of the drug in cases of fever, or as a protective against malarial influences. This was confirmed by the great majority of the private medical practitioners, though many were adverse to the nonmedical use of opium. On the other hand, a certain number of witnesses, generally townsfolk, denied that any such belief prevailed amongst the people. Quite apart from the merits of this belief, its existence, which is the only question now before us, has been, we consider, conclusively established by the mass of evidence of those most competent from experience and observation to represent public opinion on the subject.³⁷

The conclusions of the RCO show how the experience and observations of British officials and their inherited traditions of administration were important to their view of opium and its regulation in India. The historian Amar Farooqi has suggested that the RCO in its conclusions might have shaped popular indigenous discourse on opium as a cure-all household remedy that was benign

³⁴ Berridge, 1999, pp. 97-105, 226-227

³⁵ Richards, 2002, pp, 399-400

³⁶ Winther, 2003, p. 4

³⁷ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1895) pp. 16-17

when consumed in moderation.³⁸ Either way, GOI officials continued to believe that the British system of opium regulation reflected the conditions and circumstances of India as an opium consuming society. As Mark Harrison has pointed out, there is the danger of neglecting this important fact when emphasising the importance of an imperial ideology of non-interference in opium policy.³⁹ Newman has argued that the GOI system of opium regulation in India was in part the result of encounters between East India Company (EIC) officials and opium consumers as far back as the eighteenth century.⁴⁰ Initially EIC officials, with a sense of paternalistic reformism and ‘Orientalist’ fantasies of the powers and dangers of opium consumption, adopted a policy of opium suppression. In Regulation XIII of 1818 the system of opium control was relaxed under pressure from Indians demanding greater access to opium, the eating of which they argued was a medicine and tonic. The British thereafter guaranteed a supply of opium for eating but continued to extol the virtue of minimising consumption through market mechanisms (price and supply). EIC officials also accepted and supported the indigenous condemnation of the smoking of opium, most often in the form known as *madat*.⁴¹

Where public opinion was seen to disapprove of forms of opium consumption, the GOI continued to feel justified in a policy of restriction but remained anxious about attempting total suppression.⁴² The RCO condemned opium smoking not because of any certainty that it was more harmful than smoking but because it was confident that Indian sentiment was against it.⁴³ In 1891, before the RCO, parliamentary pressure from anti-opiumist had brought about changes in opium controls in the subcontinent as the British government sought to demonstrate that regulations were designed to

³⁸ A. Farooqi, ‘Opium as a household remedy in nineteenth-century western India?’ in B. Pati and M. Harrison (eds), *The Social History of Health and Medicine in Colonial India* (Abingdon, Oxon: 2009) pp, 229-237

³⁹ M. Harrison, ‘Anglo-European Science and the Rhetoric of Empire: Malaria, Opium, and British Rule in India, 1756-1895 (Review)’ in *Bulletin of the History of Medicine*, 78, 4, 2004, pp. 893-894

⁴⁰ See Newman in Mills and Barton, 2007, pp. 57-72; on British fantasies and anxieties about ‘the Orient’/opium in literary representations see B. Milligan, *Pleasures and Pains: Opium and the Orient in Nineteenth-Century British Culture* (London: University of Virginia Press 1995) and N. Leask, *British Romantic Writers and the East: anxieties of empire* (Cambridge: Cambridge University Press 1992) pp. 170-228. On the opium anxieties of the British in colonial India see E. M. Collingham, *Imperial Bodies: The Physical Experience of the Raj, c. 1900-1947* (Oxford: Blackwell Publishers 2001) pp. 31, 79, 96

⁴¹ *Madat* or *madak* was the cheapest means of preparing opium and was usually smoked like tobacco in a water-pipe. It was made of chopped and roasted betel leaves which were soaked in opium and then dried. The less common, more expensive and more potent form of opium for smoking was known as *chandu*. To prepare *chandu* a strained solution of opium in water was boiled until a thick crust formed which was removed and then dissolved in water again, the process repeated until the solution had reached a thick tar-like consistency. It was smoked, as in China, in the form of a small ball on the end of a pin or stylus dipped into the liquid. This ball was first dried over a small flame, usually of a lamp, and then vaporized in a small in a clay pipe, again using the lamp, for the smoker to then inhale the fumes. See Richards, 2002, p. 406 note 76

⁴² Richards, 2002, pp. 395, 399-400

⁴³ Richards, 2002, pp, 399-400, 406

limit consumption in British India.⁴⁴ Subsequently, tensions between GOI and local government opium policy increased. The resultant prohibition against so-called opium dens instituted by Viceroy Lansdowne (1845-1927) as part of these opium regulations reforms was promulgated despite provincial opposition.⁴⁵ However, in 1895 the GOI accepted the RCO conclusion ‘that, although opium smoking is in India a comparatively novel habit and is regarded generally as disreputable, it is doubtful whether native public opinion would approve of severe and inquisitorial measures of repression.’⁴⁶ The GOI and provincial governments opposed demands for more stringent opium regulations originating from London because of their perceived ignorance of current controls of opium distribution and consumption. For similar reasons, as we will later see, provincial governments and local administrations resisted GOI preferences for uniformity in opium regulation across India.

There also emerges from correspondence between the GOI and the provincial governments following the RCO a distinction in opium regulation between the legitimacy of interfering in public as opposed to private opium practices. The GOI resolution also made clear that they had already ‘adopted the policy of attempting to check opium smoking in India by diminishing the facilities for the practice of the habit, and recognise that it is desirable that the policy of Local Governments and Administrations in this matter should, as far as possible, be uniform.’⁴⁷ Noting the variety of opium smoking regulations throughout India, the GOI rejected the idea of ‘restriction or repression of opium smoking, when privately practiced.’ In Assam, the Central Provinces and Madras private manufacture of opium for smoking was prohibited whilst in Bengal it was permitted but only under license. In Bengal, Assam, the Central Provinces and Madras there were shops licensed for the sale of opium smoking preparations but consumption on the premises was not allowed. In the Punjab, the North-Western Provinces and Bombay there were no shops licensed for the sale of opium smoking preparations but there was no interference with the private manufacture of opium for smoking. Still, the final report of the RCO had agreed with Sir Alexander Mackenzie (1842-1902), then Chief Commissioner of the Central Provinces, that: ‘the

⁴⁴ Gilbert in Mills and Barton, 2007, pp. 128-131

⁴⁵ Richards, 2002, pp. 414-415

⁴⁶ Resolution by the Government of India, Finance and Commerce Department No. 5460 Separate revenue, dated 19 November 1895 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

⁴⁷ Resolution by the Government of India, Finance and Commerce Department No. 5460 Separate revenue, dated 19 November 1895 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

temptations afforded by gregariousness in vice outweigh the restraint supposed to be exercised by public opinion.⁴⁸ In 1890 Mackenzie, then Chief Commissioner of Burma, had endorsed a plea from the Society for the Suppression of the Opium Trade (SSOT) to curtail opium sales in the provinces and, to their acclaim, recommended the inclusion of Chinese smokers in such restrictions.⁴⁹ However, the problem was not one of health for the RCO but of economy:

There is no good evidence that smoking is in itself more injurious physically than eating opium, but it appears to be a more seductive habit, and more ruinous to poor men, because more wasteful of time as well as money.⁵⁰

Though willing to move towards the prohibition of opium smoking in public the GOI was unwilling to interfere with or criminalize the smoking of opium in private. Following the RCO's conclusions, the GOI referred to the evidence of 'a large number of trustworthy and competent witnesses', medical practitioners, missionaries, and officials from the Straits Settlements, Hong Kong and China and concluded that:

The Government of India hold that it has not been proved that opium smoking, when practised in moderation, is in itself necessarily injurious. They consider that it is desirable to discourage and discountenance the habit as practised in India, but they are not satisfied that it is necessary to restrict the personal liberty of individuals so far as to prohibit entirely the manufacture and consumption of preparations for smoking, or to treat the act of smoking as a crime.⁵¹

The principle of distinguishing between the prohibition of opium smoking in public and toleration of it as private vice remained important to official thinking on opium regulation throughout the period. In May 1897 the Secretary of State for India Lord George Hamilton (1845-1927) wrote to the GOI on two potential changes in the system of opium regulation in British India.⁵² This

⁴⁸ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her Majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 88

⁴⁹ Winther, 2003, pp. 99-100

⁵⁰ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her Majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 88

⁵¹ Resolution by the Government of India, Finance and Commerce Department No. 5460 Separate revenue, dated 19 November 1895 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

⁵² The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

followed further anti-opiumist pressure in the House of Commons for the suppression of opium smoking, following the publication of the final report of the RCO in 1895.⁵³ The anti-opiumists, including Henry J. Wilson (1833-1914), a radical Liberal MP and member of the RCO, reminded the House that the Commission had shown that opium smoking was deemed pernicious and disreputable by Indians, and that its two Indians members - the Maharajah of Darbangha, Lakshmishwar Singh (1858-1898) and Haridas Veharidas, former high ranking official of the State of Junargah - had in the separate memoranda appended to its final report called for the abolition of opium smoking. Subsequently Lord Hamilton wrote to the GOI asking whether 'the prohibition already existing in the Punjab, the North-Western Provinces and Oudh and the Bombay Presidency should be extended to the other provinces.' These provinces had legislated that the manufacture of opium preparations for smoking be 'allowed only in restricted quantities by private individuals for their own use.' The Secretary of State also asked whether it was desirable to take 'legislative measures to prohibit the use of premises as smoking saloons either by the public generally or so-called clubs.' The RCO was clearly no final victory for the pro-opiumists.

One of the stumbling blocks opium reformers faced in pushing for greater stringency in controls in British India was the heterogeneity of the colonial administration and anxieties about interference in private practices of the indigenous population. The GOI replied to Hamilton's inquiry about extending the prohibition of opium across India and to opium clubs and saloons, informing him that 'steps' had already been 'taken in all those provinces in India proper' to stop the sale of opium smoking preparations at formerly licensed shops so that smokers would have to manufacture such preparations for themselves.⁵⁴ However, the GOI insisted that such a policy would not apply to the province of Burma where the culture and regulation of opium was unique:

In Burma alone, where as your Lordship is aware, opium-smoking (and not eating) is the common habit, the sale of these preparations to non-Burmans and registered Burmans under prescribed regulations and restrictions will not be interfered with.⁵⁵

⁵³ HC Debate 2 May 1895 Volume 34 Columns 278-32

⁵⁴ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

⁵⁵ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

The GOI further informed the Secretary of State they had felt it necessary to consult local governments about his proposal to suppress the use of premises for opium smoking. In fact the vast majority of local governments opposed the proposal.⁵⁶ They argued that such legislation ‘would be liable to abuse by giving rise to a vast amount of blackmailing and oppressive domiciliary visits by the police.’ Anyway, they argued, smoking in the public dens afforded to the authorities an opportunity for the surveillance of ‘bad characters’ whilst smoking in private would not be subject to the same degree of public disapproval and deterrence as when done in public clubs. Moreover, forcing smokers ‘to indulge in his own house might put temptation in the way of the members of his family which they would otherwise escape.’ Before further regulatory changes, it was argued, time should be allowed to assess the impact of the prohibition of smoking preparations.⁵⁷ Arguments in favour, the GOI wrote, were that such regulation would: reinforce the prohibition of smoking on shop premises; reduce overall smoking by forcing smokers to do it alone which was considered inconvenient; satisfy popular sentiment which condemned the practice as ‘morally disreputable’ and ‘associated with the criminal classes.’⁵⁸ Provincial and local administrations were not only anxious about interfering in private opium practices but also feared that a public prohibition would merely force the trade and habit underground.

Only one provincial government, that of Bengal, supported the proposal to suppress the use of public establishments for opium smoking despite the evidence of local officials that such a policy would be extremely difficult to enforce.⁵⁹ Sir Alexander Mackenzie, now Lieutenant-Governor of

⁵⁶ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

⁵⁷ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

⁵⁸ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

⁵⁹ H. H. Risley, Secretary to the Government of Bengal, Financial Department to the Secretary to the Government of India, Finance and Commerce Department, dated 5 September 1896 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local government so f India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

Bengal, was strongly in favour of legislation for the oppression of opium smoking saloons because it would be ‘supported by popular sentiment, which, while condoning, if not approving of the habit of eating opium, condemns opium smoking as physically deleterious and morally disreputable.’ Much as he had argued during the RCO, Mackenzie stated that it was his opinion that: ‘Gregariousness in vice is at all times to be discouraged, and this particular vice is notorious for its criminal associations.’ In his reply, he cited evidence from the provincial excise report of 1894-95 which showed ‘that the practice of clubbing together for the purpose of smoking opium on ostensibly private premises has already arisen in Bengal and may be expected to spread unless legislative action is taken to suppress it.’ In May 1892 orders had been issued, to come into effect in April 1893, to prohibit the consumption of opium in licensed shops in all districts of Bengal except Calcutta.⁶⁰ However, District Collectors had reported that the new regulation had merely resulted in the establishment of opium dens in the vicinity of shops, as K. G. Gupta, Commissioner of Excise in Bengal speculated, either by ‘an adventurer on his own account’ or a ‘neighbouring licensed vendor.’ A reduction in the private possession of opium from five tolas⁶¹ to one tola had also failed to stop smoking as it was apparently sufficient for smokers to share with others, ‘a few tolas would suffice for the needs of a fairly large gathering.’ Mr Wheeler, the Collector of Monghyr painted a critical picture of the impact of the new regulations.

“The result of the prohibition has been that the licensees rent a house for the use of their customers at a short distance from the licensed shops. Smoking dens for these articles are also kept by unlicensed persons. They are men of notoriously bad character, and the traffic is carried on very secretly; generally the zanana is used for this purpose.”⁶²

However, the Commissioner of Excise in Bengal was not tempted to reconvert the licensed shops into smoking dens and suggested that the clandestine premises could easily be stamped out by ‘care and vigilance.’ Writing about the establishment of smoking den, he argued that:

...there is no reason to suppose that it is widespread, or that it extends beyond the confines of the larger cities. The smokers of the drug are not known for their wealth or position or for

⁶⁰ K. G. Gupta, Commissioner of Excise, Bengal to the Secretary to the Board of Revenue, Lower Provinces dated 2 Bankshall Street, Calcutta 6 August 1895 pp. 44-45 in *Report on the Financial Results of the Excise Administration in the Lower Province of Bengal for the Year 1894-1895* (Calcutta: Printed at the Bengal Secretariat Press, 1895)

⁶¹ A tola was roughly 1/80th of a seer and weighed about 0.375 troy ounces.

⁶² K. G. Gupta, Commissioner of Excise, Bengal to the Secretary to the Board of Revenue, Lower Provinces dated 2 Bankshall Street, Calcutta 6 August 1895 pp. 44-45 in *Report on the Financial Results of the Excise Administration in the Lower Province of Bengal for the Year 1894-1895* (Calcutta: Printed at the Bengal Secretariat Press, 1895)

their powers of acting in concert, and any voluntary association or clubbing together for the purpose of smoking must be rare with them.⁶³

The Bengal government proposed a method to suppress the public smoking of opium that they argued would evade the risk of popular discontent engendered by private domiciliary visits. The Lieutenant-Governor also agreed with Haridas Veharidas who had argued, as an Indian member of RCO, 'that any law which may be passed should follow the same general lines of the Bombay prevention of Gambling Act, 1887.' However, Mackenzie noted that as 'the essence of the definition of a gaming-house in that Act is that it is kept for profit or gain,' the 'restriction would nullify the effect of an Act directed against opium-smoking saloons, and would lead to the collection of people in private houses in respect of which it would be impossible to prove that the owner derived any profit from the arrangement.' Therefore, he proposed that they follow the example of section 141 of the Penal Code thereby defining 'an opium-smoking saloon as a place in which five or more persons, not being members of the household, assemble for the purpose of smoking opium.' He argued that such a strategy of dealing with larger assemblies to identify opium smoking saloons or dens was 'necessary in order to avoid interference with *bonâ fide* opium smoking in private houses by the members of the family.' After all, the RCO had concluded that public opinion, despite its condemnation of opium smoking, would not countenance 'severe and inquisitorial measures of repression.' The problem was that any law to suppress opium smoking in private 'could only be made effective if it permitted domiciliary visits by the police, and any system involving such visits would be liable to abuse in a much greater degree in India than in Europe.'⁶⁴ Instead, the RCO suggested that the Indian public would support 'legislation against the use of rooms as smoking saloons, either by the public generally or by so-called clubs.'⁶⁵ However, the GOI rejected the Bengal Government suggestion that the use of gambling laws might be a solution as 'essentially unsound.'⁶⁶ The GOI argued that 'Men cannot gamble unless they meet together, whereas in the case of opium-smoking prohibition of meeting for the purpose leaves each

⁶³ K. G. Gupta, Commissioner of Excise, Bengal to the Secretary to the Board of Revenue, Lower Provinces dated 2 Bankshall Street, Calcutta 6 August 1895 pp. 44-45 in *Report on the Financial Results of the Excise Administration in the Lower Province of Bengal for the Year 1894-1895* (Calcutta: Printed at the Bengal Secretariat Press, 1895)

⁶⁴ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her Majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 72

⁶⁵ *Royal Commission on Opium, Vol. VI Final Report of the Royal Commission on Opium, Part I The Report with Annexures* (London: Printed for Her Majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 72

⁶⁶ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local governments of India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

individual as free as ever to smoke in private.’ The GOI were not alone in doubting the practicability of enforcing such regulations.

Officials from other provinces doubted whether such regulations against opium smoking in groups could be policed. R. H. Vincent, the Commissioner of Police in Bombay, argued that ‘it is impossible to invent any legal procedure which would prevent the establishment of so-called clubs for the purpose of smoking opium.’⁶⁷ It is worth quoting at length the Commissioner’s letter as an illustration of the difficulties local officials envisaged in enforcing a policy of prohibition.

Such clubs would be itinerary [sic] ones, here to-day, there tomorrow. The persons addicted to opium smoking assemble in the house of one friend one day and in that of another the next day, and the rooms used by them would no doubt be selected so that the Police could not have access thereto without previous knowledge of the occupants. The simple exercise that the room is in the occupation of the women would most often be put forward, and this would prevent the Police from gaining immediate admittance, which is, of course, a *sine qua non*. The machinery also at my disposal is not such that I could place implicit confidence in their motives and action in this respect, because it must be remembered that although opium smoking is by some people considered disgraceful, the greater number of the people do not see any or much harm in it. For the purpose of permitting Police officers to enter such premises, the issue of a warrant, after sworn information, would be necessary, and, even if the Police gain admittance, what are they likely to find in such rooms? No more opium would be found than what each person is legally entitled to have possession of, and the pipe or instrument used in smoking opium is so small a thing that it could be easily thrown away or hidden. But, even if found, how could it be proved that the pipe has been used for opium purposes, and would Magistrates be likely to convict on the flimsy evidence that could at best be procured?⁶⁸

The GOI was persuaded by such arguments made by the vast majority of local governments and administrations against the second of the proposals to prohibit the use of premises for opium

⁶⁷ R. H. Vincent, Commissioner of Police, Bombay to the Acting Commissioner of Customs, Salt, Opium and Abkari, Bombay dated 10 January 1896 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local governments of India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

⁶⁸ R. H. Vincent, Commissioner of Police, Bombay to the Acting Commissioner of Customs, Salt, Opium and Abkari, Bombay dated 10 January 1896 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local governments of India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty’s Stationery Office, By Eyre and Spottiswoode, Printers to the Queen’s Most Excellent Majesty 1898)

smoking.⁶⁹ The Bengal government, perhaps due to Mackenzie's own beliefs, stood alone in its support. The provincial governments of Madras, Assam and Coorg reported no such opium smoking saloons whilst Baluchistan reported very few in their territory. The rest were 'unanimous in deprecating, under present circumstance, legislation in the direction suggested.' The GOI considered the 'objections' raised by 'many experienced officers' as 'very strong' and agreed with the majority of local governments 'that it is undesirable at present to undertake penal legislation against opium smoking in saloons and clubs.' The GOI were hopeful that they had done enough in prohibiting the smoking of opium on shop premises and in limiting the sale of smoking preparations. Such restrictions, they hoped would compel 'smokers to make private arrangements for the indulgence of their habit, and consequently, 'that by this means so much inconvenience would be attached to the practice that it would gradually fall off.' The GOI decided that it was necessary to await the results of such measures before considering further legislation.

The difficulties faced by the British administration in India in establishing and maintaining control over opium markets did not simply stem from the limits of official willingness and ability to interfere in the private domains of potential opium consumers. As British dominion and its opium monopoly and system of regulation spread across the subcontinent the British sought to eliminate non-official opium production and distribution in its territory and in areas where its power was less directly felt. To do this the British colonial state sought agreements with and assistance from native rulers in order to reduce the availability of such opium and so its ability to undermine its internal opium monopoly and the trade with China.⁷⁰ Through the imposition of what was known as the 'pass system' whereby Britain secured the control and revenue from Malwa opium through charging a transit duty at Bombay before its export to China. And so Britain had by the second half of the nineteenth century suppressed the illicit production of opium in its territory and brought the 'Malwa' opium produced in the Princely States of Western and Central India into its monopoly system for the trade to China.⁷¹ However, the vast interior frontiers that British India shared with these semi-autonomous states remained a threat to its monopoly in opium and other valuable commodities, most famously salt.⁷² The Presidency of Bombay, for example, with its large frontier

⁶⁹ The Government of India to the Secretary of State for India dated 25 May 1897 in *Return of recent correspondence between the Government of India and the Secretary of State in Council (including reports by the local governments of India) as to the recommendation of the Royal Commission on the subjects of the evils connected with Opium smoking in India, and the use of rooms as Opium Smoking Saloons* (London: Printed for Her Majesty's Stationery Office, By Eyre and Spottiswoode, Printers to the Queen's Most Excellent Majesty 1898)

⁷⁰ Richards, 2002, p. 411-412; C. C. Newbury, *Patrons, Clients, and Empire: Chieftaincy and Over-rule in Asia, Africa and the Pacific* (Oxford: Oxford University Press 2002) pp. 62-65

⁷¹ A. Farooqi, *Smuggling as Subversion: Colonialism, Indian Merchants, And the Politics of Opium 1790-1843* (Oxford: Lexington Books 2005) pp. 117-140 and 181-207

⁷² On the often Quixotic and brutal attempt by British customs officers in India to maintain the government salt monopoly see R. Moxham, *The Great Hedge of India* (London: Constable and Robinson 2001)

with the opium-producing Malwa States had agreements with Native Chiefs ‘to secure their cooperation in stopping the contraband traffic.’⁷³ The centuries old challenge posed by the political geography and topography of the Indian subcontinent to the British monopoly of opium remained in the twentieth century.

The problem of controlling illicit flows from the Native States across the inland frontiers of India was used to defend the British opium monopoly against its anti-opium critics. For example G H M Batten, father-in-law to Sir John Strachey, in a paper later appended to the final report of the RCO, told an audience at The Society of Arts in London 24 March 1891 that:

It may be possible in British territory, by the exercise of despotic power, to prevent the poppy being grown, but what are “the necessary measures” so vaguely suggested for preventing its extension on the Native States? Every tyro in Excise or Customs administration knows that the power to raise duties on an article in large demand is limited by the means of preventing its illicit production and sale, and that if you increase the profits of smuggling, you will proportionately have to increase your preventive measures.⁷⁴

Batten, like Malleson and other British officials, saw such an attempt to enforce an opium prohibition and tackle illicit markets as potentially futile and full of political dangers not only with the Princely States but also their subjects in British India including groups whose role in the colonial administration was vital its security.

Unless British officers and establishments were appointed to overrun the native states, and to interfere with the agricultural operations of the people, the cessation of the growth of the poppy in British territory would infallibly lead to an enormous extension of the cultivation in the native states. The export thence of opium could only be prevented by Customs carriers and patrols around Rajputana and Central India, involving a line between 2,000 and 3,000 miles in length, and heavy expenditure on the establishment. How would the native states concerned read such measures? I have no hesitation in saying that the discontent occasioned

⁷³ *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 14-17

⁷⁴ Appendix I Paper read by Mr G. H. M Batten before “The Society of Arts,” on the 24th March 1891 in *First Report of the Royal Commission on Opium with Minutes of Evidence and Appendices* (London: Printed for Her Majesty’s Stationery Office by Eyre and Spottiswoode, 1895) p. 143. For example, Sir John Strachey would include a copy of this paper in his own work, *India: Its Administration & Progress* (London: Macmillan & co., 1911) pp. 144-169

not only in those states, but amongst our own people, including the Sikhs – from whom the flower of our native army is recruited – would constitute a very serious political danger.⁷⁵

In making these conclusions Batten referred to his experience in trying to maintain another major government monopoly, that of salt, through what was known as the Inland Customs Line, a long neglected aspect of British India whose outline has recently been drawn by the historian Roy Moxham.⁷⁶

I was myself in charge of a Customs' line, 2,500 miles in length, the greater part of which was maintained to keep salt produced in native states from entering British territory without the payments of a heavy duty. I am well acquainted with the evils of that barbarous system, the destruction of which I was one of the first to advocate, and spared no efforts to accomplish. It was achieved by entering into treaties with the states possessing salt sources, under which British establishments are permitted to supervise their salt works, and tax the produce before it leaves them. But this could be accomplished only by paying the states concerned compensation, in the shape of lump sums of money and annual assignments, which are met from the taxation of the salt consumed by their people.⁷⁷

Batten argued that the cost of treaties and compensation plus the necessary preventive measures to ensure the opium monopoly by reducing the Princely State production of opium and its illicit distribution into the rest of India would not be welcomed by British Indian subjects and most likely ineffectual.

But how are you to conciliate the native states for interference in their poppy cultivation? Will the people of India, or the people of this country, submit to be taxed in order to compensate these native states, and to reconcile their rulers to an army of British preventive officers scattered over their territories? And if you reconcile the rulers by paying them, how are you to conciliate their people, who have been accustomed for centuries to the unrestricted use of opium? Without such preventive measures British India will be supplied with the Malwa drug, which, from its great value in a small bulk, is comparatively easy to smuggle. And these preventive measures must be of the strictest kind, involving the searching of the persons and

⁷⁵ Appendix I Paper read by Mr G. H. M. Batten before "The Society of Arts," on the 24th March 1891 in *First Report of the Royal Commission on Opium with Minutes of Evidence and Appendices* (London: Printed for Her Majesty's Stationery Office by Eyre and Spottiswoode, 1895) p. 143

⁷⁶ R. Moxham, *The Great Hedge of India* (London: Constable and Robinson 2001)

⁷⁷ Appendix I Paper read by Mr G. H. M. Batten before "The Society of Arts," on the 24th March 1891 in *First Report of the Royal Commission on Opium with Minutes of Evidence and Appendices* (London: Printed for Her Majesty's Stationery Office by Eyre and Spottiswoode, 1895)

goods of all travellers, and domiciliary visits, to detect the carriage, and revenue the storing of the drug.⁷⁸

Such arguments against attempting prohibition found little sympathy amongst critics of British opium policy. Joseph G. Alexander (1887-1932), Quaker barrister and secretary of the SSOT, argued that pressure should be brought to bear upon the Native States given that it was ‘British arms that established the trade, and has kept the trade open ever since.’ He cited Charles Aitchison (1832-1896), who had previously rejected the threat of smuggling in favour of prohibition in Burma.⁷⁹ Aitchison argued at the RCO that opium smuggling would not increase with its prohibition as prices were already high.

“The difficulties we have in any case to contend with in preventing smuggling are so great that an addition to them would not be a very appreciable burden. Anyhow, smuggling, even on a considerable scale, would never lead to a universal consumption of the drug; and the evasion of the revenue is not to be compared to the gradual demoralization of the people.”⁸⁰

However, it is evident that, though there were some GOI officials like Aitchison who advocated the prohibition or at least tighter regulation of non-medicinal opium use in the areas of administration, the vast majority opposed it.

Concluding in 1905, the Central Provinces Excise Committee highlighted that the problems of illicit flows of opium from the Native States into British India continued right up to the eve of the Anglo-Chinese opium agreement and the emergence of an international drugs control regime.⁸¹ The Committee made a number of recommendations, which fell far short of prohibition, to stem the flows of contraband opium from Central India and Rajputana into British districts: tighter regulation of the opium trade in the Native States, improving the local preventive establishments in British districts; the close watch of ‘the movements of habitual opium smugglers’ and the abolition of the system of licensed vend in the provinces of Bombay and Hyderabad.⁸² The GOI remained cautious and delayed giving orders on these recommendations until Charles G. Todhunter, (1869-1949) Inspector-General of Excise and Salt, made his report on the workings of their current excise

⁷⁸ Appendix I Paper read by Mr G. H. M. Batten before “The Society of Arts,” on the 24th March 1891 in *First Report of the Royal Commission on Opium with Minutes of Evidence and Appendices* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1895)

⁷⁹ A. Wright, ‘Opium in British Burma, 1826-1881’ in *Contemporary Drug Problems*, 35, Winter, 2008 pp. 627-646

⁸⁰ *Minutes of Evidence Taken Before the Royal Commission on Opium with Appendices, Volume II* (London: Printed for Her majesty’s Stationery Office by Eyre and Spottiswoode, 1894) p. 30

⁸¹ NAI Separate Revenue A May 1906 No 150-152

⁸² NAI Separate Revenue A May 1906 No 150-152 Note by Bepin Babu dated 10 June 1905

arrangements in the Natives States of Central India and Rajputana.⁸³ In particular, the GOI wanted to ‘learn from Mr Todhunter how far the States contiguous to British territory have abolished or set back border shops whose principal function it was to supply our people at low rates.’⁸⁴ It was not, however, only the risks of political trouble and illicit opium markets stemming from tighter control of opium markets that made the GOI tentative in its opium policy.

One of the recommendations of the Central Provinces Excise Committee was to persuade the Princely States to establish their own monopolies over opium production. However, such a measure apart from demanding that a bargain be struck with the Durbars posed a political risk for the British government in a period of anti-opium scrutiny. As William Stevenson Meyer (1860-1922), financial secretary to the GOI wrote: ‘Such a measure would, unless it came spontaneously from the States themselves, expose us to undesirable attacks at the hands of the anti-opiumists.’⁸⁵ The GOI had to look both ways, toward the difficulties of opium administration in India and toward the critical scrutiny of their policy in Britain. Sir William Lee-Warner (1846-1914), a retired GOI official, wrote in his *Native States of India* (1910) that the difficulties of controlling the opium market were an aspect of the ‘dual system of government’ in India, by which he meant British India and the semi-autonomous Native States. Lee-Warner argued that it ‘adds greatly to the task of the British administration.’⁸⁶

The collectors of British revenue often experience the impossibility of excluding untaxed opium or illicit spirits from their Districts, when an open frontier interposes no barrier to the free commerce of their villages with a foreign state, into which the British Inspector cannot carry his authority or his law and regulations.⁸⁷

However, the argument that the GOI was powerless to deal with opium and other excisable goods making their way illicitly into British India from the Native States - often based, as we have seen on the experience in the nineteenth century - was not shared by all GOI officials. Meyer, financial secretary to the GOI, noted:

I do not agree, however, with reference to paragraph 19 of the office note, that because the particular measures the Government of India tried for the restriction of opium production in the early part of the last century had to be given up as a failure, it follows that a policy of

⁸³ NAI Separate Revenue A May 1906 No 150-152 W. S. Meyer, Secretary to the Government of India to the Chief commissioner of the Central Provinces dated Simla 9 September 1905

⁸⁴ NAI Separate Revenue A May 1906 No 150-152 Note by W S Meyer dated 2 August 1905

⁸⁵ NAI Separate Revenue A May 1906 No 150-152 Note by W S Meyer dated 2 August 1905

⁸⁶ Sir W. Lee-Warner, *The Native States of India* (London: Macmillan & Co. 1910) pp. 19-20

⁸⁷ Sir W. Lee-Warner, *The Native States of India* (London: Macmillan & Co. 1910) pp. 18

inducing the Native States to restrict production would be unsuccessful now. We are in a far better position to supply effective advice and control now than we were in 1823.⁸⁸

Meyer did not go into further details of more 'effective advice and control' available to the British in sustaining their opium monopoly across India. The British continued to make opium agreements throughout the period anywhere that Native State or foreign opium challenged their monopoly. In 1906 a Sanad was granted to King Maung of Möng Mit, one of the Shan States of east Burma, article 8 of which stated that:

Opium, spirits or fermented liquors, and other articles, which are liable to duties of customs or excise when imported by sea into Lower Burma or when produced in any part of Upper Burma, to which the regulations of the Governor-General in Council apply, shall not be brought from Möng Mit into Lower Burma or into any such part as aforesaid of Upper Burma, except in accordance with rules made by the Government and on payment of such duties as may be prescribed in those rules.⁸⁹

The difficulties of opium regulation articulated by British officials in the early twentieth century, often to counter international and metropolitan campaigns for further restrictions, echoed in large measure this well-established colonial knowledge of opium regulation. Opium, the majority of officials continued to argue, was a harmless recreation or a vital source of comfort to the sick and old. Opium smoking was only targeted because it was believed that the public would support suppression as they regarded it as an injurious vice. However, interference with accepted native traditions and customs of opium consumption and even attempts to suppress the supposed vice of opium smoking in the privacy of peoples' homes was considered a potential route to oppressive police measures and popular unrest. GOI officials continued to make agreements and hatch regulatory and preventive plans to stop the illicit flow of opium from the Princely States into British India. Municipal officials also doubted the practicability of enforcing and prosecuting stringent restrictions on smoking. That the Bengal government was alone in expressing enthusiasm for suppressing the smoking of opium on premises in 1895, points to another aspect of the system of British opium regulation in India, its diverse and localized character.

Local characteristics and centralizing tendencies in British opium regulation in India

Patterns, customs and levels of opium consumption and the details of regulations varied across India. For example, opium was not always eaten or smoked; in the Punjab poppy heads were often

⁸⁸ NAI Separate Revenue A May 1906 No 150-152 Note by W. S. Meyer dated 2 August 1905

⁸⁹ C. U. A. Aitchison., *A Collection of Treaties, Engagements and Sanads Relating to India and Neighbouring Countries* Fifth edition (Calcutta: Superintendent of Printing 1930) Volume X, pp. 278-279

used to make a drink, known as *post*, usually prepared by individuals for private consumption.⁹⁰ The GOI *Excise Memorandum* of 1906 noted that the provinces of Bengal and East Bengal, the United Provinces of Agra and Oudh, the North-West Frontier, Madras, Bombay, Baluchistan and the Punjab, all recorded average yearly per capita consumption of between 1.2 and 2.8 seers⁹¹ per 1000 population.⁹² However, per capita consumption in Coorg, a coastal region in south-west India, was much below this level at 0.2 seers per 1,000 population. There were provinces and localities with much higher levels of recorded consumption: Berar at 5.6, Ajmer-Merwara at 7.4, Burma at 9.1 and Assam at 9.5 seers per 1,000 population. There were also differences in the supply of opium to provinces.⁹³ Bengal, Assam, the United Provinces and the Central Provinces only took Bengal opium, which came from the GOI factories at Patna and Ghazipur. Madras and Bombay obtained Malwa opium from the opium-producing Princely States of Western and Central India. The Punjab took some Bengal opium but relied also on local production and some imports from Kashmir and the semi-autonomous Punjab Hill States. The North-West Frontier Province acquired some Bengal opium but also imported opium from Afghanistan. Though, strictly speaking, such figures were a measure of government sales and not quantities consumed the figures, they still point to wide variations in the markets for opium, if not levels of consumption, across British India.

The provincial systems of distribution and vend also varied.⁹⁴ In Bengal, Assam, the United Provinces and Central Provinces opium was sold at government treasuries to licensed vendors and druggists at fixed prices designed to reflect the costs of production and locally added government duty. In the Punjab licensed vendors obtained opium from government treasuries or local cultivators or imported it to sell on to licensed vendors. In Bombay, opium was transported from a central warehouse to depots in the Districts and then to licensed vendors who could also, under licence, import supplies. Madras also obtained its opium from the Bombay warehouse and then distributed it from two depots to wholesale vendors. In the United Provinces, the centre of British Indian opium production by this period, treasury officials 'were permitted to sell opium direct to the public at fixed rates, an arrangement intended to check illicit practices in the opium producing tracts.'⁹⁵ In Patna division too, then part of Bengal province (after 1912 capital of the new province of Bihar and Orissa), shop licenses were granted at nominal fees rather than auctioned

⁹⁰ *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 8-11

⁹¹ A seer weighed equivalent of roughly 2 imperial pounds.

⁹² *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 3-27

⁹³ *Imperial Gazetteer*, Volume 4 (1909) p. 246

⁹⁴ *Imperial Gazetteer*, Volume 4 (1909) pp. 246-247

⁹⁵ *Imperial Gazetteer*, Volume 4 (1909) pp. 246-247

with upset prices in the six-opium producing districts, again 'with the object of checking the use of illicit opium.'⁹⁶ In general, the right to vend was sold by auction both for individual and multiple shops. Opium prepared for smoking could not be bought in any provinces though it could be made up privately under certain restrictions. Other intoxicating drugs prepared from opium could be sold in some Provinces by licensed vendors but in others only by licensed medical practitioners and druggists for specifically medicinal purposes.

As with levels of consumption and forms of distribution, the average rate of duty on opium varied not just between provinces but between districts and other administrative localities. These variations reflected, at least ostensibly, the different facilities for smuggling in each area. The average duty per seer ranged from Rs 3.6 in the Punjab to Rs 28.5 in Assam. In all the provinces which consumed Bengal opium there was an added duty of Rs 8 ½ per seer to cover the costs of production. Locally set rates of duty meant that the average taxation per seer of opium across India varied. For example in 1902-1903 the highest rate per seer of opium was Rs 34.9 in Assam and the lowest Rs 11.5 in the Punjab. GOI officials explained that in Assam the particularly high issue price 'was rendered possible by the geographically isolated position of the province and by the fact that the people are largely addicted to opium consumption.'⁹⁷ There were also certain concessions to regulations given in particular provinces. Usually opium could only be imported into India on behalf of the Government. However, in Bengal, the United Provinces, Punjab and the North-West Frontier Province, 'foreign horse-dealers and travellers of distinction' were allowed to carry limited quantities of opium (and other intoxicating drugs produced outside of India), though not opium smoking preparations, on the payment of a duty of Rs 2 per seer.⁹⁸ In the United Provinces a firm of chemical manufacturers in Cawnpore was uniquely granted special permission 'to purchase opium to a limit of 5 seers each month for the manufacture of laudanum.'⁹⁹

Burma, at this time a province of British India, had its own system of opium regulation.¹⁰⁰ From 1893 a system of registration of existent Burman smokers was introduced across the province. A

⁹⁶ *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 3-4

⁹⁷ *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 5-6

⁹⁸ *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 3-27

⁹⁹ *Memorandum on Excise Administration in Excise Administration in India so far as it is concerned with opium Compiled and Revised by W S Meyer* (Third Edition) (Simla: Printed at the Government Central Printing Office 1906) pp. 6-7

¹⁰⁰ *Imperial Gazetteer*, Volume 4 (1909) p. 247 See A. Wright, 'Opium in British Burma, 1826-1881' in *Contemporary Drug Problems*, 35, Winter, 2008 pp. 611-646, R. D. Renard, *The Burmese Connection: Illegal*

general prohibition of consumption among Burmans was extended from Upper Burma where it had been in place ever since its annexation to Lower Burma (1886). Though British officials argued that smoking was not particularly prevalent amongst Burmans they justified their Burman prohibition on the grounds that ‘they appear to be especially susceptible to injury from it, and they view it in general with disfavour.’¹⁰¹ As with the Punjab and North-West Frontier Province, the supply of opium was mixed. Bengal opium was sold in Lower Burma and to a lesser extent in Upper Burma. Upper Burma also obtained opium from Yunnan, the Shan States and from local producers in the remote Kachin villages. The number of opium shops was limited as was the maximum amount sold in each shop. Duties on opium were very high, the total incidence of taxation on opium in 1900-1901 averaging at Rs 72 per seer. However, according to the Lieutenant-Governor, this system of control aimed at the eventual prohibition of opium consumption amongst Burmans was not altogether successful.

The high duty and stringent regulations encouraged smuggling, and it has recently been found necessary to make some improvements in the registration and vend system, and in the preventive arrangements, in order to meet this evil.¹⁰²

In order to reduce the temptation for opium smuggling, officials lowered the opium vend fees. By 1902-1903 the average taxation had been reduced to Rs 51 per seer and efforts were also made to stop the illicit traffic stemming from ‘hawkers’ (legitimate consumers who sold opium on to illegitimate Burman consumers) of opium and to improve the preventive establishments.¹⁰³ In late 1906 and early 1907 the Secretary of State for India, John Morley, approved a number of GOI recommendations for changes to the system of opium regulation, namely that: ‘illicit dealers in opium should be made liable to be required to give security for their good behaviour’; each customer should be assigned to a particular shop to enable easier surveillance of their purchases; preventive establishments in Lower Burma should be made permanent and; a limit of possession for an assembly of smokers should be established. However, Morley also rejected some proposals made by the GOI. He objected to allowing customers to smoke their opium in licensed shops, arguing that it would contradict regulations in force in other provinces. He also opposed the GOI proposal to place vend under the direct control of Resident Excise officers rather than licensed vendors as, he argued, ‘it would identify the Government more closely than is desirable with the management of the retail trade in opium.’ In making its recommendations the GOI had argued:

Drugs and the Making of the Golden Triangle (Boulder CO: Lynne Rienner Publishers 1996) pp.13-44; Richards, 2002, pp. 415-418

¹⁰¹ *Imperial Gazetteer*, Volume 4 (1909) p. 247

¹⁰² *Imperial Gazetteer*, Volume 4 (1909) p. 247

¹⁰³ *Imperial Gazetteer*, Volume 4 (1909) p. 247; IOL P/7665 Secretary of State for India (John Morley) to the GOI dated 18 January 1907

...that it is essential to the complete success of the system that it should be based on the formal recognition of the opium habit where that has already been acquired, and that it should provide reasonable facilities for consumption within the law.¹⁰⁴

In its proposals to the Secretary of State, the GOI therefore proposed that the registration of Burmans permitted to consume opium should be re-opened and include all Burman habitual consumers of opium over the age of 25. Morley protested that this was against the principle of restriction and prevention of the spread of the opium habit. He argued that though illicit consumption had been replaced by licit following changes in the system of opium regulation in 1902-1903, Burmans were finding it ever easier to obtain opium and consume it. Moreover, he repeated the arguments of some local officers that re-opening the registers would merely 'create a new body of unregistered consumers, and that a few years hence the re-opening of registers will again be called for.'¹⁰⁵ The principle and appearance of restricting opium consumption often clashed with the conditions of opium markets and their regulation across British India.

When the GOI made a proposal for a fifty per cent increase in the number of opium shops in Lower Burma Morley rejected it as it appeared contrary to a British policy of increased stringency in opium regulations across India. The GOI argued that the current number of 91 opium shops across an area of 85,888 square miles – a territory roughly the size of England and Wales - was too few as they were obliged 'to afford reasonable facilities to persons who are authorised to consume opium, and that unless the needs of lawful consumers who reside at a distance from the existing shops are more adequately provided for, they will supply themselves from illicit sources.'¹⁰⁶ Morley rejected the proposal suggesting that any predicted decrease in the illicit opium traffic from such a policy was 'conjectural' and that the more likely result would be to promote the opium habit and thereby increase the number of consumers and quantity consumed. Two further arguments put forward by Morley demonstrate how domestic regulation was still, despite the victory of the RCO, beset by tensions between the ideas of restriction in London and the tradition of regulation within the bounds of local conditions and customs in the colony. Morley continued in his letter to the GOI:

I do not deny that if the matter could be regarded purely from the administrative point of view there would be force in these arguments. But the declared policy of His Majesty's Government towards the opium habit is one of restricting not of increasing facilities. A large addition to the number of shops is not in my mind likely to advance this policy.¹⁰⁷

¹⁰⁴ IOL P/7665 Secretary of State for India (John Morley) to the GOI dated 18 January 1907

¹⁰⁵ IOL P/7665 Secretary of State for India (John Morley) to the GOI dated 18 January 1907

¹⁰⁶ IOL P/7665 Secretary of State for India (John Morley) to the GOI dated 18 January 1907

¹⁰⁷ IOL P/7665 Secretary of State for India (John Morley) to the GOI dated 18 January 1907

Morley had one eye on anti-opiumists at home, as the above quotation makes clear, often ignoring the local experience and informed proposals of the colonial administration. Anti-opium pressure in London clearly influenced British opium policy within India not just regarding exports to China. *The Times* reported Saturday 26 May 1906 that the previous day the Christian Union for the Severance of the Connexion of the British Empire with the Opium Traffic – an anti-opium organisation founded in 1880 to focus more specifically on the India-China opium trade - had organised a breakfast meeting at the Hotel Cecil, situated on Embankment and The Strand in London. The meeting was convened in anticipation of the House of Commons vote on the resolution to condemn the opium trade as ‘morally indefensible’ the following Wednesday.¹⁰⁸ Anti-opium luminaries such as Henry J. Wilson (1833-1914), another Liberal MP, and various Church representatives, stood up to praise the prohibitionist regulations in Formosa (the Philippines) and to urge His Majesty’s Government to assist China in its opium suppression campaign. Among the speakers was Donald Mackenzie Smeaton (1846-1910), a newly elected Liberal MP for Stirlingshire and former British Indian official. He told how, when serving in Burma (he had been Financial Commissioner to the province between 1891 and 1900¹⁰⁹) he had ‘asked leave to reduce the sales of opium’ but ‘was told in writing by the Viceroy that he was too much given up to moral convictions to be useful in a British province.’ Smeaton reportedly told the congregation that ‘The way in which the Indian Government had dealt with our commission of inquiry was a deliberate betrayal of this country’s moral interests.’ Smeaton would pursue his anti-opium stance in his new parliamentary career. In May 1908 he told the House that Buddhist monks had informed him during his service in Burma that:

“You will never cure the opium drunkard, or the opium eater, or smoker by any amount of restrictions you put upon the practice, but what you will do is save all the boys and girls who are now rising to manhood and to womanhood.”¹¹⁰

Smeaton told his fellow MPs that in the ‘Eastern Empire’ there was prohibitionist action along these lines, which had indeed protected some of ‘the rising generation’ from ‘the opium curse.’ In fact, Smeaton was making this point to support his argument for local option in public houses in England, arguing that you could make men ‘by Act of Parliament’ and asserting that contrary to his opponents’ argument, the working class of Britain were in favour not against such measures. This demonstrates how pressure for a policy of opium prohibition in Burma was part of the anti-opium and Temperance coalition in parliament, parts of the press and the Churches and with which Secretary of State Morley was broadly sympathetic. On the question of regulation changes in Burma Morley was not only anxious about the impression that such an expansion in the number of

¹⁰⁸ ‘The Opium Traffic’ in *The Times*, 26 May 1906, p. 16

¹⁰⁹ J. F. Riddick, *Who Was Who in British India* (Westport CT Greenwood Press 1998) p. 334

¹¹⁰ HC Debate 22 May 1908 Volume 189 Columns 660-661

shops in the province would have on critics of GOI opium policy in Britain. Writing to the GOI, Morley stated that:

There is also a danger, which many officers regard as certain, that increased facilities would strengthen the popular belief that the Government is disposed to relax its vigilance, and to make terms with a vice which it has hitherto countenanced.¹¹¹

The Secretary of State's view that the GOI should do all it could, and be seen to be so doing, to restrict and not facilitate opium consumption would remain a source of tension with local officials responsible for opium regulation in Burma throughout the period. As such, in British India and in particular the province of Burma, opium policy would not move away from the principle of eventual prohibition of opium smoking. However, the Secretary of State for India was perhaps a less conspicuous presence in British fault lines over opium regulation in the other provinces of British India.

The Report of the Royal Commission upon Decentralization in India (1909) provides further evidence of the tension within GOI internal opium policy between uniformity, localism and coordination.¹¹² The Decentralization commission was appointed by John Morley, as Secretary of State for India, in 1907 with the aim of simplifying relations between the GOI government and the 'subordinate' and 'co-ordinate' parts of the administration.¹¹³ The Report of the Committee also shows how a centralizing impetus for GOI internal opium policy could stem from metropolitan concerns.¹¹⁴ The 1878 Opium Act stipulated that laws regulating the traffic in opium (and on the disposal of confiscated opium, rewards to informers and rules on opium warehouses) within a Province required the previous sanction of the Governor-General in Council.¹¹⁵ When in 1889 the House of Commons passed a resolution unfavourable to British Excise policy in India.¹¹⁶ The GOI, in order to face down such accusations, 'pledged themselves not to regard the increase of revenue from excise as an object to be sought *per se*, and sought to ensure that their policy was not

¹¹¹ IOL P/7665 Secretary of State for India (John Morley) to the GOI dated 18 January 1907

¹¹² *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty's Stationery Office by Darling & Son 1909)

¹¹³ H. H. Dodwell (ed.), *The Cambridge History of India: Volume VI The Indian Empire 1858-1918* (Cambridge: Cambridge University Press 1932) pp. 241-243

¹¹⁴ *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty's Stationery Office by Darling & Son 1909) pp. 72-74

¹¹⁵ For the Opium Act of 1857 see Government of India Reforms Office, *The Unrepealed Central Acts with Chronological Table and Index, Volume I From 1834 to 1871, both inclusive* (Delhi: Manager of Publications 1938) pp. 163-172; for the Opium Act of 1878 see Government of India Reforms Office, *The Unrepealed Central Acts with Chronological Table and Index, Volume II From 1872 to 1881, both inclusive* (New Delhi: Government of India Press 1938) pp. 389-398

¹¹⁶ See M. J. Gilbert, 'Empire and Excise: Drugs and Drink Revenue and the Fate of South Asian States in South Asia' in J.H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007) pp. 124-128

misunderstood or misapplied by local authorities.’ Local governments and administrations were given some independence in opium regulation but it was thought that ‘the increase of inter-provincial communication renders it more than ever desirable to obtain coordination in the general lines of excise policy.’ There had indeed been recent attempts to forge a level of such coordination in opium regulations across British India which clashed with localizing tendencies in opium regulation across British India.

In 1905 an Excise Committee investigated all provinces except Burma and the Central Provinces, the latter as we have seen had its own separate investigation.¹¹⁷ One of the Committee’s 1906-1907 resolutions was to recommend the creation of position of an Imperial Inspector-General of Excise. The GOI agreed to the creation of such a position and to the further proposal to amalgamate the salt and excise establishments which had already been done in Madras and Sind, with Bombay proper and Bengal next in line. The Inspector-General was to have three functions, first of which was to keep the GOI informed in matters of administration related to Excise and Salt. Secondly, he was to tour British India giving advice and information to local governments. Thirdly, he was to ‘bring the experience of one Province to bear upon the problems of another so as to secure such co-ordination as may be possible of the system of the different Provinces.’ The GOI agreed that the Inspector-General might ‘by his experience and friendly counsels, facilitate the reforms on which the different Provinces are at present engaged.’ However, the GOI was careful to point out that coordination did not equate to the imposition of uniformity in opium regulations in India. The Decentralization Committee reported the GOI objections to the central imposition of uniform opium controls and their concerns about the possible financial and political complications of such reforms.

They [the GOI] do not consider that excise is a branch of administration in which uniformity is either possible or desirable; on the contrary, they are convinced that it must always belong to the domain of the Provincial Governments. At the same time it is a difficult and highly technical subject; it is now one of the most important branches of revenue; and its administration is subject to constant attacks and criticism.¹¹⁸

Tensions between local conditions and centralizing impulses acting upon opium regulation in British India were further complicated by anti-opium scrutiny of British opium policy. The Excise Committee had also recommended ‘a general Excise law for the whole of India.’ At the time there

¹¹⁷ *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty’s Stationery Office by Darling & Son 1909) p. 74

¹¹⁸ *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty’s Stationery Office by Darling & Son 1909) p. 74

was no such India-wide excise act.¹¹⁹ Madras, Bombay and the two Bengals each had their own legislation while the rest were governed by the Northern India Excise Act (1896). Provincial Governments also had some discretion in the levy of excise duties. The Excise Committee argued that this state of affairs was ‘unsuitable to present conditions’ and sought the replacement of the Northern India Excise Act by fresh legislation to be passed by the Provincial Councils following a general model to be proposed by themselves and approved by the GOI. Such fresh legislation had also been suggested to the provincial government of Bengal and Eastern Bengal and Assam. However, at the end of July 1907 the GOI sent a circular making clear to the local governments and administrations that they had rejected those recommendations of the Excise Committee for a greater degree of uniformity in Excise regulations, objecting that:

“Excise is a branch of the administration in which uniformity is neither possible nor desirable. Local conditions vary enormously, not only from province to Province, but also in different parts of a single Province.”¹²⁰

The GOI did set out general principles for the British system of excise, and so domestic opium regulation in India, and the tricky relationship between central policy and local regulation. However the GOI made it clear to provincial governments and local administrations that the application of general principles was limited by local conditions and traditions of opium regulation.

“It is manifestly preferable that each Province should have a self-contained law of its own, taking full account of its own local requirements, laying stress on those matters which are of local importance, and passing more lightly over those which are not. Uniformity is desirable in such matters as (1) general policy...; (2) the principal definitions; (3) inter-provincial transaction, such as transport from one Province to another; and (4) the general scale of penalties. In other matters there is much room for diversity. In some Provinces, for example, there is a distinct public demand that local option should be ascertained before shops are opened or their locality decided; other Provinces are not ripe for such a step, or at least are less ripe. There is no advantage but quite the reverse in applying a single rule to all alike, Subject to the foregoing remarks, the Government of India wish to leave to Local Governments and Administrations full liberty to make such additions, omissions or alterations in the draft Bill as may be necessary to meet local requirements. In particular it will be left to

¹¹⁹ *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty's Stationery Office by Darling & Son 1909) pp. 71-72

¹²⁰ Government of India Circular Letter No. 4737 Excise of 30 July 1907 cited in HCPP 1908 [Cd. 4360] *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty's Stationery Office by Darling & Son 1909) p. 74

them to decide how far arrangements for ascertaining local opinion should, in view of local conditions be included in the law.”¹²¹

Though the GOI rejected uniformity it still wished to control the general form of opium regulation especially those aspects of it which had an all-India dimension. GOI sanction was still required for local governments and administrations to alter excise and opium regulations. Even these limited centralizing tendencies in the GOI proposals were objected to by local officials. The witnesses to the Decentralization Commission from the provincial administrations objected to interference in local excise policy including opium regulations.¹²² The 1909 Committee acknowledged these complaints and so recommended that GOI control over Provincial Excise administration ‘be very greatly diminished.’ In particular they agreed with the Financial Secretary to the GOI that the general control of the ‘Supreme Government’ might be substituted for its specific sanction in respect to such rules. The Committee had ‘already recommended that a general condition attached to the Provincial settlements, which debars alterations in the local excise duties in districts bordering on another Province without the sanction of the Government of India, should be altered.’¹²³ The GOI accepted the Decentralization Committee’s findings and recommendations.¹²⁴

Meanwhile, Burma opium regulations remained somewhat more controlled by the Secretary of State for India than those in other provinces because of the greater anti-opium scrutiny it received in Britain. As the Decentralization Committee noted:

Burma, however, has been subjected to closer control, since there is a special system – which is at present on its trial and which it is found very difficult to bring to a successful issue – of forbidding the supply of opium to Burmans, other than persons registered in Lower Burma as having been opium-smokers prior to 1893, and ancillary to this – a special system of retail vend. The Burman Government send annual reports on the progress of this system, and these are submitted to the Secretary of State.¹²⁵

This greater metropolitan and GOI scrutiny and control of opium regulations in Burma compared to the rest of British India further demonstrates the variety of British opium policy across the subcontinent.

¹²¹ Government of India Circular Letter No. 4737 Excise of 30 July 1907 cited in HCPP 1908 [Cd. 4360] *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty’s Stationery Office by Darling & Son 1909) p. 74

¹²² *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty’s Stationery Office by Darling & Son 1909) pp. 71-72

¹²³ *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty’s Stationery Office by Darling & Son 1909) pp. 72-74

¹²⁴ NAI 1910 Home Department Part B December 1910 No 137 Note by BL dated 2 September 1910

¹²⁵ *Report of the Royal Commission upon Decentralization in India, volume I* (London: Printed for His Majesty’s Stationery Office by Darling & Son 1909) pp. 74-75

Conclusion

The British position on opium regulation in late imperial India was divided. Anti-opium critics in Britain, often driven by a vision of a civilizing and improving British imperialism, pressed the government to eradicate the opium habit from the subcontinent. Secretaries of State had but little choice to at least pay lip-service to anti-opium strictures delivered through press, pulpit and parliament. Some Secretaries of State, such as John Morley, as we shall see a key figure in developments between 1906 and 1910, shared anti-opium ambitions. In Burma, however, local demands for greater government control, in line with a GOI policy of prohibition, were thwarted when the proposed regulatory changes clashed with IO anxieties about associating the government too closely with the sale of opium. Anti-opium pressure could lead to less government control of opium markets. Another key tension was the relationship between stringency in regulation and control of the opium market. British India officials argued that high prices and reduced supply could be counter-productive to maintaining government control of the market and its apparent objective of reducing consumption. The stimulus to illicit markets that an overly stringent system of regulation could engender was constantly cited as a risk by colonial officials.

Opium revenues, including those from domestic consumption, were of course important for the GOI but so were the principles of opium regulation developed over two centuries of British encounters with the opium societies of the subcontinent and later formalized in the final report of the RCO in 1895. This guide to opium regulation was itself filtered through a vision of empire in many ways diametrically opposed to that of the civilizing mission of many anti-opiumists. The GOI and local officials in British India argued that opium prohibition would not have brought moral and material progress to their colonial subjects. Opium, the RCO had concluded was a harmless recreation when taken in moderation and currently irreplaceable as a tonic and medicine for the majority of the old and infirm across India. Rather, any attempt to eradicate opium or even to restrict its use too stringently would cause unrest amongst peoples who regarded opium as an integral part of their customs and traditions or a cherished source of pleasure and relief. The GOI argued that in its opium regulations it followed Indian opinion whether that be against interference in consumption of opium deemed traditional and quasi-medical or whether it called for the suppression of forms of opium consumption considered alien and disreputable.

There were also tensions between the GOI and local governments and administrations. The GOI strove to maintain ultimate control of opium regulations across India. A coordinated approach to opium regulations was vital to maintaining and extending the GOI opium monopoly across the subcontinent and to avoiding anti-opium criticisms that its policy was insufficiently restrictive. This centralizing tendency within opium regulation in British India was however tempered by a logic of localism recognised by the GOI and defended by provincial governments and

administrations. Officials at the provincial, municipal and district level would counter the centralizing impulse of the GOI and prohibitionist calls from the imperial metropolis by arguing that regulation must be tailored to the circumstances and conditions of the geography and population of their particular area of administration. The different and competing views held by British officials in Whitehall (especially the IO), Calcutta and in provincial and local administrations across India would find their voice in the British position in international drugs diplomacy in this period. The relative importance of GOI and IO positions on opium suppression and the India-China opium trade is the subject of the next chapter.

Chapter two: the Government of India and the Anglo-Chinese opium agreement 1906-1908

The British government successfully defended the India-China opium trade at the RCO 1893-1895.¹ However, less than twenty years later the exports of opium from India to China were ended through a bilateral agreement between the British and Chinese governments.² Contrary to George Malleison's warning of an 'opium mutiny,' the reductions in poppy cultivation in British India and the Princely States of Western India, and the loss of revenues to Indian merchants, Princes and others connected with poppy cultivation and the opium trade, did not bring about the breakdown of the British Raj in India.³ This was a remarkable turn of events, one that requires the historian to investigate the reasons behind this *volte face* in British opium policy and diplomacy.

The Anglo-Chinese opium agreement engaged the GOI to an annual decimation of opium exports from India to China *pari passu* with the Chinese suppression of domestic production and consumption of opium until total prohibition was reached after ten years. There was to be an initial three-year trial period. Richard Newman has provided the most detailed and nuanced account of British objectives and strategies leading to and shaping the terms of the first Anglo-Chinese opium agreement.⁴ In its terms, Newman has argued, the opium agreement reflected GOI opium concerns. More specifically, the British Indian administration had successfully avoided putting 'its opium administration at the mercy of Chinese customs officers and Chinese officials.'⁵ This was achieved by ensuring that reductions would be of exports of opium from India not of imports into China. The GOI agreed to the Chinese suggestion to take an average of exports of 1901-1905 of 51,000 chests and so cut exports by 5,100 chests each year. There were benefits to China of this arrangement; reductions based on export figures would be quicker and cutting the supply of opium potentially reduced the likelihood of smuggling. For their part the GOI were, thus, able 'to make reductions in an orderly way by reducing contracts with cultivators in advance of the reductions in exports', and thereby limit the risk of economic and political dislocation.⁶

¹ J. F. Richards, 'Opium and the British Indian Empire: The Royal Commission of 1895' in *Modern Asian Studies*, 36, 2, 2002, p. 378

² See R. K. Newman, 'India and the Anglo-Chinese Opium Agreements, 1907-1914' in *Modern Asian Studies*, 23, 3, 1989, pp. 525-560; D. E. Owen, *British Opium Policy in China and India* (New Haven, Yale University Press 1934) pp. 329-355; T. D. Reins, 'Reform, Nationalism and Internationalism: The Opium Suppression Movement in China and the Anglo-American Influence, 1900-1908,' in *Modern Asian Studies*, 25, 1, 1991, pp. 101-142; B. D. Johnson, 'Righteousness before Revenue: The Forgotten Moral Crusade Against the Indo-Chinese Opium Trade' in *Journal of Drug Issues*, 5, 1975, pp. 304-326

³ Newman, 1989, pp. 536-539

⁴ Newman, 1989, pp. 525-560

⁵ Newman, 1989, p. 535

⁶ Newman, 1989, p. 535

This chapter will examine the origins, negotiations and enforcement of the first Anglo-Chinese opium (1907) agreement, most notably through the use of ‘secret’ notes of the GOI Foreign Department, which formed the basis of the GOI stance on the Chinese government’s campaign to suppress the trade from India and opium production and consumption in China. They show that British attitudes to Chinese opium suppression and the cessation of the India-China opium trade were not simply shaped by opium revenue concerns. Moreover, the interests of other British agencies were as least as important in shaping British policy on the end of the India-China opium trade and opium suppression in China. Exploring these often conflicting British positions is crucial to the project of re-imagining the British role in the emergence of an international drugs control regime. As we will see in subsequent chapters, these attitudes and developments formed the background to British objectives and strategies at the Shanghai Opium Commission of 1909.

The Government of India, China and the question of opium prohibition 1900-1906

In September 1906 the Qing government issued an Imperial Edict ordering the gradual suppression of domestic opium production and consumption throughout China.⁷ They also sought, encouraged off-the-record by GOI officials and a British House of Commons resolution of 30 May 1906, which declared the trade ‘morally indefensible’, an agreement with the British to end the export of opium from India to China as a corollary to domestic opium prohibition. Foreign Office officials, so often agnostic on such questions, put aside their doubts in the light of both domestic opprobrium towards the opium trade and their own commercial and strategic calculations. In coming to this agreement, Newman has argued that the GOI ‘accepted the sincerity of the Chinese reform programme.’⁸ However, the GOI were less than confident in the sincerity and practicability of the Chinese opium suppression campaign. Such doubts, as much as Indian financial and political entanglements in the opium trade, explain GOI objectives and strategies towards the opium agreement with China.

William Meyer, financial secretary to the GOI, was immediately concerned with the Chinese proposals during negotiations to double the duty and *likin* on opium from 110 taels⁹ to 220 taels per picul¹⁰. At this time the most important diplomatic arrangement between Britain and China for the regulation of the India-China trade was the Chefoo Convention in particular its Additional Article (1885).¹¹ By this agreement Indian opium arriving into China had to pay a customs duty

⁷ Yongming Zhou, *Anti-drug crusades in twentieth-century China: nationalism, history, and state building* (Lanham MD 1999), pp.26-27; Newman, 1989, p. 534

⁸ Newman, 1989, p. 53

⁹ A modification of the Chinese ounce, the *tael* was a unit of trade at Shanghai from 1857, containing 525 grains of fine silver.

¹⁰ A *picul* was a unit of weight equivalent of about 133 and 1/3 pounds, roughly the same one chest of Malwa opium and substantially less than one chest of Bengal opium (160 pounds).

¹¹ Newman, 1989, p. 542; Owen, 1934, pp. 270-274 and 277-279

and a transit tax known as *likin* on leaving the bonded warehouses in the treaty ports. The advantage to the Chinese government was that they accrued a greater share of the profits from the trade. For the GOI the advantage was that the convention article supposedly protected Indian opium from further taxation in the treaty ports and inland provinces. For the anti-opiumists the additional article represented something of a defeat as Chinese government concerns to increase their share of revenue from the opium traffic appeared antithetical to the campaign for opium suppression.¹² Meyer pointed out that this doubling of duty would require, if the trade was ‘not to be altogether broken,’ an equivalent reduction in the sale price of Bengal opium and the pass duty on Malwa opium. As such, Meyer explained that:

...the ingenious Chinese idea is that we should transfer the opium revenue which we have hitherto enjoyed from our coffers to theirs. Their statement that they do not want increased revenue but desire to impose prohibitory duty is of course inconsistent with their position which they themselves have taken up, that imports of Indian opium should be reduced gradually. We could not possibly assent to immediate stoppage of the whole opium trade.¹³

However, Meyer argued that the GOI could not object to an agreement to end India to China exports, instead he insisted that that no discriminatory duty be imposed on Indian opium and that the trade be reduced gradually. Nor did Meyer reject the Chinese wish to station an official in Calcutta to watch sales, despite any apparent surrender of sovereignty it might imply. Instead Meyer insisted that ‘He must simply be an agent told off [sic] to report to his own Government’ as ‘we cannot of course recognize any authority or interference on the part of such an officer.’¹⁴ However, Meyer was suspicious about Chinese intentions regarding the cessation of the India-China opium trade which were rooted in the history of Chinese opium policy and diplomacy since the turn of the century.

A note of late January 1907, written for the Viceroy’s Council by ‘Bepin Babu’, recorded Chinese approaches for changes to the regulations of the India to China opium trade since the turn of the century.¹⁵ According to Bepin’s history, before 1900, the treaties regulating the India-China opium trade had worked satisfactorily for both parties, permitting Indian opium to travel without harassment inland and ensuring that the central Chinese authorities collected revenues from the

¹² V. Berridge, *Opium and the People: Opiate Use and Drug Control Policy in Nineteenth and Early twentieth Century England* (London: Free Association Books 1999) pp. 182-183

¹³ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 28 December 1906

¹⁴ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 28 December 1906

¹⁵ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907. Also see Yongming Zhou, *Anti-drug crusades in twentieth-century China: nationalism, history, and state building* (Lanham MD 1999), pp.25-29; A. Baumler, *The Chinese and Opium Under the Republic: Worse Than Floods and Wild Beasts* (Albany NY: State University of New York 2007) pp. 74-75

payment of the consolidated levy at the port of importation. This also prevented any loss of revenues from the Imperial government to fraudulent provincial authorities and private smugglers. The Chinese authorities had already made numerous attempts to levy unauthorised taxes on Indian opium but these had always been rescinded following representations made by British officials. The new century brought a fresh intensity to Chinese attempts to obtain a greater share of the opium revenue. The Boxer Rebellion and war of 1900-1902 and the subsequent indemnity of £65,000,000 imposed on the Chinese government by the Treaty Powers changed the situation dramatically. The Chinese central government began a desperate search for revenues in order to pay the indemnity, defray the expenses of the Imperial household and fund military reforms. In one such revenue-raising scheme the Chinese central authorities tried to impose additional taxation on native and foreign opium. They also made numerous proposals for the establishment of their own opium monopoly farm and for raising the duty on foreign opium. Provincial authorities, especially those of Canton, attempted to raise levies on foreign opium. All of these efforts, Bepin's note argued, violated the treaties that regulated the opium trade.

The response of the GOI to Chinese proposals on duty in the Anglo-Chinese opium agreement echo their response to these earlier Chinese attempts to accrue a greater share of the revenues from imports of Indian opium. In March 1901 the Chinese made a rudimentary proposal for a Chinese opium monopoly in order to pay off the war indemnity.¹⁶ The GOI in Calcutta, in their telegraphic response of 18 April 1901 to the Secretary of State for India, predicted that such a Chinese opium monopoly, by privileging native opium over foreign, "can hardly fail sooner or later to check importation of opium from India" and so "India would thus indirectly contribute to Chinese indemnity." The GOI had argued that such "A proposal which is not designed to check opium smoking but to increase Chinese revenue from opium, at expense of Indian revenues, cannot therefore be welcome to us." However, rather than reject the proposal outright they proposed certain conditions, akin to those found in the eventual opium agreement, which aimed to protect Indian opium from discriminatory treatment and taxation compared to native or other foreign opium. As Bepin wrote: the GOI had 'considered [it] inexpedient to object altogether to the monopoly.' Instead the GOI sought to mitigate against any potential *precipitous* impact on the India-China opium trade and so their opium revenues through diplomatic agreement with the Chinese government.

As 1906 approached there is little evidence that the Chinese persuaded the British that they were *genuinely* trying to suppress the opium habit. Bepin's minute recalls how the Chinese again demonstrated in May 1904 that their motivations for changes to the regulation of the opium traffic

¹⁶ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

were financial and not social.¹⁷ The British Consul-General at Canton and Minister at Peking had to protest against a levy imposed by the Cantonese authorities on prepared opium. He argued that it was an abrogation of treaty provisions as there was no guarantee of equivalent treatment for foreign and native opium. After the Chinese authorities refused to rescind the levy the British threatened to end the benefits accruing to China through the additional article of the Chefoo Convention (1885). However, not all British officials were confident in the legitimacy of defending the India-China trade by reference to the additional article. Henry Frasier Howard (1874-1943), under secretary in the Finance Department of the GOI, noted how British officials, such as their Minister at Peking, Sir Ernest Mason Satow (1843-1929), had repeatedly to argue to the Chinese that the additional article of Chefoo Convention meant that they could not levy additional taxation on foreign opium until the taxation of native opium reached the level of 110 taels per picul. Howard himself thought the issue open to debate if the value of any duty was agreed to be proportionate to the relevant strength of Indian and native opium. Nevertheless, the Convention did guarantee direct revenues into the Chinese Imperial Treasury and therefore the British believed that they might usefully threaten to abrogate its terms if extra taxation on Indian opium continued to be raised. For Satow and Howard, whatever the ambiguities in the terms of the Convention, it provided a useful counter-foil to Chinese attempts to unilaterally change the terms of the opium trade. In opium negotiations the British would repeatedly fall back on diplomatic agreements that regulated the India-China trade. In May 1904, the Chinese authorities replied denying that foreign opium was not discriminated against and admitting that the combined likin and duty as set out in the Chefoo Convention had brought unprecedented revenues to the government.

Bepin Babu's suspicions were based on a not unsympathetic assessment of Chinese financial circumstances. China had reached an unprecedented level of 'indebtedness for foreign loans and indemnities' and 'in contemplating extra taxation,' Bepin noted, 'she is only doing what any nation frequently has occasion to do and exercising a sovereign right which is indisputably her own.' The GOI believed that the Chinese were indeed 'taking independent action towards raising taxation on native opium and improving the system under which it was collected.'¹⁸ Such schemes begun in Hupeh province as far back as 1890 and were extended to Hunnan, Kiangsi and Anhui in 1904, to Kiangsu, Fukien and Kuantung in 1905 and to all 18 provinces by 1906. These schemes, it was reported, had mixed success; initial financial gains were followed by losses as the flow of opium was diverted away from areas of increased taxation. At the same time suspicions that

¹⁷ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

¹⁸ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

foreign opium was being disproportionately targeted remained. Bringing his summary of Anglo-Chinese opium diplomacy since 1900 to an end Bepin wrote:

The history of the past correspondence summarized above appears to leave little doubt that whatever the *present* intentions of the Chinese Government may be, the opium reforms initiated by them in 1902 (and in some cases in earlier years) were motivated purely by financial considerations and with no desire to check the opium habit.¹⁹

Moreover, the timing of the Chinese Imperial Edict of 1906 and their proposal for an agreed end to the India-China opium trade struck Bepin Babu as a little too obviously calculated:

Whether they are now really actuated by such a desire and are prepared in the existing straitened condition of their finances to give up the large revenue of nearly 5 ¾ millions sterling which they derive from imported and native opium, or whether they are merely taking advantage of the recent resolution in the House of Commons regarding the abolition of the opium trade, to give effect to their original intention of raising the taxation on Indian opium, appears to be a question which is not altogether free from doubt.²⁰

Therefore, Bepin suggested, in any arrangement to end the India-China opium trade, the Chinese should themselves 'reduce their own local production so as to bring it to the level of imports' and 'show that they are really in earnest and are able to carry out their scheme effectively.' British suspicions grounded in past opium diplomacy with China were also at the root of the *pari passu* terms of the Anglo-Chinese opium agreement. The GOI were, however, not concerned to try to influence the form of Chinese opium agreements with other British colonial governments in Asia, for example on the question of imports of opium from Hong Kong into China - whether they be Indian in origin or not - they would be a question for that colonial government.²¹ It must be noted that other British colonial administrations in Asia, such as Hong Kong and the Shanghai Municipal Council, were often less amenable to Chinese demands for assistance in her opium suppression campaign.²²

Howard, under-secretary in the GOI Finance Department, was even more doubtful of the candour of Chinese diplomacy, arguing that there were few respected voices outside of missionary circles

¹⁹ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

²⁰ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

²¹ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

²² Newman, 1989, pp. 539-540

that were confident in the sincerity and prospects of Chinese opium suppression.²³ Howard's note recounted another attempt of the Chinese to increase their revenues from foreign opium. A Mr Holt, representative of a syndicate attempting to obtain concessions in China, told the British Ambassador in Paris that the Chinese authorities were resurrecting an earlier plan to establish an opium monopoly under Sir Robert Hart (1835-1911). Such a scheme, it was noted, had been earlier attempted by Li Hung Chang (1823-1901), an old hand in opium relations with the British who had in 1892 refused a proposal by J. G. Alexander, secretary of the Society for the Suppression of the Opium Trade, for concurrent opium suppression in China and India as he was then more concerned with the financial than the moral aspects of the opium question.²⁴ Howard believed that the story had some credibility as Sir Robert Hart, as Inspector Governor of the Chinese Maritime Customs and long involved in opium matters, had proposed such a Chinese opium monopoly to the GOI in 1904. In support of his suspicions, Howard referred to the conclusions of the American Philippines Commission and an article entitled "An Australian in China", written by George Ernest Morrison (1862-1920), adventurer and Peking correspondent for *The Times* of London, otherwise known as 'Dr Morrison' or 'Morrison of Peking.' The article had been recently reprinted in the *Statesman*. Both works compared China unfavourably to Japan regarding the latter's opium suppression in Formosa. Morrison also argued that the evils of opium-smoking had been greatly exaggerated by the missionaries and that the missionaries were, on the whole, meddlesome and futile.²⁵ He also told Tang Shao-yi, who was later the first premier of the Republic of China (1912), to whom the GOI Finance Member Edward N. Baker (1857-1913) had apparently intimated India's willingness to give up opium exports to China, that the ten year timetable for suppression was 'utopian and ill-informed.' Morrison also doubted Chinese sincerity in her overtures for an end to the India-China opium trade. In September 1906, Morrison wrote to his editor at *The Times* Valentine Chirol:

The Opium question has made no advance at all. [Secretary of State for India] Morley's admirable speech and the equally admirable leader in *The Times* have been translated by Yang of the Wai Wu Pu (I had given them to Tang Shao Yi) and are fairly well known to the Chinese. But the Chinese are much embarrassed by the challenge given to them; they have no desire to restrict at the present their opium revenue.²⁶

Chinese opium revenues, including from taxes on Indian imports, were not insignificant. Howard noted that each year the Chinese government brought in £600-700,000 from Indian opium imports

²³ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Henry Frasier Howard dated 24 January 1907

²⁴ Owen, 1934, pp. 270 and 326-327

²⁵ C. Pearl, *Morrison of Peking*, (London: Angus and Robertson Ltd 1967) pp. 71, 174, 212

²⁶ Lo Hui-Min (ed) *The Correspondence of G E Morrison, Volume 1, 1895-1912* (Cambridge, Cambridge University Press 1976) p. 382 G. E. Morrison to V. Chirol dated Peking 8 September 1906

plus another £5,400,000 from native opium. Thus, Howard came to similar conclusions as the other GOI officials and Morrison:

Personally I think that the indications referred to above, as well as the probabilities, point strongly to the conclusion that the Chinese proposals are not *bona fide*, and that their primary object is to secure to the Imperial Government an increase of revenue and possibly at the same time to build up an opium monopoly under their control.²⁷

Likewise, Howard's suspicions about the sincerity of Chinese opium suppression were not easily overcome. Howard dismissed consular reports of a fall in consumption in Wuchow and Tengyueh, and reports from Yunnan that production had already been reduced, arguing that there was as yet insufficient evidence that 'it is seriously intended to proceed with measures for the curtailment and the eventual extinction and for the simultaneous suppression of consumption.'²⁸ Suspicions about Chinese intentions based upon this history of Chinese attempts to exclude Indian opium in order to increase its own opium revenues would remain at the back of the minds of GOI and other British officials during diplomatic engagements relating to the opium trade with the Chinese in this period.

The views of GOI officials on the prospects of Chinese opium suppression were also often based on the experience of opium regulation in India, especially of the prohibition policy in Burma. This led them to question the practicality of opium suppression in China and so the ultimate necessity of the end of the India-China opium trade. Bepin Babu noted that:

...assuming that the present proposals of the Chinese Government have been formulated with a genuine desire to suppress the opium habit in the country, and that they can afford to suffer the loss of revenue which would be involved by the carrying out of the proposals, it still remains to consider how far it will be within their power to give effect to them. The task which they have ostensibly set before themselves is admittedly one next to impossible of accomplishment, and in dealing with the proposals which they have put forward in regard to Indian opium it should be borne in mind that if they fail in their attempt to drive opium altogether out of the country the acceptance of their proposals would only mean the transference to them of the revenue which we now derive from opium.²⁹

²⁷ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Henry Frasier Howard dated 24 January 1907

²⁸ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Henry Frasier Howard dated 24 January 1907

²⁹ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

Many GOI officials agreed with Bepin's argument that, given the impracticability of opium suppression, even if the Chinese were sincere, in all probability there would simply be a transfer of revenues from the GOI to the Chinese government. Meyer therefore proposed that 'before we start measures in that direction' the GOI 'should have adequate evidence that the new Chinese opium regulations are really being enforced and are producing the effect contemplated.'³⁰ Meyer believed that the practical difficulties of opium suppression for the Chinese authorities were amplified by recent political upheavals in China and from the prevalence of the habit in China:

The Chinese Government is undertaking or professing to undertake a task which has rarely (I should say never) been attempted with success in the course of history, *viz.*, "to sweep away in a decade, habits which have been the growth of at least a century and which have gained a firm hold upon 8 millions of the adult population of the Empire," and this at a time "when the Chinese Government has largely lost its power to impose its will upon the provinces," in four of which, which are distant from the capital, poppy is now a staple crop. Recent consular reports show, I think, that the late increase of taxation and more stringent attempt to realize it, have to some extent reduced consumption, though they have also promoted smuggling. Gradual advance in the same direction might meet with eventual success as regards diminution of consumption; but the drastic policy now embarked upon will, it seems to me, if seriously met, inevitably break down as being beyond the strength of the Chinese Government to enforce.³¹

British officials were, however, not completely dismissive of the sincerity of the Chinese opium suppression campaign. Meyer was largely receptive to a despatch from Jordan, 26 November 1906, which in contrast to his earlier reservations about Chinese opium suppression, reported that public support was widespread, the sincerity of the authors of anti-opium regulations beyond doubt and, that missionary reports of smokers giving up the habit were credible. But Meyer remained doubtful about the durability of the Chinese opium suppression campaign, noting that:

We may admit that a wave of anti-opium enthusiasm is spreading over China or a large part of it, but among a great many people such enthusiasm will be evanescent, and there does not seem the least reason to depart from the opinion already come to on the main file as to the practical impossibility of stamping out opium consumption in China.³²

³⁰ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 28 December 1906

³¹ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 28 December 1906

³² NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 6 February 1906

British officials continued to raise questions about the practicability of Chinese opium campaign. Meyer cited the evidence provided by Jordan that in Yunnan one of the principal producing provinces, it was ‘impossible to make a return of the acreage under poppy cultivation directed in Article 1 of the Chinese regulations or of the local opium consumption.’³³ He noted that of £6 ¾ million of opium revenue only £1 ¾ million went to the Central government, surmising that the ‘rest must be realised by the Provincial Administrations, and it is not in the least likely that they will further a policy which would lead to the extinction of this revenue.’ Besides, Meyer argued, the central government had lost power to impose policy on the Provinces. The fluid political situation in China was crucial to any calculations about the prospects for Chinese opium suppression.

These considerations afford clear evidence against the success of the Chinese policy, and we should make the most of them in addressing the Secretary of State. There is also I think recent Reuter’s telegram to the effect that late event in China indicates a considerable conservative reaction, and a weakening of the “reform” party to whose initiative the new opium policy is due.³⁴

GOI officials in Calcutta favoured the use of arguments about the ability rather than the sincerity of Chinese opium suppression in diplomatic engagements. In assessing the practicability of the Chinese opium suppression campaign, GOI officials reflected on the British experience of opium regulation in the subcontinent especially Burma. Edward Baker, finance member of the Viceroy’s Council, told his colleagues that ‘we should be careful not to throw doubts on the *boná fides* of the movement.’³⁵ Baker, though he doubted the sincerity of Chinese opium suppression, emphasised that evidence of the current practical difficulties of opium suppression in China itself, in particular from Consular reports, was more useful to the GOI. Like other GOI officials, Baker substantiated his assessment of the practicability of the Chinese opium suppression campaign with British experiences of opium prohibition in Burma.

But we must bring out the enormous difficulty of the task undertaken by China, and we may fortify this by a reference to the very slow progress which we have ourselves been able to effect in Burma. We have been trying since 1893 to enforce a system of registration of opium consumers, to prohibit the use of opium by anyone who is not registered, and to admit to registration only those who were previously addicted to the habit. Our government is *at least*

³³ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 6 February 1906

³⁴ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 6 February 1906

³⁵ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by E. N. Baker dated 6 February 1907

as strong as that of China, and we have had the advantage that opium is not produced in Burma itself. Yet during these thirteen years of effort and lavish expenditure, we have made scarcely any appreciable progress, and the eradication of the habit is manifestly still a very long way off. This experience lends little colour to the belief that China will be able to abolish the use of opium by its enormous population (of whom 8 millions are said to be addicted to it) within ten years.³⁶

In these secret and so private GOI notes British officials in Calcutta were candid about their failure of the racial opium prohibition in Burma. Harvey Adamson (1854-1941), Home member of the Viceroy's Executive Council, was even more pessimistic about the chances of Chinese opium prohibition, also basing his assessment on British experiences in Burma where, he wrote, 'for thirty years or more strenuous efforts have been made to keep the consumption of opium, and it must be confessed that they have signally failed.'³⁷ Adamson had spent much of his career in Burma including a stint as Chief Judge of the High Court in Rangoon.³⁸ He recounted how, in Burma, opium vend had been a local monopoly with one shop for roughly every two thousand square miles, in which the right to vend was auctioned with a high upset price (usually fetching Re 70,000). Each year 60 maunds³⁹ was issued to each shop with a maximum set, the duty paid on issue was Rs 32 a seer meaning that the cost to each seller was Re 2,400 a maund. A maximum quantity of opium of 3 tolas was set for each retail sale. The new policy brought a higher price 'consistent with the prevention of smuggling,' restrictions on quantity sold, punishment of smuggling and other breaches of opium law 'with great severity' and the encouragement of detection by giving large rewards to informers and arresting officers.' However, Adamson noted that despite attempts at greater control the new policy was a failure:

Opium is now sold under the eyes of a resident Excise officer, and a costly preventive establishment is maintained; yet the opium habit is as prevalent as ever. Not only so, but attempts to eradicate it have produced a new and greater evil. Difficulty in obtaining opium has led to the smuggling of morphia and cocaine, articles which on account of their smaller bulk are easily concealed. These drugs are much more harmful than opium... Such is the result of thirty years' struggle in Burma. How can it be expected that any appreciable change will be accomplished in China in ten years?⁴⁰

³⁶ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by E. N. Baker dated 31 January 1907

³⁷ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by H. Adamson dated 8 February 1907

³⁸ J. F. Riddick, *Who Was Who in British India* (Westport CT Greenwood Press 1998) p. 4

³⁹ A *maund* was equivalent to 40 *seers* and weighed roughly 82 imperial pounds.

⁴⁰ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by H. Adamson dated 8 February 1907

As we saw in the introduction, James Mills has argued that a ‘new and greater evil’ of cocaine was then of increasing concern to British colonial officials in India and in British colonies across Asia.⁴¹ GOI officials were also concerned with the regulation of morphine and other opium derivatives. Changes were made to the Opium Rules with the aim of limiting the distribution, vend and consumption of morphine and its salts to purely medicinal purposes. In 1905 the Bombay Government issued draft regulations to limit the possession of morphia sold, possessed or transported without license or permit to half a grain.⁴² However, after representations were made to the provincial government, under advice from the Surgeon-General decided ‘to adopt a limit of ten grains.’ The limit set was a compromise between a limit of five grains proposed in the Burma Opium Rules and a limit of twenty grains suggested in a memorial from the Grant College Medical Society (Bombay). The resultant limit of ten grains was designed ‘to obviate any risk of hardship to persons who require morphia for medicinal use.’ In their memorial, the Grant College Medical Society had agreed that controls on morphia were ‘necessary in the public interest’, but complained that ‘the limit of half grain of morphia in the possession of any one person will work harshly in the case of patients who may require morphia in the treatment of diseases.’⁴³ They pointed out that patients might at any time have more than this quantity whether ‘in the shape of pills, powders, mixture, lotion or ointment.’ They calculated that the limit was too low. The Society estimated that a maximum dose, citing the British Pharmacopoeia, was six doses of half a grain or three grains a day and that patients were usually given, especially when they lived at a distance from the medical practitioner, two or more days’ supply. Moreover, they pointed out that medical practitioners were permitted to sell 540 grains or two tolas of powdered opium which was equivalent to 27 grains of morphia (at 5 to 12 per cent morphine content of opium). Likewise, various patent medicines, containing morphia, such as ‘Chlorodyne’, and ‘compressed tablets or tabloids,’ containing five or more grains of morphia were sold freely in the bazaars. Though keen to prevent limitations on quantities of morphia distributed by medical practitioners to patients, the memorial concluded that:

The Society strongly recommend that unrestricted sale of such preparations to the public should be checked and consider that any legislation in this direction will be highly beneficial to the public health.⁴⁴

⁴¹ J. H. Mills, ‘Drugs, Consumption and Supply in Asia: The Case of Cocaine in Colonial India, c. 1900-c.1930’, *The Journal of Asian Studies*, Vol. 66, No. 2 (May, 2007), pp. 345-362

⁴² IOL P/7384 R. P. Barrow, Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 24 February 1906. One *grain* weighed the equivalent of about 0.065 grams.

⁴³ IOL P/7384 The Joint Honorary Secretaries, Grant Medical College Society to the Secretary to the Government of Bombay, Revenue Department, dated 29 September 1905

⁴⁴ IOL P/7384 The Joint Honorary Secretaries, Grant Medical College Society to the Secretary to the Government of Bombay, Revenue Department, dated 29 September 1905

There was also some official distrust of bazaar opium. In the 1907 edition of Edward John Waring's *Remarks on the uses of some of the Bazaar medicines and common medical plants of India*, edited by Charles Pardey Lukis (1857-1917), then Lieutenant-Colonel and from 1910 to 1917 Surgeon-General and Director-General of the Indian Medical Service, readers were warned that opium purchased at the bazaar was almost always adulterated.⁴⁵ Morphine, like cocaine, was, however, a more pressing concern.

The Government of Madras proposed to adopt Bombay's limit of possession of ten grains of morphia but was concerned not to cause 'undue inconvenience to *bonâ fide* users of the drug for medicinal purposes.'⁴⁶ However, Madras was less motivated by a scourge of morphinomania than by a potential competitor to its lucrative opium sales:

...no cases of clandestine import of morphia or its salt have yet come to notice in this Presidency...[but]...there is considerable danger of morphine and its salts displacing opium to the detriment of the opium revenue.⁴⁷

Other provinces, in contrast, reported decade old morphia markets and long-held fears of the opiate as a more deleterious manufactured alternative to opium. As such, the GOI encouraged other provinces to follow Bombay's lead in limiting possession.⁴⁸ The Bengal Government noted that morphia was already threatening to replace opium. The Board of Revenue had concluded in 1905-1906 that there was reason to believe that morphia consumption was increasing but were unsure how the large quantities of morphia were disposed of. Since November 1905 morphia imports were recorded separately from other drugs and medicines in the Customs returns for the province and had shown a large increase, in particular, the importation of morphine hydrochloride. The Superintendent of Excise reported that in Calcutta 'morphia is being largely used as a substitute for opium; and the Collector of Muzaffarpur reports that the pills containing morphia are being extensively used in that district instead of opium.' The Commissioner of Excise, Mr Geake, with support from the Inspector general of Civil Hospitals proposed restricting possession at the same level as Madras and Bombay, at ten grains. However, though rare, there were official fears of iatrogenic morphinomania in the Indian population, as G. F. W. Ewens wrote in 1908:

⁴⁵ E. J. Waring, edited by C. P. Lukis, *Remarks on the uses of some of the Bazaar medicines and common medical plants of India with a full index of diseases including their treatment by these and other agent procurable throughout India to which are added direction for treatment in cases of drowning, snake-bites, &c.* (London: J&A Churchill 1907) pp. 128-138

⁴⁶ IOL P/7384 A. G. Cardew, Acting Secretary to the Government of Madras to the Secretary to the Government of India, Finance Department, dated 16 June 1906

⁴⁷ IOL P/7384 A. G. Cardew, Acting Secretary to the Government of Madras to the Secretary to the Government of India, Finance Department, dated 16 June 1906

⁴⁸ IOL P/7666 Pandit Rama Ballabha Misra, Officiating Secretary to the Board of Revenue, Lower Provinces to Secretary to the Government of Bengal, Finance Department dated 1 May 1907

Morphinism from the comparative costliness of the material is rare among the native of India, though when met with, its effects are the same, of course, as elsewhere. Rarely is it taken from pure viciousness for the sake of the feeling of exhilaration, increased mental vigour and power each dose produces, the history usually being that it has been first administered by a medical man for the relief of some painful malady.⁴⁹

Consumers would become dependent, increasing doses, and eventually ‘the unfortunate patient becomes slave to it’, gaunt, apathetic, fatigued and eventually becoming ‘semi-delirious or syncopal’ if without it for too long.⁵⁰ Morphine was not, according to Ewens, a cause of insanity but:

Like the abuse of opium, its most marked effect is a moral change, the habitué is a slave to his habit, he will resort to any means, any degradation, will lie, steal, fawn and scheme to obtain the drug, -curiously, such people are always liars. They will conceal and deny the habit or the amount of the dose and indeed become untruthful on every subject connected with it, and otherwise too become altered, morally. Each is selfish, fault finding, believes or rather asserts that people are against him, doubts the words and actions of relations and friends, loses all his finer perceptions, is incapable of feeling for others. However refined and good his nature may have been before, he now becomes careless, in dress and appearance, fussy, restless, talkative, capricious, exacting and utterly unlike his former self, neglecting his duties, careless of home and family, losing his affection for those near him, always obstinate and difficult to deal with and troublesome, sleepy and dull all day, gradually becoming more restless and fussy, as evening and night draws on, for insomnia at that time is a marked feature.⁵¹

Provincial governments might have been prejudicial to competitors to their own opium wares, whether it was bazaar opium or morphine, but there is evidence that many were genuinely anxious about emerging markets in manufactured drugs. These new drugs were perceived as novel, alien and harmful to colonial society. Moreover, the GOI had no control, and little prospect of establishing any, over such substances. All in all, they were the antithesis of opium and other intoxicants (in particular cannabis and various forms of alcohol), over which the British had established some form of monopoly control within the perceived cultural bounds and market condition of colonial societies. As such they were a threat not only to imperial revenues but to the imperial edifice itself.

⁴⁹ G. F. W Ewens, *Insanity in Indian: Its symptoms and Diagnosis with Reference to the relation of Crime and Insanity* (Calcutta: Thacker, Spink & Co. 1908) pp. 114-6

⁵⁰ G. F. W Ewens, *Insanity in Indian: Its symptoms and Diagnosis with Reference to the relation of Crime and Insanity* (Calcutta: Thacker, Spink & Co. 1908) pp. 114-6

⁵¹ G. F. W Ewens, *Insanity in Indian: Its symptoms and Diagnosis with Reference to the relation of Crime and Insanity* (Calcutta: Thacker, Spink & Co. 1908) pp. 114-6

Doubts and suspicions about the practicability and sincerity of Chinese opium suppression were not simply the rhetoric of defenders of the opium trade. The GOI experience of opium regulation and diplomacy led them to question the idea of prohibition. However, they were hesitant to use such arguments even to promote a gradual as opposed to a precipitate end to the trade for fear of inciting anti-opium critics, not least in London. As we saw in the last chapter, British officials in India were also concerned about the unintended consequences of opium suppression, in particular the increased use of what were believed to be more harmful alternatives as supplies of licit opium were restricted. This chapter will now turn to look at how far GOI views on opium regulation and the Chinese opium suppression campaign shaped British objectives and strategies in their opium diplomacy with China.

The Government of India's influence on Anglo-Chinese opium diplomacy 1906-1908

The GOI had limited influence on British negotiations with China for the cessation of the India-China opium trade. By the time of the opium agreement negotiations the GOI's limited claim to a voice in negotiations had been weakened by their own cost-cutting, perhaps confident that their opium interests in China would always be protected by the Foreign Office and consular officials. The 1900 Indian Expenditure Commission recommended that India continue her contribution to the cost of consular relations with China because India 'depended for a considerable portion of her revenue on the opium trade with China' and so had 'a special concern in efficient representations at the ports in China where opium is imported.'⁵² The Commission did not rule out further arbitration if 'the conditions of trade should in the meantime change.' However, in 1901, only one year later, the British government in London had agreed to GOI demands that they no longer pay its annual share of £12,000 for diplomatic establishments in China. The GOI wrote to the Secretary of State expressing their satisfaction at the news:

Indian interests in China are almost exclusively confined to Western and South-Western China, *i.e.*, to regions contiguous to the frontier parts of Burma. We do not find in the maintenance of the opium trade a sufficient ground for recognising the existence of a special India concern in the treaty-ports of China, still less in the diplomacy of Peking.⁵³

The secret notes of the Foreign Department on the Chinese proposal for an opium agreement make clear how little direct influence the GOI actually had on opium diplomacy with China from the turn of the century.⁵⁴ In April 1904 the Chinese Inspector General of Customs, Sir Robert Hart,

⁵² *Indian Expenditure Commission, Vol. IV. Final Report of the Royal Commission on the Administration of the Expenditure of India* (London: for Her Majesty's Stationary Office, By Eyre and Spottiswoode 1900) p. 3

⁵³ TNA CAB/24/121 Government of India to Secretary of State for India (Finance and Commerce Department) dated Simla 19 September 1901

⁵⁴ NAI Foreign Department Notes Secret-E May 1907 Nos. 810-823 Minute by Bepin Babu dated 20 January 1907

wrote to the Viceroy of India, Lord Curzon (1859-1925), with a proposal to establish an opium farm in China dealing with native and foreign opium with the expressed aim of combating smuggling and increasing opium revenues. The GOI suggested to the IO that “‘it would be inadvisable to offer any strong opposition to a scheme for the establishment of an official monopoly in China, but that in the event of the Chinese authorities desiring to enter into negotiations on the subject, the advice of the British consular representatives in China would be necessary before any definite conclusions could be arrived at.’” The GOI also made the “‘request to be kept fully informed of the progress of any negotiations that might be entered into and to be allowed plenty of time to consider and express our view on the points raised in the course of discussions.’” The GOI was not able to negotiate directly with the Chinese authorities even on the question of opium imports from India. Instead, Sir John Jordan, officially reporting to the FO, would conduct the negotiations.

The GOI ability to influence British opium diplomacy was also limited by the entanglement of the politics of the opium trade with wider geopolitical calculations of Great Power Rivalry in East Asia in the early twentieth century.⁵⁵ In 1902 there were rumours that the Chinese authorities wanted to grant a monopoly of retailing opium throughout China to a German firm ‘in consideration of annual subsidy of 10,000,000 taels.’ The British Minister in Peking sought reassurances at the Chinese Board of Foreign Affairs that no such monopoly was at that time in existence, but that if any proposal for the establishment of such a monopoly was hereafter contemplated the British would be consulted.’ In November 1904 the British Minister at Peking, Sir Ernest Mason Satow, sent a telegram to the FO informing them that the Chinese authorities were in discussion with the Agent of the Hong Kong and Shanghai Bank about ‘the possibility of obtaining a loan for one million sterling in England for the payment of certain arrears of the war indemnity that were due on the 31st December 1904, adding that this loan would be conditional on the creation of an opium monopoly.’

The IO passed on to the GOI the Minister’s telegram stating that such a Chinese monopoly ‘would depend upon India’s agreement to the proposal to sell to China annually a fixed quantity of opium at a fixed price, coupled with an undertaking not to allow the export of opium to China by private firms.’ The GOI made clear that, as it would during later opium diplomacy, any agreement must not lead to prejudicial treatment of Indian opium. They also stated ‘that the matter was too important to be disposed of by telegraphic correspondence and that until we knew the details of the

⁵⁵ W. B. McAllister, *Drug Diplomacy in the Twentieth Century: An International History* (London: Routledge 2000) pp. 23-24; W. O. Walker III, ‘A Grave Danger to the Peace to the East’: Opium and Imperial Rivalry in China, 1895-1920’ in J.H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

Chinese scheme, we were unable to pronounce an opinion in regard to it.’ They did not, however, rule out the idea of a Chinese opium monopoly. What is important to note here is that the GOI were dependent upon the IO and FO officials in China for news of Chinese overtures on the opium trade. During the negotiations for the opium agreement this distance of the GOI from events in China would be augmented by the domestic and geopolitical concerns of the IO and FO.

The convictions and connections of key government personnel were also crucial in shaping British opium policy and diplomacy in the first decades of the twentieth century, not least the Secretary of State for India. John Morley’s closest friends in Parliament, including John Ellis (1841-1910), his first Parliamentary Under-Secretary of State for India, were determined to press for the abolition of the India-China opium trade.⁵⁶ Ellis had for years been a leader of the Society of the Suppression of the Opium Trade and, as such, campaigned against opium in parliament and attacked the conclusions of the RCO (1895).⁵⁷ Moreover, though the FO might have been expected to shape imperial opium diplomacy with China, as they were responsible for diplomacy in Peking and the Treaty Ports, Sir Edward Grey the Secretary of State for Foreign Affairs, suggested to Morley 17 March 1906 that “if you will take Opium (this sounds bad) I shall be delighted.”⁵⁸ Crucially, the rest of the Cabinet also granted Morley the final say on British policy towards the cessation of the India-China opium trade.⁵⁹ Thus, Morley’s own position on the India-China opium trade and opium regulation in British India shaped British policy in this period.

In May 1906 Sir Thomas W Holderness (1849-1924), the Revenue Secretary at the IO, tried to persuade what he believed to be an anti-opiumist Morley to take a more moderate stance. Morley had given his IO staff reason to believe that he had rejected the central pillar of the GOI’s defence against anti-opiumists argument, the conclusions and evidence of the RCO (1895). Sir Arthur Hirtzel (1870-1937), Private Secretary to the Secretary of State for India, wrote in his diary for entry of 28 May 1906 that that Morley was:

... much occupied with opium, & rather anxious about it. Thinks Royal Commission’s report of no value – practically an Indian Official Commission - & evidently very little impressed by official defence. But I think long interviews with Holderness today & Tuesday caused him to modify this attitude somewhat.⁶⁰

⁵⁶ S. A. Wolpert, *Morley and India 1906-1910* (London: Cambridge University Press 1967), p. 219

⁵⁷ Owen, 1934, pp. 328 and 334

⁵⁸ Grey Papers Vol. LIX Sir E. Grey to J. Morley dated 17 March 1906 cited in Wolpert, 1967 pp. 219 and 282 note 57

⁵⁹ IOL Morley Papers Mss Eur D573/1, f114 Private letter (copy) Morley to Minto, dated India Office, London, 1 June 1906

⁶⁰ IOL Hirtzel Diaries Mss Photo Eur 024 diary entry Monday 28 May 1906

There would be little evidence to support Hirtzel's optimism about influencing Morley in favour of the GOI position. Only two days later Morley made clear to the House his distrust of the findings of the RCO (1895) during the deliberations before the vote on the resolution of 30th May 1906. He rejected the value of British official conclusions based on medical testimony which argued that "taken in moderation, it was a bit worse than claret or champagne." He preferred the testimony of those peoples with an intimate knowledge of opium in their society. Better evidence, he argued, could be found in the Japanese dread of opium and the conclusions of the American Philippines Commission. He quoted from an anti-opiumist paper read at the Geographical Society (London) about "the wild abuse of opium in Yunan," in which the narrator told his readers that:

"I saw practically the whole population given over to its abuse. The ravages it is making in men, women, and children are deplorable, and, although entirely out of sympathy with the violent views of some people and the extreme measures they would resort to in India, I was quite able to realise that anyone had seen the wild abuse of opium in Yunan would have a wild abhorrence of it."⁶¹

Morley followed this quotation by asking the House: "In the face of actual evidence of that kind, what was the good of doctors talking about comparing opium with alcohol?"⁶² After the House of Commons resolution Hirtzel noted in his diary that Morley had told him following his speech on the resolution that: "I hope to make one more speech in the H[ouse] of C[ommons]., on the budget, & then_. But that is a secret wh[ich] we will tell another time."⁶³ Hirtzel felt that Morley was perhaps keeping his cards close to his chest: 'I c[oul]d not make out what his attitude towards the resolution really was.' Hirtzel believed that Morley had intimated to him before the House sat that the resolution would be 'agreed to as a matter of course.' However discussing the resolution later with Hirtzel, Morley agreed both that the resolution should have been discussed further by the House and that it was right that the anti-opiumists were able to 'let off steam by having the resolution recorded.' On whether his IO colleagues had been able to persuade Morley of the merits of the GOI case, Hirtzel wrote that: 'He said he had been admirably served by Holderness who gave him material obviously "against the grain."⁶⁴ This illustrates how little weight pro-opium arguments held among key officials in Whitehall at this time.

Morley soon began to stamp his own opium position more openly at the IO and on the GOI. Morley used his decisive voice as Secretary of State to overcome hesitancy in the Revenue Committee of the Council of India - an advisory and consultative body committee - about the

⁶¹ HC Debate 30 May 1906 Volume 158 Columns 505-510

⁶² HC Debate 30 May 1906 Volume 158 Columns 505-510

⁶³ IOL Hirtzel Diaries Mss Photo Eur 24 diary entry Wednesday 30 May 1906

⁶⁴ IOL Hirtzel Diaries Mss Photo Eur 24 diary entry Wednesday 30 May 1906

Chinese proposal for an agreement to end the India-China opium trade.⁶⁵ As he noted on 12 October 1906, clearly taking his position from the recent House of Commons resolution: ‘The Committee, I think, rather underestimate the significance of the vote of the H[ouse] of C[ommons] this year, and the new edict – whatever we may think of its sincerity – has stimulated the feeling in the country afresh.’⁶⁶ In his correspondence with, Lord Minto (1845-1914), Viceroy and Governor-General of India, Morley would make clear both his freedom of action within Cabinet and his wish to follow anti-opium sentiment in the House of Commons. On 1 June 1906 Morley wrote to Minto, in a letter shorter than usual due to his opium travails in parliament, of his resolve and ability to see an agreement reached with China to end the trade:

Opium has been my chief preoccupation for the last three of four days. There has been an extraordinary amount of steam up both in England and Scotland against our share in the opium business, and in the new H[ouse] of C[ommons] the feeling is so strong, and the pledges given at the election so firm, that if the anti-opium motion had gone to a division, it would have been carried with a majority of 200. It required a little steering. The cabinet, (may I say- very sensibly) gave me carte blanche, as they usually, or always, do in India matters, and I believe I came well out of the debate, which was happily, by compulsion of hours, a short one, without hurting the feelings either of the office or of my good friends, the philanthropists. And here let me warn you that it is a lifelong “fad” of mine not to be afraid of either of the two words:- “philanthropists” is one, and “agitator” is the other. Most of what is decently good in our poor world has been done by those two much abused sets of folk, don’t you think so?⁶⁷

There was little, at least open, resistance to Morley’s opium policy from the GOI. Minto in his reply of 20 June 1906 recognised the pressure that Secretary of State faced in the HC and gratefully acknowledged his statement to parliament that reductions would have to be gradual given the financial, economic and political importance of the opium industry in India.

Your speech on opium arrived by the last mail. And I hope I may tell you how pleased I was to see that the difficulties here were fully present to you, and to say, too, how well I realise the delicacy of dealing with the question in the face of the views of the present House of Commons. I yesterday sent you a telegram, which the Finance department drafted at my direction, in respect to our opium revenue, as from what you told I thought the Indian Budget debate would probably come on this week, and I hoped that a statement from here might be useful to you, though I do not think it adduces any particular arguments beyond those you

⁶⁵ M. Moir, *A General Guide to the India Office Records* (London: British Library 1988) pp. 73-73

⁶⁶ IOL L/E/7/562 Minute by John Morley dated 12 October 1906

⁶⁷ IOL Morley Papers Mss Eur D573/1 f 114 Morley to Minto dated India Office 1 June 1906

gave to the House of Commons. However, there was the chance of it being useful, and I hope it may be so.⁶⁸

The GOI appeared persuaded that Morley understood the colonial anxieties surrounding the opium trade and regulation. Morley had indeed, in his speech following the resolution, to some extent defended the ‘official mind’ of GOI officials in their opium regulations. He told the House of Commons:

The official was the man who carried out policy. It was all very well for them and for the people outside that House to frame conceptions; when they came to apply those conceptions they had to meet difficulties, and of those difficulties the official mind was naturally the exponent.⁶⁹

But Morley also made clear to Parliament, as he did to Minto, that he was inclined towards a moral opium policy. The following excerpt from Morley’s speech to the HC was echoed in his letter to Minto on 1 June 1906:

On the other hand, when he heard the word “philanthropist” used reproachfully, he would not forget that those who had been reproached in their day and generation as philanthropists, were the men and women who had done things of which Englishmen were most proud.⁷⁰

In his reply to Morley, though acknowledging the potential success of social reforms, Minto expressed the long-held anxiety within GOI opium policy (explored in chapter one), that following anti-opium strictures would make British opium policy in India unrepresentative of and unresponsive to native customs and habits of opium consumption and the reality of opium markets across the subcontinent.

I quite agree with you as to the “philanthropists” and “agitators.” We owe much to both of them. The only thing is that both of them are liable to disregard surrounding circumstance and conditions; and whilst accepting their good intentions and often befitting by the seed they sow, it must remain with us to judge the possibilities of their aims. Besides, though philanthropists are always honest, I am afraid we cannot say so much for all the agitators.⁷¹

Morley at no point appeared dissuaded from his anti-opium sympathies by Minto’s accusations that agitators in the Parliament were merely taking advantage of the anti-opium sentiment. Morley would in these crucial weeks have plenty of time to stamp his vision on future GOI opium policy,

⁶⁸ IOL Morley Papers Mss Eur D573/8, f 99 Minto to Morley dated Viceregal lodge, Simla 20 June 1906

⁶⁹ HC Debate 30 May 1906 Volume 158 Columns 505-515

⁷⁰ HC Debate 30 May 1906 Volume 158 Columns 505-515

⁷¹ IOL Morley Papers Mss Eur D573/8, f 99 Minto to Morley dated Viceregal lodge, Simla 20 June 1906

as he told Minto 30 November 1906, Parliament was otherwise quiet on India and ‘Opium is the only sort of live issue.’⁷²

Morley, with little else to occupy him regarding British Indian administration, was able to maintain his hold on India and China opium policy. In December 1906, in discussing a letter drafted with the FO to inform the GOI of the opium agreement negotiations, Morley scotched suggestions by the Chinese government that the GOI should be included directly in negotiations with China for the opium agreement. From the draft response to the FO Morley had the following sentence removed: ‘It has been suggested that if the proposals are to be discussed in detail with the Chinese Gov[ernmen]t, H[is] M[ajesty]’s Minister at Peking might be glad to have the assistance of an officer despatched by the India Gov[ernmen]t & thoroughly conversant with Indian opium question; and that the course w[oul]d approve itself to the G[overnment] of I[ndia].’ Morley explained the excision with a marginal note in the file ‘If the G[overnment] of I[ndia] make this suggestion we may consider. At this stage it seems premature.’⁷³ Given Morley’s obvious doubts about the pro-opium arguments of the GOI and his support for an end to the India-China opium trade and Chinese opium suppression, there appears little doubt that he was not keen for a direct GOI role in negotiations for an Anglo-Chinese opium agreement.

The GOI though isolated from the policy and diplomacy of opium did have friends in the IO. Holderness, obviously aware of the GOI’s isolation in the opium negotiations, wrote to Arthur Godley (1847-1931), Permanent Under-Secretary of State for India, on 25 October 1906, that: ‘The G[overnment] of I[ndia] should perhaps be made aware of what is passing about opium.’⁷⁴ However, IO officials largely shared with Morley a concern for anti-opium sentiment expressed in the House of Commons. On 22 January 1907 Holderness wrote again to Godley, this time suggesting that the GOI reduce opium exports to China before the negotiations were completed.

Under the proposals the Chinese Gov[ernmen]t do not ask for restrictions to be placed on the quantity of imported opium during the calendar year 1907. Consequently the Indian Gov[ernmen]t’s decision to sell 52,800 chests in 1907 is not open to attack in direct conflict with the proposal made to them. But the H[ouse] of C[ommons] may consider it inconsistent with the principle of cordial cooperation with the reforms of the Chinese Gov[ernmen]t, the more so as the present duty on Indian opium is 110 taels, while the duty on native opium has been raised to 115 taels. Until we come to an agreement with China, Indian opium can claim admission on a lower duty than is levied on the home product.⁷⁵

⁷² IOL Morley Papers Mss Eur D573/1 f 254 Morley to Minto dated India Office 30 November 1906

⁷³ IOL L/E/7/562 Note by Morley dated 10 December 1906

⁷⁴ IOL L/E/7/562 Note by Holderness to Godley dated 25 October 1906

⁷⁵ IOL L/E/7/573 Note Holderness to Godley dated 22 January 1907

Holderness warned that though an opium policy in line with the House of Commons resolution would cause difficulty for the Indian administration but a policy at odds would bring about parliamentary scrutiny of the GOI:

It is a question whether the G[overnment] of I[ndia] should not be asked whether the notification of July last, fixing the sales in 1907 at 52,800 chests, should not be amended and a smaller quantity fixed. They may reply that such a procedure would require the merchants, who have made their arrangements, & who have already competed at the January sales on the understanding that 4400 chests will be sold in each month. But if the reduction were made by degrees in each successive month, the grievance w[oul]d be less felt.

In ordinary circumstances it might not be considered necessary to interfere with the G[overnment] of I[ndia]'s arrangements for 1907, and in any case interference may prove troublesome, & possibly impracticable in view of the undertaking given to the trade by the June notification. But I have thought it right to show how the matter stands, as questions about the sales were asked last session & may be repeated.⁷⁶

There was little defence of the GOI opium position from other British official quarters. Morley told Minto that the sales were indeed excessive.⁷⁷ From Peking Jordan wrote to Grey at the FO on 10 February 1907, informing him that the Chinese decree, perhaps a little unexpectedly, dated the end of the India-China opium trade as 23 January 1917, the 42nd year of Kuang-hsü:

They therefore suggest that the Indian diminution should be based on period of nine years, to fit with the Chinese measures. If this is not done, if production is completed according to the programme, there will be no market for Indian opium in China after January 1917.⁷⁸

Even this Chinese proposal to back date the reduction in Indian opium exports to assist the Chinese opium suppression campaign was not criticized at the IO in defence of the GOI's opium interests. Holderness' concern was that the more rapid diminution would raise an issue regarding opium stocks in Hong Kong, which he felt were already 'considerable' and likely to cause 'trouble.' He speculated that 'the trade may be left to look after itself. But it is a question whether it might not be sound policy for the Indian Government to curtail their sales at once.'⁷⁹ A telegram was drafted which Morley instructed to be sent 'as urgent, as the question presses both for budget and trade reasons in India, and for parliamentary reasons here.'⁸⁰ The IO was, however, careful not to be seen as driven by anti-opium concerns in its support for an agreement to end the India to China

⁷⁶ IOL L/E/7/573 Note Holderness to Godley dated 22 January 1907

⁷⁷ IOL L/E/7/573 Note Holderness to Godley dated 22 January 1907

⁷⁸ IOL L/E/7/573 Jordan to Grey dated Peking 10 February 1907

⁷⁹ IOL L/E/7/573 Minute by Holderness dated 12 February 1907

⁸⁰ IOL L/E/7/573 Minute by Morley dated 12 February 1907

opium trade. The telegram was sent to the Viceroy informing him of the timetable and though not pressing for immediate reductions asked ‘Have you considered possible effect of this promoting accumulation of opium stocks in Hong Kong, and thereby increasing difficulties of traders next year when import into China is limited?’⁸¹ The GOI accepted the IO position, telegraphing: ‘In deference to your views, we are prepared to reduce sales of Bengal opium to 4000 chests a month from the 1st July. This will not prejudice further reduction hereafter if on receipt of our despatch you consider it must be made.’⁸² What this reduction in 1907 exports to China amounted to is evident in Jordan’s letter to Grey 10 February 1907:

They therefore suggest that the Indian diminution should be based on period of nine years, to fit in with the Chinese measures. If this is not done, and, if prohibition is completed according to the programme, there will no market for Indian opium in China after January 1917.⁸³

The IO had suggested to the GOI a more rapid diminution in the India-China opium trade in line with a Chinese timetable of reductions. The GOI, as we will see, was increasingly bitter at their apparent isolation from London on the questions surrounding the Anglo-Chinese opium agreement. However, the GOI mounted little resistance to the momentum towards a cessation of the India to China opium trade.

Officials in India were angered by Parliamentary critics of their objections to the Chinese raising the duty on Indian opium. One such critic was Sir Henry Cotton (1845-1915), former member of the Indian Civil Service, advocate of Indian Home Rule and current Liberal MP for Nottingham East. Following such criticism, Edward Baker, though he was willing to meet the Chinese half way on a *pari passu* agreement to end the India China trade, noted at the end of January 1907:

It is sheer nonsense to say, as Sir H Cotton has done, that the increase of duty is the “crucial point” or that unless the taxation of Indian opium is raised, the whole aim of the Regulations will be defeated. The proposed object in view is not to raise Chinese revenues but to diminish the Indian imports, and raising the duty would bring about the former result but not the latter.⁸⁴

The GOI did not try to prevent the Anglo-Chinese opium agreement to end the India-China opium trade but instead sought assurances that the Chinese would suppress opium and not simply steal

⁸¹ IOL L/E/7/573 Telegram Secretary of State for India to Viceroy dated 13 February 1907

⁸² IOL L/E/7/573 Telegram Viceroy to Secretary of state for India dated Calcutta 15 February 1907

⁸³ IOL L/E/7/573 Jordan to Grey dated Peking 10 February 1907

⁸⁴ NAI Foreign Department Secret E May 1907 Nos. 810-823 Minute by E. N. Baker 31 January 1907

opium revenues. J. F. Finlay, secretary to the GOI in the Finance Department and a witness to the RCO,⁸⁵ demanded proof of Chinese reductions in production and consumption:

I attach very great importance to this point. If it is not gained the result of the measures under consideration may simply be that India will sacrifice her opium revenue, that the place of the Indian opium now consumed in China will be taken by Chinese opium, and all that will be affected will be a transfer of revenue from India to China, without any real reduction in the consumption of opium. This last result is the most probable result of the matter; and I fear that we shall have to face it in the end. But we ought not to facilitate it in any way, and are justified in postponing it as long as possible. The moral considerations which weigh with Parliament do not tell in favour of such a transfer of revenue.⁸⁶

The GOI felt that they were in a battle with the anti-opiumists in Westminster in trying to win over the Secretary of State for India, the IO and the British government more generally to their position. Meyer noted about the draft of their despatch to the IO of 21 February 1907:⁸⁷

We had promised Secretary of state a reply by next mail, and it is essential that he should have the Despatch as soon as possible, under pressure put upon him from the anti-opium side, he should 'give away' our case without being in full possession of our arguments.

In their despatch to the IO, 21 February 1906, the GOI pleaded for greater consideration for the welfare and opinion of the population of India in the framing of British opium policy and diplomacy towards China:

We think it not improbable that these aspects of the question are imperfectly known to or realized by many persons in the United Kingdom who have interested themselves in the matter. In adverting to them now we have no idea of seeking thereby to justify a refusal to cooperate with China. Our object is to show that in their relation to India the measures now in contemplation are not confined in their effect to the finances of the Government, but that they deeply concern the welfare of a great multitude of people both in our own territory and in the Native States. However cautiously they may be introduced, the loss they must involve cannot fail to be considerable while they are carried into effect hastily, injudiciously or in an ill-considered manner they will inflict acute and widespread suffering.⁸⁸

⁸⁵ Winther, 2004, p. 256; NAI Foreign Department Secret E May 1907 Nos. 810-823 Minute by J. F. Finlay 2 February 1907

⁸⁶ NAI Foreign Department Secret E May 1907 Nos. 810-823 Minute by J. F. Finlay 2 February 1907

⁸⁷ NAI Foreign Department Secret E May 1907 Nos. 810-823 Minute by W. S. Meyer dated 16 February 1907

⁸⁸ IOL L/E/7/577 Government of India to Secretary of State for India dated 21 February 1907

However, the GOI's argument was not received with indifference by the IO and may have gone some way to ensuring that the agreement made was for a gradual and orderly end to the opium trade. Holderness noted on the 11 March 1907: 'The opening paragraph of this letter contains a powerful statement of the injury wh[ich] the Chinese proposal, if accepted as they stand, would inflict on the Indian cultivators in British India & in the Native States, and on Native and British Indian finance.'⁸⁹ But the GOI recognised that it had little control over British international opium policy and diplomacy. On 15 July 1909 Sir Guy Fleetwood Wilson, Finance Member of the Viceroy's Council, wrote to Sir James Meston, officiating secretary to the GOI: 'I recognise that the India Office are our masters and I do think I have shown every desire not to embarrass the India Office. Here, I am held to be too mindful of their wishes.'⁹⁰ Sympathy within Whitehall for the GOI position never equated to a defence of the India-China opium trade.

Morley may have supported the gradual diminution of the trade demanded by the GOI but he did not share suspicions and doubts about the sincerity and practicability of the Chinese suppression campaign. Morley took his position on the Chinese opium suppression campaign and so ending the India-China opium trade from anti-opiumists. In a letter to Minto 29 September 1906 Morley, whilst attempting to claim that he was powerless to resist pressure from Westminster and Peking to end the India-China opium trade, betrayed his preference for anti-opium information:

Opium! You will know how the Chinese edict is sure to bring this subject well to the front again. After the vote in the H[ouse] of C[ommons] – which I was powerless to stave off – now that China seems to be really moving, you will have to think of something. I shall at once go vigorously to work with my people on some papers that Satow left with me. I shall probably send you the result of my explorations boiled down into a concise Memo. Satow assured me that there is a very strong and genuine resolution in China to get rid of "the foreign drug." He goes all lengths in the same direction himself, swearing that opium does far more harm in China, than gin and whisky in this island. Be this as it may, Baker will have to puzzle his brains.⁹¹

Though we cannot know what papers Satow provided Morley with, we can make a strong assertion that they would have been primarily anti-opium pamphlets in favour of the end of the India-China opium trade and the Chinese opium suppression campaign. It is clear that Sir Ernest Satow was a supporter of the anti-opium campaign. In the build-up to the Shanghai Opium Commission, Satow added his weight to an anti-opium pamphlet by Arnold Foster of the London Missionary Society.

⁸⁹ IOL L/E/7/563 Minute by T. W. Holderness 11 March 1907

⁹⁰ IOL Meston Papers Mss Eur F136/9 Sir Guy Fleetwood Wilson to J. S. Meston, dated Peterhof, Simla 15 July 1909

⁹¹ IOL Morley Papers Mss Eur D573/1 f 198 Morley to Minto dated India Office 26 September 1906

On the inside cover was printed a blurb by Satow which read: 'I am much obliged to you for your pamphlet on the Opium Trade, with every word of which I agree... I hope your pamphlet will be widely circulated and read.'⁹² Morley also, it appears, took his advice on the China opium question from G. E. Morrison, *The Times* correspondent in Peking. As we have seen, Morrison was doubtful of the likely success and sincerity of the Chinese opium suppression campaign but, nevertheless, remained an advocate of such Chinese reform efforts.⁹³ Murray Stewart, newly elected member of the Hong Kong Legislative Council, wrote to Morrison on 6 June 1908 criticizing the treatment of the colony by His Majesty's Government with regard to the planned end of the India-China opium trade. Stewart pointed the finger of blame squarely at Morrison.

You made it, of course, or rather you began it. Ever since you told me of your interview with Morley I have dimly foreseen these happenings, but it came with unexpected suddenness at the finish and unluckily involved me.⁹⁴

We have no record of Morley and Morrison's encounter. Still, Morley had the decisive voice in the HMG deliberations about British objectives and strategies in opium diplomacy leading to the end of the India-China trade and chose to listen to the arguments of anti-opiumists rather than British officials on the prospects of opium suppression in China. Other British officials and advocates for the end of the opium trade and habit were less confident in Chinese opium suppression. Jordan wrote to Grey at the FO, 26 November 1906:

It remains to note one important omission in the opium arrangements so far as they are known at present. No provision has been made for procuring from other sources the large revenue which the state now derives from opium and although a China without opium would doubtless in time be stronger financially than China now is, still the interval which must elapse before the reformation is accomplished is one which will impose a severe strain upon the public exchequer and which will call for elaboration of financial measures before hand.⁹⁵

Jordan's reservations about Chinese opium suppression did little to reverse IO opium policy for the cessation of the India-China opium trade. Holderness on reading Jordan's letter speculated that the loss of opium revenues to the central Chinese Government might not be so disastrous:

⁹² Bodleian Rhodes Commonwealth Library Cecil Clementi Papers Box 46/4 Opium Papers 1 Arnold Foster, *The International Commission for the Investigation of the Opium Trade and the Opium Habit in the Far east to be held in Shanghai Feb 1909 – A warning and an appeal by Arnold Foster, London Missionary Society, Wuchang, China with Introductory Note by the Bishop of Durham.*

⁹³ Lo Hui-Min (ed), 1976, volume I p. 356 and Volume II, p. 26

⁹⁴ Lo Hui-Min (ed), 1976, volume I p. 460 M. Stewart to G. E. Morrison dated Hong Kong dated 6 June 1908

⁹⁵ IOL L/E/7/562 Jordan to Grey dated Peking 26 November 1906

With regard to the equanimity with wh[ich] financial result appears to be contemplated by the Chinese ministers, it w[oul]d seem from the comparatively small sum wh[ich] reaches the Imperial treasury from the taxation of native opium, that the cost of the reforms, if made effective, will fall mainly on the Provincial Governments.⁹⁶

Though Morley clearly received a number of emissaries on the question of the India to China opium trade, he remained, at least in these early stages of the Anglo-Chinese opium agreement negotiations, reliant on Satow for his information. He wrote to Minto 6 August 1906:

I enclose you a cutting from today's Times about Opium – an extremely difficult subject for us. I think I told you that I had a long conversation with Satow. He is strongly anti-opium, and says there are important people in China of the same way of thinking. This telegram looks like it. In face of such information, no government here will be able to resist, even if a demand were to be made on our own Exchequer, to fill up your gap. I expect the thing to become extremely difficult for us; but I will write you more when I have digested papers left with me by Satow.⁹⁷

However, even supporters of Chinese reform efforts remained doubtful of Chinese motives in opium suppression. On 6 August 1906 *The Times* published a despatch from Morrison which cast some doubt on claims that the Chinese government were all in earnest for opium suppression:

Although the text of the opium resolution passed in the House of Commons on May 30 and the full report of Mr. Morley's sympathetic speech have been in the hands of the Chinese for some time, no steps have yet been taken by China to respond to the challenge therein given. The fact is that the resolution causes considerable embarrassment to China, for she is dependent to the extent of £850,000 a year on the duties paid on imported opium, and she cannot, with the present state of the national finances, witness without concern the disappearance of such an important source of revenue.⁹⁸

Morrison conceded that the 'better Chinese', a group in which he included T'ang Shao-yi, really did want opium suppression. However, he noted that domestic production was much greater than Indian imports and that the Chinese were looking to double the duty on Indian opium which some officials saw as proof of Chinese insincerity. The Chinese negotiators argued (incorrectly as it turns out) that Indian opium was double the strength of Chinese opium. Morley wrote to Minto 17 February 1907 disregarding doubts about the sincerity and practicability of Chinese opium

⁹⁶ IOL L/E/7/562 Minute by Holderness 9 February 1907

⁹⁷ IOL Morley Papers Mss Eur D573/1 f 163 Morley to Minto dated India Office 6 August 1906

⁹⁸ 'The Opium Trade in China' (From Our Correspondent) Peking, June 23', *The Times*, 5 August 1906, p. 3

suppression expressed in the press and, in correspondence and despatches from British officials in China and India:

As to opium, of course, I know your difficulties, and I understand your sensitiveness – financial sensitiveness I mean. But I confess that it jars on me when I see in the Times newspaper and elsewhere (not quite excluding communications from the Government of India) so much cynical incredulity as to there being any sincerity in Chinese professions. I see nothing to shake my faith in what Satow told me, that there is a large and powerful body of honest anti-opium people in China. They may be the minority, and their virtue may be the mantle for a pack of knavish politicians (-such people are by no means entirely confined to parliaments-) who are thinking only of revenue or of private gains of one sort or another. But then this is always the way in which reforms begin, and it is surely our business, as a nation loudly bragging of its civilising mission on this planet, not to throw tubs of cold water on the smoking flax (see Isaiah, XLII, 3, if you please). I would certainly be careful to keep an open weather eye upon Chinamen, Russian, Thibetans, Germans (and even Afghans, Orakzais, and Mullagoris [Pashtun tribes in the area of modern-day Pakistan]) – but if you think of it, governments, if not nations, are much of a muchness in respect of motive and procedure. However, I await your opium despatch and you may be quite sure that I will do the best I can to see things as you see them, for I am quite alive to all your embarrassments.⁹⁹

Morley's confidence in the sincerity of Chinese opium suppression and dismissal of British incredulity towards it perhaps explains his unwillingness to support the GOI in its attempts to prevent the discrimination against Indian opium through duty in China. Still, the GOI would prove largely successful, at least in the negotiations for the agreement, if not in practice in China, in limiting any increase on duty on Indian opium into China.¹⁰⁰ This was more due to the mistakes of Chinese negotiators than the skill of their British counterparts. The Chinese mistakenly asserted that the transit of native opium in China movements was already subject to higher taxes and that extra duty on India opium was further justified by the greater strength of the Indian drug. But Chinese opium had increased in strength and quality and according to consular reports internal taxes on native opium had increased little in many areas. Nevertheless, the IO was throughout conspicuous in its lack of support for the GOI position that it was at odds with reducing imports and represented an attempt merely to transfer revenues from Indian to Chinese coffers. The following IO note makes clear that the burden of proof rested upon the Chinese:

⁹⁹ IOL Morley Papers Mss Eur D573/2, f 28 Morley to Minto dated India Office, London 17 February 1907

¹⁰⁰ Newman, 1989, pp. 535-536

The Chinese case is that Indian opium pays less taxation than native opium, difference in quality being taken into consideration. If the Chinese Government can prove this, their claim to a higher rate of duty is irresistible.¹⁰¹

The IO was disposed to give the Chinese authorities the benefit of the doubt regarding the relative duties on Indian and Chinese opium in China. When the GOI argued that native opium was not paying a higher duty in Yunnan, citing the evidence of the Consul General Wilkinson to the Government of Burma 30 October 1906, the IO noted that:

Even if the case is as the Government of India says, the Chinese Government might reply that in all places where Indian opium penetrates and competes with native opium, the native opium, thus competing has paid the tax. We know that Indian opium does not reach Yunnan. The facts will have to be threshed out when negotiations open at Peking, and one may hope that the Chinese proposal to double the present duty will prove to be excessive. But that no enhancement will be conceded seems a very unsafe assumption.¹⁰²

The IO, little swayed by GOU objections and doubts about the Chinese case, expected that negotiations would lead to an increased duty on Indian opium in China, as Godley wrote 15 February 1907:

For tactical purposes there is something to be said for alluding in the budget estimates of March next to the possibility that from January 1908 the Chinese import duty may be doubled, or greatly enhanced. If the average sale, proceeds per chest are taken at a prudently low figure for the whole year 1907-8, this should sufficiently meet the contingency.¹⁰³

A telegram to the Viceroy, sent urgently under Morley's instructions, though agreeing in principle to the GOI's suggested framing of the budget, admitted:

...but consider assumption of no increase in Chinese duty unsafe. You must provide for contingency, wh[ich] will affect only three months revenue, by taking sufficiently low average sale price per chest for the year.

It will not be necessary to make more than a very general reference in the Financial Statement to uncertainty as to the future sale of Chinese import duty.¹⁰⁴

A transfer of revenues from the GOI to the China authorities, as the former feared, was not ruled out by the IO. Still, though clearly determined that the India-China opium trade should end in

¹⁰¹ IOL L/E/7/573 Minute by A. Godley dated 15 February 1907

¹⁰² IOL L/E/7/573 Minute by A. Godley dated 15 February 1907

¹⁰³ IOL L/E/7/573 Minute by A. Godley dated 15 February 1907

¹⁰⁴ IOL L/E/7/573 Note by Morley 19 February 1907 and Telegram Secretary of State for India to Viceroy dated 19 February 1907

support of Chinese opium suppression, Morley was willing to defend the gradual suppression of the trade and the opium habit in China. Hirtzel recorded in his diary entry for the 21 August 1907 an interview of that day between Morley and H J Wilson and other anti-opiumists:

J.M. described his interview w[ith] the anti-opiumists. When they were very intransigent he said: “When you are at the top of the house & want to get to the bottom there are two ways of doing so: you can throw yourself out of window or you can go downstairs: I prefer to go downstairs.” This so completely floored them that he availed himself of the confusion to bow them out!¹⁰⁵

At this stage, though Morley was willing to accept anti-opiumist arguments and evidence in his support for the suppression of the India-China opium trade, he was not willing to yield to their pressure for a rapid end to the export of opium from India to China.

It was not just the domestic and colonial administrations which shaped the end of the India-China opium trade. We have already seen that the entanglement of opium in the Great Power rivalry in Asia to some extent influenced the British decision to agree an end to the India-China opium trade. It can also be argued that it helped shape the form of the Anglo-Chinese agreement and anticipated debates and outcomes at the international drugs conferences of the period. In particular, British deliberations about the Anglo-Chinese opium agreement anticipated the problems of alternative drugs supplies and the need for universal adherence in the international drugs control conventions. Richard Newman has argued that the reduction of Indian imports rather than of Chinese exports was purely to the advantage of the GOI in allowing it to reduce its industry, exports and financial dependency on opium in a gradual and orderly way.¹⁰⁶ However, this arrangement was also intended to save China from the difficulty of having to deal with the other Great Powers, which it would have to do if it was to stop imports into the Treaty Ports, a process that may have been intractable and costly in terms of treaty rights. Moreover, the British were anxious that substitute opium exports to China from non-British sources should be controlled lest the Indian sacrifice be in vain.

An indication of the problem of universality in international drugs control is evident on the question of the prohibition of the import of morphia into China in Article 11 of the Mackay treaty of 1902. As F A Campbell at the FO wrote to the IO on 5 December 1906, the French and the Germans were at the time unwilling to sign up to the article and the British government was making efforts to persuade France ‘in the hope that if French support is obtained that of Germany

¹⁰⁵ IOL Hirtzel Diaries Mss Photo Eur 24 diary entry Wednesday 21 August 1908

¹⁰⁶ Newman, 1989, p. 535

will no longer be withheld.¹⁰⁷ The British were concerned, as we have already seen that: ‘In justice to our own subjects, we could not assent to any measures which would merely substitute Chinese opium for that imported from India.’¹⁰⁸ On 4 March 1907 Holderness remarked that the opium agreement with China would require a similar condition to that in the Chefoo Convention, which required other countries to assent before the British could adhere to its additional article,

Otherwise the restrictions and higher duty imposed on Indian opium will not apply to opium imported, say, by French or German Houses & alleged, rightly or wrongly, to be other than the produce of India... It is true that other Treaty Powers have little direct interest in opium. But they are not above the temptation of making their assent to any modification of the Chinese tariff system conditional on their obtaining a conversion from China in some other direction. We see this exemplified by the refusal of Germany to agree to the Chinese Gov[ernment]’s support to be permitted to enforce at once the morphia prohibition clause of the Mackay Treaty. About a year ago, before the Chinese opium reforms were announced, the Chinese government consulted Sir R Hart as to inviting the Powers to agree to an increase of the present import duty (110 taels) on opium to 150 taels, purely as a revenue expedient. He discouraged the idea on the grounds that the Treaty Powers would demand concessions in other directions.¹⁰⁹

Initially, British officials at the IO in Whitehall agreed with their counterparts in Calcutta about the need to ensure that all Treaty Powers agreed to the end of opium exports to China so as to avoid the Anglo-Chinese opium agreement being a pointless sacrifice with substitute opioms filling the market space formerly occupied by Indian opium in China. Holderness noted that ‘Any convention which may be eventually agreed upon will require the assent of the other Treaty Powers before it can be operative.’¹¹⁰ There were others in the IO who postulated that a broader opium agreement would be necessary to prevent the agreement merely being a loss to India as opposed to a gain for China. H. E. Barnes wrote on 6 May 1907 in the IO files:

I don’t see why we should offer to carry out the Indian position of their programme independently of any arrangement with the other Powers for the restriction of the import of their Foreign opium. Otherwise reduction in the Indian supply might be followed by a large increase in the supply from elsewhere, and we shall have injured our cultivators only to benefit those of other countries.¹¹¹

¹⁰⁷ IOL L/E/7/562 F. A. Campbell to the Under Secretary of State for India dated Foreign Office 5 December 1906

¹⁰⁸ IOL L/E/7/577 Government of India to India Office dated 21 February 1907

¹⁰⁹ IOL L/E/7/577 Minute by Holderness 4 March 1907

¹¹⁰ IOL L/E/7/577 Note by T. W. Holderness dated 11 March 1907

¹¹¹ IOL L/E/7/577 Note by H. E. Barnes dated 6 May 1907

However, the IO soon dropped the principle of getting all Treaty Powers to agree to the cessation of opium exports into China. An alternative solution, which avoided the difficulties and likely costs of obtaining such Great Power agreements, was proposed. The IO wrote to the FO on 29 May 1907:

If however the alternative method of restriction by means of fixing the maximum quantity of opium to be exported from India beyond seas is accepted by Chinese Government as preferable to restriction in Chinese ports, it can be put into force without reference to the powers.¹¹²

The solution proposed was that India should restrict its exports to China. The reduction of Indian exports would also reduce the potential pool of opium that might make its way to China illicitly; after all, prohibition of imports in China had failed in the past. Holderness noted on 11 December 1907, that exports from India to Hong Kong and the Treaty Ports exceeded those recorded by the Maritime Customs and that there was smuggling from Hong Kong into China. He noted that he did not believe that the Chinese really understood the significance of the proposal to reduce Indian exports rather than imports directly into Treaty Ports. Commenting on the Chinese professed preference for direct limitations he wrote:

If they really mean this, there would seem to be no objection to a Convention being negotiated to give effect to it. The method of limitation of supply in India was only proposed by the S[ecretary] of S[tate] in C[ouncil] as a simple alternative method, necessitating no Convention & no ratification by the other powers...But the Chinese Govt should clearly understand that if they prefer direct limitation, they must obtain the needful power by Treaty or Convention ratified by all the Treaty Powers.¹¹³

The IO favoured the reduction of opium exports from India to China. The alternative of a convention of the Treaty Powers, Holderness argued, would be that India did not reduce its exports to China or 'undertake that the exports consigned to Hong Kong or Treaty Ports would be limited to the figure wh[ich] the Chinese might fix the import into China.'¹¹⁴ But the reduction of the India-China opium trade by reducing Indian exports alone would not satisfy the GOI as it was anxious that substitute opium in China would mean their opium sacrifice would be in vain.

The IO, though sharing the GOI concerns about alternative opium exports into China, especially from Persia and Turkey, was not willing to let them hinder the making of an agreement with the Chinese government for the cessation of the India-China opium trade. On 14 February 1908

¹¹² IOL L/E/7/577 India Office to Foreign Office dated 29 May 1907

¹¹³ IOL/L/E/7/577 Minute by Holderness date 11 December 1907

¹¹⁴ IOL/L/E/7/577 Minute by Holderness date 11 December 1907

Morley wrote to Minto explaining that a limited guarantee had been gained from the Chinese that they would seek to exclude Persian and Turkish opium. Morley wrote to Minto 10 February 1908 that China had accepted the India export reduction plan: 'This undertaking is contingent on arrangements being made by the Chinese Govt for similarly restricting the import of Turkish Persian & other opium...But as the amount of opium which reaches China from other sources than India is comparatively small, I do not consider it necessary to wait for further information on this point before enforcing measures for restriction in India.'¹¹⁵ An undated note adjacent to this letter in the file perhaps indicates that fears of alternative supplies undermining Chinese opium suppression and making an Indian opium sacrifice a vain one were shared by Morley:

I am not convinced that we should begin to diminish the sales of Indian opium until we have some guarantee that Persian and Turkish opium will not take its place in the Chinese markets. It may be right to make a greater sacrifice of Indian revenues in order to check the consumption of opium in China; it is another and less defensible proposal to sacrifice Indian interest without securing the object which alone justifies the policy.¹¹⁶

Morley may have been unwilling to go ahead with the Anglo-Chinese opium agreement if there were no assurances from the Chinese government that they would also seek to exclude Persian and Turkish opium. However, he was careful not to give the GOI the impression that the issue presented an opportunity for the delay or block any such agreement. Whatever the difficulties, Morley and, under his stewardship, the IO would push for an agreement with China to end the opium exports from India.

Conclusion

By 1906 British government concerns to protect its profits from India to China opium exports were outweighed by anti-opiumist criticism in Britain and by broader commercial and geopolitical imperatives in China. In Calcutta, GOI officials remained anxious about the financial and political impact of the loss of opium export revenues and reductions in the poppy cultivating tracts of British India and the Princely States. However, in London, the British government supported the plan to end Indian opium exports to China as part of a Chinese domestic opium suppression campaign. The central figure pushing for the British agreement was the Secretary of State for India, John Morley, who shared with his anti-opium friends, not least in Westminster, scepticism towards established pro-opium arguments evinced by the GOI. Morley was not directly involved in negotiations as this was left to the FO and their minister in Peking, Sir John Jordan. However,

¹¹⁵ IOL L/E/7/577 Morley to Viceroy dated India Office 14 February 1908

¹¹⁶ IOL L/E/7/577 Note J.M. no date

Morley was the cheerleader for the agreement in Cabinet; he overcame doubts and hesitancy within the IO and was a central figure in parliamentary debates for the cessation of the trade.

Unlike Morley and the anti-opiumists, the GOI was sceptical about the Chinese opium suppression campaign and Chinese overtures for an end to Indian imports. Officials in Calcutta remembered recent attempts by the Chinese central and provincial authorities to appropriate a greater share of revenues from the opium trade through an opium monopoly and higher duties on Indian opium. Few were in doubt that the Chinese were up to the same tricks with their current proposal for an agreement to end the trade. However, the strength of anti-opium sentiment and support for the Chinese campaign in Britain meant that the GOI felt hesitant about voicing these doubts. GOI officials considered opium prohibition impossible. Their experience of trying to proscribe opium consumption among the indigenous of the province of Burma had left them certain that the financial, political and social costs of opium suppression were too high for the British colonial administration. Many also held to the RCO conclusion that opium smoking was not harmful in moderation and so doubted the necessity of opium suppression. China, they argued, given its recent political turmoil and the prevalence of the habit, would fail in her opium suppression campaign, especially as popular enthusiasm for the campaign, they predicted, would wane.

The Anglo-Chinese opium agreement reflected the agendas of the anti-opiumists, IO, FO and the GOI. The fundamental agenda of the FO, Morley and anti-opiumists across Britain was fulfilled by the agreement to decimate exports of opium from India to China over ten years. The 'morally indefensible' trade would end and British interests in China would be advanced. GOI anxieties about reduction in the revenues and industry were partly met by the fact that its cessation was to be gradual and orderly. The *pari passu* terms of the agreement, if enforceable, would give the GOI some guarantee that Indian opium would not simply be excluded in order that the Chinese government could appropriate a bigger share in the revenues of the opium trade. However, the IO's lack of concern to prevent the Chinese discriminating against Indian opium through comparatively high duties betrayed Morley's overriding belief in the sincerity and practicability of Chinese opium suppression. These differing positions on the opium agreement and Chinese opium suppression, and indeed their positions on domestic opium regulation seen in chapter one, would come to shape British diplomatic objectives and strategies in the build-up to the Shanghai Opium Commission of 1909.

Chapter three: British preparations for the Shanghai Opium Commission 1909

This chapter will look at the British response to the American proposal, made in the autumn of 1906, for an international opium commission. It will look at the degree to which the British acceptance of the US invitation and British preparations for the Commission represented the interests of their colonial administration in India. We must keep in mind that despite the British agreement to end their exports of opium to China over a ten year timetable, British positions on the opium traffic and habit were fragmented. The Government of India, which had most to lose with a cessation of the India-China opium trade, was unable to prevent a British agreement to its end as they were subservient to broader imperial interests and metropolitan opium politics. Anti-opiumism in the British press, parliament and church congregations and even among leading members of the Cabinet, meant that by the time of the agreement 1906 there was little question of resisting calls to end the trade when the Chinese made an official approach to do so. Hoped for gains from the cessation of the trade included the stability and territorial integrity of the Qing state and overcoming Great Power competition for influence and economic concessions in China. These outweighed in the minds of British officials in London, any argument about resulting political and financial dislocation amongst officials in colonial India from the end of the opium trade to China.

The British response to an international opium commission, proposed with the stated aim of helping China in her opium suppression campaign, would not simply reflect the resulting British policy on the India-China opium trade. Their response and preparations, of course, reflected the divisions and dominions of different British groups on the broader opium questions of the traffic, habit and their control. The scope of the Commission was in reality always greater than the China question and expanded further in the run up to the Commission. From a commission of investigation of the opium habit and trade in the Far East to help China in her suppression campaign the agenda was expanded to include the assumption that opium had to be suppressed, that this was to be done internationally and that, as prerequisite of this, governments should apply international standards of domestic opium regulation determined by the Commission. The opium agreement with China meant that the British position heading into the Shanghai Opium Commission would not be determined by India's opium export revenues. However, anti-opium impatience with the gradual terms of the Anglo-Chinese opium agreement and the expansion of the Commission agenda to include recommendations on domestic opium regulation meant that competing imperial visions would vie to shape the objectives and strategies of the British delegation heading into the Commission.

The United States proposes an international commission of investigation

As with the Anglo-Chinese opium agreements British opium policy and diplomacy in reaction to the US proposal which led to the SOC was ultimately composed in line with the views of the Foreign Office (FO) and the Secretary of State for India. As we saw in chapter one, the FO was keen to curry favour with the Chinese to outdo competition from other Powers such as the US for what they hoped would be lucrative commercial opportunities in China.¹ Initial hesitation within the India Office and anxiety in the GOI were over-ridden by the determination of John Morley, Secretary of State for India - who like many in the Liberal Party sympathized with the anti-opium cause - to appear pro-active in any international efforts to tackle the opium traffic and habit in East Asia and thereby assist China in its domestic opium suppression campaign.

The initial FO reply to the US proposal which was delivered by the American Ambassador to the British Foreign Secretary 17 October 1906 did not oppose the investigation. They replied that they must first consult the IO in light of its significant opium interests but reassured the US government that this 'would not prevent the British Government from considering the question or incurring some sacrifice if it was clearly proved that the result would be to diminish the opium habit.'² Sir T. W. Holderness, Revenue Secretary at the IO, in preparing a draft response to the US proposal made a lengthy note on the nature and prospects of the proposed commission and the stance the British Government should take to the proposal and the end of the India to China opium trade:

It seems to me that the question primarily concerns the countries of the Far East, namely, China, Japan, Siam, America (as regards the Philippines I[slands], and France (as regards the French possessions in the Far East), and, further, that it concerns each country individually & is primarily a matter of unified regulation. There may be features common to the trade & the habit in all these countries wh[ic]h a joint Commission might elucidate, just as there may be similar features in the trade and habit of alcohol. But it would seem that it is for the countries concerned to settle among themselves whether such an investigation is required, and that H[is] M[ajesty]'s Gov[ernmen]t should not take the initiative. No enquiry would be fruitful which did not include an examination of the production and consumption of opium in the interior of China, and it is very unlikely that China w[oul]d be willing to allow a roving Commission to gather facts at firsthand in the provinces where opium is grown and consumed. Our position with regard to the opium question in China is clear. We say to China that she is free to put her own house in order, and that the Indian Gov[ernmen]t, so far as its

¹ R. K. Newman, 'India and the Anglo-Chinese Opium Agreements, 1907-1914' in *Modern Asian Studies*, 23, 3, 1989, pp. 525-560, p. 530

² S. D. Stein, *International Diplomacy, state administrators and narcotics control* (Aldershot: Gower, 1985) p. 50

in her power, will cooperate. Similarly our position is clear as regards other countries in the Far East. Japan has prohibited the importation of opium, except under special state assignments, into Formosa. We do not attempt to send Indian opium there, and no complaints against Indian traders has [sic] been made.³

The IO, though doubtful about the enthusiasm of all the invited countries for such an opium commission and unwilling to take the lead, was not hostile to the proposal. This response, as seen Holderness' note, was perhaps unsurprising in light of the fact that reductions in the India-China opium trade by the terms of the Anglo-Chinese opium agreements were already well under way. What is also clear in this IO position is that the British would not export opium to countries, such as Japan, where its importation was prohibited. Holderness' hesitation about a commission did not, however, shape IO policy. Morley, as Secretary of State for India was paramount at the IO and as we have seen, was in control of opium policy. He noted his 'dissent' from Holderness' draft response to the FO, warning of the risk of Britain appearing to 'hold back' the assembly of the conference as 'To do so would put the Indian Gov[ernmen]t hopelessly wrong with the opinion of the civilized world, and violently wrong with pub[lic] opinion in this island.'⁴ Subsequently the Revenue Committee, on Morley's instructions to review the draft, removed offending paragraphs containing three arguments opposing the assembly of such a conference. The first of these objections was that it was up to individual countries 'to decide how far they are able and willing to conform to uniform principles.' The second objection was that 'H[is] M[ajesty]'s Gov[ernmen]t might properly hesitate to invite the Chinese gov[ernmen]t to open its Dominions to such enquiries.' The third objection excised was that 'they might with equal reason hesitate to commit to the principle of a Joint Commission until they have idea of the scope of the investigation, the facilities for purchasing it which would be approved, and the general attitude of the countries, especially China, directly concerned.'⁵

Morley would prove to be keen for the British attendance at the proposed commission. By the time the IO sent its response to the FO at the start of November 1906, following Morley's intervention, the British suggested that they would agree to the investigation if the other Powers mentioned also agreed and if 'the enquiry extends to the production of opium in China as well as to the imports of foreign opium.'⁶ The British condition of acceptance for the American invitation echoed the condition of proof for the *pari passu* terms of the upcoming opium agreement with China which was finally signed, by Sir John Jordan, British Minister in Peking, in December 1907. As such the

³ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India office, dated October 1906

⁴ IOL L/E/7/564 J. Morley note, Revenue and Statistics Department, India Office, 25 October 1906

⁵ IOL L/E/7/564 draft letter to Foreign Office, Revenue and Statistics Department, India Office, late October 1906

⁶ Stein, 1985, p. 50

British conditions of agreement to the opium commission reflected their concerns, described in chapter one, to ensure a gradual and orderly cessation of the opium trade and by seeking guarantees that Chinese domestic production of opium and imports of foreign opium were reduced in steps with the reduction of exports from India to China. The aim was to ensure that the end of the India to China opium exports did not result merely in a transfer of opium revenues from the GOI to China and other opium-producing countries, especially Persia and Turkey.

Morley soon made clear, to the GOI that he was unwilling for British India to be left behind in any international movement for opium suppression. He expressed his views, softened with a touch of personal charm, in a letter which he wrote to Lord Minto, the Viceroy and Governor-General of India, in October 1906. It is worth quoting at length.

To turn to a new phase of an ancient topic, and it is surprising how much of politics is composed of new variations of old tunes. (I think I have heard 108 variations by Thalberg on “Home Sweet Home.” Are you by chance a musician?) The invitation of the United States to join an international Opium Commission, is obviously a very important move, or may easily become one. Of course, it is easy enough to point out any number of difficulties, and to start all sorts of posers. It will not be unnatural that the Government of India, with its own peculiar embarrassments about opium revenue, will perhaps lean pretty strongly in that direction. In this Office also there would be, and in truth, there is a disposition to pick holes in the proposal of the USA. For my own part, however, I cannot doubt that we shall have to go in. If we hold back, it will look as if we were actuated solely by regard for our own pockets, (or the pockets of our Indian taxpayers); and had no regard for moral considerations. This will put us unpleasantly wrong with the civilized world, won't it? And what is more, it will put us violently wrong with opinion in that rather notable portion of the civilized world known as England Scotland [sic]. Besides, such a Commission will probably do good. If it reports in favour of suppression, it will reinforce immensely the case of my anti-opium friends; and will make it all the harder for China to play tricks in the interests of its own drug and its own revenue. China and other eastern regions may object to enquiry if they like, but it will be a bad mark for us, if the responsibility for refusal be in any degree ours.⁷

There was no doubt that Morley wanted the British Government to accept the American invitation to the Commission. Domestic public opinion, Morley's responsibility to anti-opium friends in the Liberal Party and his belief that it was a worthwhile campaign, all weighed more heavily than the GOI's opium interests in Morley's calculation. Morley's suggestion to Minto that the Commission might be seized upon as an opportunity to hold China to the terms of the Anglo-Chinese agreement

⁷ IOL Morley Papers Mss Eur D573/1, f223 Private letter (copy) Morley to Minto, dated India Office, London, 26 October 1906

was perhaps a fillip to the GOI but it still reflected the accepted policy of suppressing the India-China opium trade and supporting the opium suppression campaign in China. Minto, in an otherwise voluminous letter, registered no great protest to Morley's enthusiasm or alarm at the prospects of such a commission:

As to opium, I agree with you in the risk of refusing to share in the United States proposals. Our great difficulty here as far as I can see, would be interference in the opium revenues of the Native States.⁸

At this early stage the GOI did not object to the US proposal for an international opium commission – they saw any difficulties as soluble as those they faced in the negotiations for the Anglo-Chinese opium agreement. As the details of the Commission slowly emerged, in spite of the GOI's 'peculiar embarrassments', the FO and the IO attitude demonstrated their continued enthusiasm for the US preparations for the Commission. In February 1907 the US government enquired whether His Majesty's Government would prefer an international conference or a concert of commissioners from the Powers to investigate the subject.⁹ Holderness preferred a commission of investigation first as a 'Conference would have to be content with such materials as might be supplied to it by the several participating Gov[ernmen]ts. It may be doubted whether satisfactory materials exist.'¹⁰ Sir Arthur Godley, the Permanent Under Secretary of State for India agreed that a 'Commission might be of some real use; a conference, I believe would do little good, or none.'¹¹ Morley simply noted in reply: 'Perhaps, but I do not want us to oppose either, while preferring Commission.'¹² Subsequently the IO wrote to the FO that 'in Mr Morley's opinion procedure by way of Commission would seem better adapted than a Conference for an investigation of the facts of the opium trade, and of the consequences on the opium habit, in the Far East.'¹³ The IO preference matched that expressed by the American Ambassador in London to the British Foreign Secretary, Sir Edward Grey (1862-1933): 'it was the wish of the Government of the US that the facts should be investigated in the Far East by a Commission, preliminary to any action which may be taken by the Powers jointly or severally.'¹⁴ Moreover, the IO argued, 'It is conceivable that a Conference if convened, might find that the materials placed before it were insufficient for arriving

⁸ IOL Morley Papers Mss Eur D573/10, f 35 Private letter, Minto to Morley, dated Viceroy's Camp, India, 18 November, 1906

⁹ IOL P/8224 Sir Eric Barrington, Assistant Under Secretary of State for Foreign Affairs to Under Secretary of State, India Office, dated Foreign Office, 14 February 1907

¹⁰ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India Office, late February 1907

¹¹ IOL L/E/7/564 Minute by A. Godley, Revenue and Statistics Department, India Office, late February 1907

¹² IOL L/E/7/564 Minute by J. Morley, Revenue and Statistics Department, India Office, 22 February 1907

¹³ IOL P/8224 Sir A. Godley, Under Secretary of State for India to the Under Secretary of State for Foreign Affairs, dated India Office, 6 March 1907

¹⁴ IOL P/8224 Sir A. Godley, Under Secretary of State for India to the Under Secretary of State for Foreign Affairs, dated India Office, 6 March 1907

at definite recommendation.’ But still conscious to provide no grounds for accusations of opposition to the US proposal they added: ‘If, however, the other powers consulted, prefer procedure by way of a Conference Mr Secretary Morley does not desire to press this view.’¹⁵ The FO and IO were also careful to give the United State’s free reign on deciding upon the location, date and procedure for the Commission.¹⁶ There is little evidence that British Indian officials in London or Calcutta were initially very worried about or hostile to the proposed opium commission.

Meanwhile, anti-opiumist support for the SOC and perhaps confidence that the British would accept the invitation was made clear in the British Parliament. In March 1907, John E Ellis, MP for Rushcliffe (Nottinghamshire), asked the Secretary of State for Foreign Affairs whether the Government had received the US invitation and ‘what has been the response of His Majesty's Government thereto; and how the matter now stands.’¹⁷ Ellis, as Morley’s Private Under Secretary at the IO, was probably aware of the proposal and the British acceptance and so may have been merely giving Morley an opportunity to demonstrate his loyalty and value towards his anti-opium friends. The Permanent Secretary Walter Runciman, a Liberal Party member confirmed the invitation and explained the Government’s preference for a commission and its condition of acceptance that the enquiry should extend to the production of opium in China. Runciman did however request notice for a question from Austin Taylor MP (East Toxteth, Liverpool) asking whether the opium commission would ‘preclude the Government continuing their negotiations with China?’ As will become increasingly clear the IO saw the Commission as a potential means to hold China to the terms of the opium agreement rather than a possible alternative.

The IO rejected calls from the British colonial administrations in East Asia to reject the proposed commission as no longer necessary in light of the Anglo-Chinese opium agreement. The FO forwarded the IO a draft letter to the Colonial Office (CO) in response to correspondence between the latter and the Governor of Hong Kong, Sir Frederick Lugard (1858-1945). The issue at stake was whether the Anglo-Chinese opium agreement meant that such a commission was now unnecessary. Though the Commission’s ultimate aim as envisaged by its initiator, Charles H. Brent, Bishop of the Philippines, was to help China with her opium suppression campaign, this did not limit its scope to the India-China opium trade. Holderness, noted the IO position:

¹⁵ IOL P/8224 Sir A. Godley, Under Secretary of State for India to the Under Secretary of State for Foreign Affairs, dated India Office, 6 March 1907

¹⁶ IOL P/8224 W. Langley, Under Secretary of State for Foreign Affairs to the Under Secretary of State, India Office, dated 9 November 1907; Sir A. Godley, Under Secretary of State for India, to the Under Secretary of State for Foreign Affairs, dated 20 November 1907

¹⁷ HC Debate 20-21 March 1907, Volume 171, Columns 850-851

The enquiry, as suggested by the American Gov[ernmen]t in Oct[ober]1906, would not be confined to China, but w[oul]d extend to the Far East generally, including the Philippines, the Straits Settlements, Formosa, etc. The questions raised by it are not entirely solved by the attempt made by China to reform itself and the arrangements made with India to that end.¹⁸

British officials recognised, as they had during negotiations for the Anglo-Chinese opium agreement, that Chinese opium suppression required cooperation from governments involved in the trade and regulation in opium across East Asia. As such, Holderness did not suggest that the British should look to limit the scope of the enquiry.

It is for the American Gov[er]nment, as the Powers have consented to the enquiry, to formulate the terms of reference to the Commission, and to explain the scope and subjects of the investigation, and its bearing on Eastern policy. If the American Gov[ernmen]t makes no further move, the project will stop. But it is premature at present to condemn it by a sort of obiter dictum, wh[ich] might inconveniently rise up in judgment hereafter against us.¹⁹

Holderness was content to leave the Americans to frame the proposals for the opium commission. Holderness also, though happy if the proposed commission came to nothing, was anxious that no negative judgement, even in passing, be placed on it in the British response lest it lead to future criticism of the government. Morley too, was content to pass little judgement publicly on the proposed commission. However, Morley was, from the off, in contrast to Holderness, an enthusiast for the international commission as he was for the Anglo-Chinese opium agreement. Morley brushed aside doubts and suspicions in the IO about the proposal, as Godley wrote to the FO, 15 April 1908:

It appears unnecessary for the immediate purpose to make any pronouncement as to the advantage likely to result from the proposed Commission, and to say that Mr Secretary Morley would prefer that the words “in view of the development...seems doubtful” should be omitted. In proposing an investigation into the Opium Trade and the Opium Habit in the Far East the American Government presumably had in mind somewhat larger questions than those presented by China and the Indian opium trade with that country, and that Government and the Powers which have accepted its proposal may not be disposed to think that these questions have been decided by the measures taken by the Chinese Government and the arrangements made by the Indian Government. Mr. Secretary Morley would, therefore, prefer

¹⁸ IOL L/E/7/564 Note by T. W. Holderness, Revenue and Statistics Department, India Office, 8 April 1908

¹⁹ IOL L/E/7/564 Note by T. W. Holderness, Revenue and Statistics Department, India Office, 8 April 1908

to suspend judgement until the scope and objects of the enquiry have been more fully unfolded by the American Government.²⁰

Though the British Government had shown no obvious reluctance to attend the opium commission the Liberal anti-opium lobby kept up its watch on British preparations. In early April 1907, Percy Alden, Liberal MP for Tottenham, asked whether the Government and the powers had yet agreed to the proposed conference, and whether the House could 'be furnished with the terms of reference and the programme of the Conference.' In response, Grey referred to his earlier confirmation that the Government had agreed to take part but stated that the replies of other Governments and the terms of reference and programme had not yet been received.²¹ It would, however, be another year before the US government sent its draft agenda for the proposed commission. After this hiatus in activity surrounding the Commission, Theodore Taylor, Liberal MP (Radcliffe-cum-Farnworth) - another prominent anti-opiumist in direct correspondence with Morley and Grey - asked for an update on the prospective procedure of the Commission. Grey reiterated the Government's acceptance of the invitation and said that they were still waiting for the details of the proposed procedure and of the time and place of the Commission from the US Ambassador.²² It was not until May 1907, when all the invited powers had replied, that the American terms of reference were sent out to participating governments. The terms of reference requested that:

...each Commission should proceed independently and immediately with the investigation of the opium question on behalf of their respective countries with a view – (1) to devise means to limit use in the possession of that country; (2) to ascertain the best means of suppressing the opium traffic, if such now exists among their own nationals in the Far East; (3) to be in a position, when the various Commissions meet in Shanghai, to co-operate and offer jointly or severally definite suggestions of measures which their respective Governments may adopt for the gradual suppression of opium cultivation, traffic and use within their Eastern possessions, and thus to assist China in her purpose of eradicating the evil from the Empire.²³

Some British officials immediately regretted giving the US government free rein in scoping the agenda for their proposed commission. For Holderness it was immediately apparent that the US had now radically changed the scope and aims of the Commission.

When the investigation was first proposed by the American Ambassador to the Foreign Sec[retar]y in Oct[ober] 1906, he explained, in answer to Sir E Grey's inquiry, that "it was

²⁰ TNA FO 228/2422 Letter from A. Godley to Under Secretary of State for Foreign Affairs, dated India Office, 15 April 1908

²¹ HC Debate 11 April 1907, Volume 172, Column 362

²² HC Debate 5 May 1908, Volume 188, Column 53

²³ Stein, 1985, pp. 51-52

desired to come to a decision as to whether the consequences of the opium trade & opium habit in the Far East were not such that civilized powers should do what they c[oul]d to put a stop to them.” The inquiry then contemplated was to be an open-minded inquiry.

The terms of reference now proposed are limited to methods of suppression, and presuppose a decision that the opium trade and the opium habit must be suppressed. They are open to the objection wh[ich] the French Gov[ernmen]t took to the alternative of proceeding by way of Conference instead of by Commission. “A Conference”, said the French Gov[ernmen]t could not “actually dispose of all the elements necessary to formulate precise rules, before “A Com[mission]” has proceeded on a detailed enquiry on the “production, commerce, use and disadvantages of opium.”²⁴

This new scope for the proposed commission, as Holderness interpreted it, meant that the Powers were assembling to discuss how, not whether it was necessary, to suppress the opium trade and opium habit in the East. Moreover, the US agenda now threatened the system of opium regulation within British India, as Holderness further noted:

They are also open to the objection that they do not distinguish between the opium question in the Far East, and the opium question as it exists in countries wh[ich] do not form part of the Far East. The investigation, as proposed, was expressly limited to what concerns the opium question in the Far East. The internal consumption of opium in India, for instance, would not come within the purview of the Commission: production of opium in India, and export of opium from India, would come within the inquiry only so far as they affect opium trade in the Far East. - The American draft instructions take no notice of this very important distinction, they contemplate that each delegate should first overhaul the opium regulation of his own country, and within a few months put things right in a very summary and drastic fashion, apparently without each consulting or asking the leave of his Gov[ernmen]t; and then, with this ripened experience, repair to Shanghai and begin to reform without enquiry, the opium trade & the opium habit of the Far East.²⁵

These draft instructions therefore suggested that an international standard of opium regulation should be formulated at the Commission and then applied by the participating powers to systems of opium control in their territories. As we saw in chapter one, the British Indian administration had, since the second half of the nineteenth-century, defended their own system of opium regulation, which they argued were tailored to local conditions and circumstances in India, against attempts to impose alien standards of opium regulation by anti-opium campaigners in Britain. Holderness did not at this time, however, suspect US subterfuge in these developments. He wrote

²⁴ IOL L/E/7/564 Note by T. W. Holderness, Revenue and Statistics Department, India Office, 28 May 1908

²⁵ IOL L/E/7/564 Note by T. W. Holderness, Revenue and Statistics Department, India Office, 28 May 1908

that: 'No doubt the author of the draft instructions did not mean all this, but it is what the instructions, as he has worded them, would come to. They seem therefore to require some revision.'²⁶ Holderness' criticism of the terms of reference was accepted by Morley, as Godley wrote to the FO on the subject of the draft:

The Secretary of State in Council approves the proposal that the Commission should assemble at Shanghai and he considers its labours would be expedited if the representatives of the several Governments were first to acquaint themselves fully with the opium question as it presents itself in their respective countries and were thus in a position to inform the Commission when it assembles as to the regulations and restrictions there in force, and to formulate and discuss proposals for amending them in points in which they may be found in the course of the joint enquiry to affect the opium trade and the opium habit in the Far East. If this view of the procedure to be followed commends itself to the American Government and to the other Powers, some revision of the Instructions outlined in the Note of the American Ambassador will be necessary. As these instructions at present are worded, they would require the delegates of the several Governments to undertake a more responsible and extensive investigation than time permits, and to make proposals for altering the administrative regulations of their respective countries before the Commission had entered upon its enquiry or had ascertained the precise nature of the remedies which the present circumstance of the opium trade and the opium habit in the Far East might require.²⁷

Evidently, Morley by now shared the suspicions of his IO staff that the US wanted a wider agenda for the proposed opium commission and sought to restrict it to the Far East, as it was originally conceived. However, Morley, still anxious to avoid any sign of British reluctance and perhaps also keen to expedite the Commission he had shown enthusiasm for, suggested the excision of the proposal for fresh investigations in order to avoid any further delay to its sitting. The IO letter did not however make any explicit defence of British systems of opium regulation in India. The FO concurred with the IO position as set by Morley and the American Ambassador was informed accordingly.²⁸

British agreement to accept the US proposal for an international opium commission was not enough for some Liberal anti-opium MPs. They continued to try to shape the British position by asking questions in the House of Commons about the scope of the conference and instructions to the Commissioners. In July 1908 Theodore Taylor requested again, and again to no avail, that the

²⁶ IOL L/E/7/564 Note by T. W. Holderness, Revenue and Statistics Department, India Office, 28 May 1908

²⁷ IOL P/8224 Sir A. Godley, Under Secretary of State for India to the Under Secretary of State for Foreign Affairs, dated 22 June 1908

²⁸ Stein, 1985, p. 52

terms of reference be revealed to the House.²⁹ In November he asked whether any additional countries, other than those who had already accepted (Great Britain, the United States, France, Germany, Holland, Portugal, China, and Japan) would be invited. Thomas McKinnon Wood, Liberal MP (Glasgow St Rollox) and Under Secretary of State for Foreign Affairs, promised the House the terms of reference once they had been settled and confirmed that Russia, Turkey, Persia and Siam had also been invited to the Commission.³⁰ Meanwhile in Calcutta, GOI officials so far appeared satisfied with the IO response to the US terms of reference, as Minto wrote to Morley in late July 1908:

We particularly welcome firstly your insistence on investigation of facts as Commission's duty; secondly, your rejections as impracticable of America's original scheme for preliminary work by individual Commissioners. Having regard to declared objects and wide scope of the joint enquiry, we consider it inevitable that opium industry in India will bulk largely in Commission's deliberations. We do not demur to being brought into field of enquiry provided Commission are made fully acquainted with the complex economic and financial problems attaching to our opium trade and the political impossibility of suppressing consumption in India. It would be serious misfortune if International Commission lent weight of its authority to popular misconceptions or judgements based on imperfect knowledge. We may note incidentally that study of opium habit as it presents itself in Shanghai is widely different; and these ideas will require correction.³¹

The GOI were clearly prepared and confident in their ability, to defend their 'peculiar embarrassments' of the opium industry and monopoly in British India and poppy cultivation in the Native States and still not a little unsure about the remit of the Commission regarding opium in East Asia. The GOI made no secret of their belief that the opium habit in India, and by extension the form of its regulation, was singular and so unsuited to the policy of any international authority. Cognisant of the GOI's concerns, the FO wrote to the US Ambassador 19 August 1908 referring to a French suggestion in July 1907 for such a new detailed investigation.

As regards India and the other British territories concerned, the opium question has already formed the subject of investigation by Commission or of instructions from His Majesty's Government, and it is therefore unnecessary, so far as this country is concerned, that a fresh investigation of facts which are already known. The British representatives would be ready to

²⁹ HC Debate 17 July 1908, Volume 192, Column 1224

³⁰ HC Debate 19 November 1908, Volume 196, Column 1401

³¹ IOL P/8224 Telegram from the Viceroy to the Secretary of State for India, dated Simla, 24 July 1908

meet with the other Commissioner's when the latter had concluded their enquiries and to place the result at their disposal.³²

For the British the RCO would remain the standard reference on the question of opium in India. The British had accepted, with some enthusiasm, the initial US invitation for the Commission and had even envisaged using the occasion to hold China to the terms of the opium agreement. Now, relatively late on in preparations for the Commission, the British government and their Indian administration were forced for the first time onto the defensive. As it became increasingly clear that the details of the US terms of reference sent in May 1908 were not the result of an innocent error by their author, the GOI objected with ever greater force to any such international scrutiny of their domestic opium policy. The Commission threatened to interfere in the politically sensitive issues of their management of reductions of the opium industry in the Native States and in their regulation of opium consumption in British India. As a defence they would appeal to the unique nature of the opium market and their system of control within British India as set down in the final report of the RCO. The US government added a fourth clause to the terms of reference a few months before the Commission was due to open. This additional US clause confirmed that the American representatives had deliberately pre-empted the findings of the originally proposed investigation, taking as its starting point the international suppression of the opium trade and habit.

US officials first, however, tried to further change the likely course of the Commission through the British imperial Dominion of Australia. The historian Ian Tyrrell has shown how at this time the Reverend Wilbur F. Crafts (1849-1922), a campaigner for social reform, established a web of international connections for his International Reform Bureau in China, Japan, Britain, Canada and Australia. When the Reverend Francis Clark of *Christian Endeavour*, the US nondenominational evangelical society, began another of his world tour, Crafts took the opportunity to persuade him to lobby the Australian Prime Minister Alfred Deakin 'to represent the views of the newly federated Australia on the need for prohibition of opium exports.' As Tyrrell argues, Clark's task of promoting this anti-opium stance was made easier by "Yellow Peril" fears among contemporary Australians about an invasion by 'drug-crazed Chinese immigrants.' Indeed, the Australian government had passed statutes prohibiting the importation and manufacture of opium for smoking in 1905. Crafts himself, with the blessing of the US Secretary of State Elihu Root (1845-1937), who played a large role in diplomacy for the proposed international commission, set out to gather petitions and lobby the politically influential.³³ Root told Crafts on his departure "I am with you

³² IOL P/8224 Sir Edward Grey, Secretary of State for Foreign Affairs to the H. Whitelaw Reid, United States Ambassador to the Court of St James, dated 19 August 1908.

³³ I. Tyrrell, *Reforming the World: The Creation of America's Moral Empire* (Princeton: Princeton University Press, 2010) p. 156

and the government is with you regarding Opium in China. My part is diplomacy, your part is agitation.”³⁴

The impact of Clark and Crafts’ lobbying in the build-up to Shanghai was perhaps evident in the October 1908 correspondence between the Governor-General of Australia, Lord Northcote (1846-1911) and the Secretary of state for Colonies, the Earl of Crewe (1858-1945). The Governor General wrote to the Secretary of State, with a proposal that the Conference should consider ‘reserving exclusively to the Government of each country the right of cultivation and manufacture of opium to be used for purely medicinal purposes and absolutely prohibiting under heavy penalties all private enterprise in connection with the production of the drug.’³⁵ This would end any international trade in opium, not just the China trade. Unsurprisingly, the IO was hostile. On receiving word of this Australian proposal, Holderness noted:

The question which the Commonwealth Gov[ernmen]t suggest should be considered by the Commission is outside the scope of the inquiry, so far as its scope has been settled. The terms of the question in their definiteness are also inconsistent with the latitude with which the duties of Commission have so far been described.³⁶

Holderness, in objecting to the Australian Government’s proposal, referred to the US memoranda of February 1907 and May 1908 which made clear that the Commission was to investigate the opium trade and opium habit in the Far East. He quoted Elihu Root’s report of May 1908 which stated that the rationale for the Commission was “‘assisting China in her purpose of eradicating the evil.’” This IO understanding of the purpose of the Commission had been made clear in the letter of 22 June 1906 which stated that ‘the primary question is as to the exact nature and extent of the abuse of opium in the Far East calling for remedy.’ In more detail, he quoted Elihu Root’s letter to the US President, 7 May 1908.³⁷

“While the international investigation now proposed relates to opium in the Far East, an incidental advantage of the investigation may be to point out the necessity & the best method of restricting the use of opium in the US...[Secondly]The commercial aspect of the subject involves such complicated and widespread trade relations, that an effective treatment of it

³⁴ I. Tyrrell, *Reforming the World: The Creation of America’s Moral Empire* (Princeton: Princeton University Press, 2010) p. 156

³⁵ IOL P/8224 Telegram, Governor General of Australia to the Secretary of State for Colonies, dated 15 October 1908

³⁶ IOL L/E/7/564 Minute by Holderness, Revenue and Statistics Department, 17 November 1908

³⁷ IOL L/E/7/564 Minute by Holderness, Revenue and Statistics Department, 17 November 1908

seems impossible unless it be by the concurrent action of the great commercial nations, together with those peoples of the Orient, among whom the abuse is most prevalent.”³⁸

The initial US objective for the Commission was limited to international cooperation to end the opium trade and habit in the Far East not a conference to accelerate the end of the India-China opium trade. This then contradicted the calls for international cooperation to assist China’s opium suppression campaign foreseen in the US invitation. Holderness concluded:

This may correctly foresee the course which the investigation may ultimately take when the Com[missione]rs get to work, unfettered, as is probable, by any very definite instructions. – But it does not seem politic that H[is] M[ajesty]’s Gov[ernmen]t, by commending the Australian proposal to the American Gov[ernmen]t, should itself give a new term and unexpected precision to the order of reference. China for the next nine years at least is not in a position to accept the Australian suggestion, and its acceptance by outside states as a suitable policy for India would press heavily on British India & Native States.

I learn from the FO that, being doubtful to expediency of the Australian proposal, they have not yet communicated it to the US Gov[ernmen]t, and will be guided by the opinion wh[ich] the S[ecretary] of S[tate] for I[ndia in C[ouncil] may express. They would like to know as soon as possible.³⁹

The Australian proposal threatened the gradual reduction of the India-China opium trade embodied in the Anglo-Chinese agreement. Accepting it would be a significant retreat before the Commission had even sat. However British officials calculated that any public rejection might raise an outcry among anti-opiumists at home and abroad. As such Godley replied to the CO on 25 November 1908:

... in Viscount Morley’s opinion it would scarcely be consistent with what has already been settled as to the latitude to be left to the Commission to include the proposals of the Commonwealth Government in the terms of reference, and he does not recommend that they should be communicated for this purpose to the American Government.⁴⁰

The CO subsequently informed the Australian Government that ‘this question could not properly be included within the scope of the reference to the Commission as defined by the Government of the United States.’⁴¹ Anxious about possible anti-opium criticism, the British Ambassador to

³⁸ IOL L/E/7/564 Minute by Holderness, Revenue and Statistics Department, 17 November 1908

³⁹ IOL L/E/7/564 Minute by Holderness, Revenue and Statistics Department, 17 November 1908

⁴⁰ IOL P/8224 Sir A. Godley, Under-Secretary of Stat for India, to the Under Secretary of State for Colonies, dated 25 November 1908

⁴¹ IOL P/8224 The Earl of Crewe, Secretary of State for Colonies to the Earl of Dudley, Governor General of Australia, dated 4 December 1908

Washington requested that the United States Government did not inform the other delegations about the rejected Australian proposal.⁴² The anti-opium critics at home and abroad tempered any British official response to what was an emerging pattern of attempts to expedite the reduction of the India to China opium trade by the United States and others through the Shanghai Opium Commission.

Putting together a British delegation for the Commission

American officials tried to influence the nominations for the British delegation in order to precipitate the end of the India to China opium trade. They suggested William Lyon Mackenzie King, newly elected Liberal MP in Canada and future Canadian Prime Minister as a British commissioner.⁴³ Mackenzie King was fancied by US officials because of his role in Canada's recent anti-opium legislation.⁴⁴ Canada like Australia saw the coming together of "Yellow Peril" and anti-opium politics. Following the September 1907 race riot in Vancouver, led by the Asiatic Exclusion League in collusion with local politicians, Mackenzie King led the government investigation into compensation for the victims. During his investigations, Mackenzie King came across newspaper reports of how Chinese and Hindu men proffered opium to white women as a means to their sexual and moral corruption.⁴⁵ Calls to ban opium, even supported by Chinese merchants in the Anti-Opium League, culminated in the passing of the federal laws that proscribed the importation, sale and manufacture of opium for non-medical use which Mackenzie King drafted himself.⁴⁶ Subsequently, the ambitious and opportunistic Mackenzie King would promote an ambitious image of himself and Canada as pioneers in international narcotics control.⁴⁷ However, there were initial doubts that he was even willing to attend the Commission, as Holderness noted:

It appears from a para[graph] in The Times of the 7th last that Mr Mackenzie King is reluctant to accept the invitation to the Conference "owing to his recent election to Parliament & his prospective assumption of the duties of Minister of Labour. But as it will be some months

⁴² IOL P/8224 Mr James Bryce, British Ambassador and Plenipotentiary, Washington to Sir Edward Grey Secretary of State for Foreign Affairs, dated 10 November 1908

⁴³ IOL L/E/7/564 Note by F. C. Drake, Revenue and Statistics Department, India Office, 11 September 1908

⁴⁴ K. Grayson, *Chasing Dragons: Security, Identity, and Illicit Drugs in Canada* (London: University of Toronto Press 2005), pp. 71-74 and 103-107

⁴⁵ P. J. Giffen, S. Endicott and S. Lambert, *Panic and Indifference: The Politics of Canada's Drug Laws: A Study in the Sociology of Law* (Ottawa: Canadian Centre on Substance Abuse 1991) pp. 61-63

⁴⁶ Grayson, 2005, pp. 71-74 and 103-107

⁴⁷ Grayson, 2005, p. 73; Giffen et al, 1991, pp. 74-76

before the Labour Dept can be organised as a separate Ministry, he may be induced to accept.”⁴⁸

The British however also had plans for Mackenzie King, much like the Americans, basing their hopes in him on his official experience in Canada. This time his credentials rested upon his investigation into the racial tensions in British Columbia that had also embroiled immigrants of Indian descent. The Canadian government was more interested in the question of race than narcotics in supporting his nomination. The Governor-General of Canada, Albert Henry George Grey (1851-1917), wrote to the Colonial Secretary, Victor Bruce the Earl of Elgin (1849-1917):

I have suggested to Sir W[ilfrid] Laurier [then Prime Minister of Canada] that he should send Mr Mackenzie King, who is due to be present at the opening of the Opium Conference at Shanghai on the 1st February, via London and India in the belief that his presence would be useful at this time in India. He is well aware of the position in British Columbia and so can expose the seditious falsehoods emanating from British Columbia.⁴⁹

Mackenzie King accepted Grey’s invitation to dispel rumours of Canadian hostility to Indians in British Columbia and he duly visited first London and then Calcutta before travelling to Shanghai for the Commission. If the Americans were hopeful of Mackenzie King’s support for their international control agenda during proceedings they were to be disappointed. He wrote in his diary 26 February 1909:

What I have seen of the procedure and the difficulties with which a gathering of the kind is beset makes me feel that the experiment of international conferences is a very doubtful one. Other things being equal, I should be inclined to decide against it in regard to most, if not all problems, and adopt a policy of each nation negotiating its own settlements and arrangements with countries convened.⁵⁰

Mackenzie King’s experience at the SOC led him to favour bilateral agreements to international conferences. Mackenzie King’s rejection of such internationalist reformist efforts, of which Grey was an enthusiast, put him more in line with the preference of his Premier Laurier for bilateral diplomacy to solve international problems.⁵¹ As such, the SOC was a demonstration of the potential difficulties in using international conferences as a solution to world social, economic and

⁴⁸ IOL L/E/7/564 Note by T. W. Holderness, Revenue and Statistics Department, India Office early December 1908

⁴⁹ IOL L/E/7/564 ‘Immediate and confidential’ telegram: Governor General of Canada to Secretary of State for the Colonies, undated

⁵⁰ Quotation taken from R. MacGregor Dawson, *William Lyon Mackenzie King: A Political Biography 1874-1923* (London: Methuen & Co., Ltd. 1958) pp. 196-196. This official biography was written with the benefit of Mackenzie King’s personal diary on the condition that it was destroyed on the biography’s completion.

⁵¹ Dawson, 1958, pp. 196-196

political problems. There was also at this time a suggestion for an Australian representative on the British delegation, agreed to by at least the FO and CO, but this came to nothing.⁵²

The IO and the GOI were also, unsurprisingly, concerned about the constitution of the British delegation. In July 1907 Minto wrote to Morley relaying a request of the GOI to have an official expert on British Indian opium administration among representatives at the Commission and to be informed of the draft terms of reference:

In view of great importance of the whole question to India and of preventing any erroneous statement of fact, we trust that if a Joint Commission is actually appointed the British representatives will include an officer with recent and personal experience of Indian conditions and of our opium policy. We hope also that you will afford us an opportunity of considering the proposed terms of reference or the Commission before they receive the concurrence of His Majesty's Government.⁵³

Morley, as he had with the negotiations for the Anglo-Chinese opium agreement, kept the GOI at a distance from British policy-making on the proposed international opium commission. He replied to Minto 14 July 1907 reassuring him that there would be a British Indian representative but reserved the final say for the IO:

... interest of India has not been overlooked. Please let me know what sort of representative you are thinking of. It will need very careful consideration on my part. It may not be practicable to send final draft of terms of reference for your opinion, but I should be glad to know your views regarding the correspondence referred to above which includes American draft.⁵⁴

The request of the GOI for representation at the Commission and Morley's response also differed in key ways to similar events during the negotiations for the first Anglo-Chinese opium agreement. There is no record that the GOI requested such representation in the recent bilateral diplomacy with China and, as we saw in chapter one, Morley did nothing to secure any for the GOI and even prevented any such offer being made by the IO. The reason for this difference in the GOI requesting and obtaining representation at Shanghai is unlikely to be that the Commission was an instance of multilateral diplomacy as opposed to the bilateral opium agreement with China. In fact, the internationality of the Commission would have made it less not more unlikely for the FO and IO to cede British representation to a GOI official. The key difference was that the Commission

⁵² IOL L/E/7/564 Note by F. C. Drake, Revenue and Statistics Department, India Office, 11 September 1908

⁵³ IOL P/8224 From the Viceroy to the Secretary of State for India, dated Simla, 8 July 1907

⁵⁴ IOL P/8224 Telegram from the Secretary of State for India to the Viceroy, Simla, dated London the 14 July 1907

represented a threat to domestic opium regulation in India, which unlike the India-China opium trade, the GOI was unwilling to lose ultimate control over. British officials in other colonies and at home would also undoubtedly resent and resist outside interference with local systems of opium regulation. At the time of China's opium suppression campaign, begun in 1906, Hong Kong and Singapore had 'farm systems of opium regulation, by which the right to import, export and prepare smoking opium for sale in the colony was farmed out to merchants who paid large sums for the privilege. Government, farmers and dealers all profited handsomely. These systems had been condemned by the US Philippines Opium Commission (1905) which favoured a system of government monopoly. But the British administrations in Hong Kong and the Straits Settlements did not subscribe to the view that opium smoking was an evil or harmful in moderate use. They were in fact more concerned with morphia injecting - which they believed to be much more deleterious and difficult to control - and the potential stimulus that restrictions on opium might provide.⁵⁵ As part of the opium agreement with China, Hong Kong had agreed to close its opium dens from 1 March 1910 despite the colonial government's lack of anxiety about opium consumption and a noted lack, as they then argued, of anti-opium pressure from within the colony.⁵⁶ Hong Kong and the Straits Settlements were also major transshipment routes for opium bought by dealers in Calcutta who would sell from their branches in south China ports to Chinese wholesalers for the mainland market.⁵⁷ As such, a major demand of the Chinese, accepted by the British, in the opium agreement of 1907 was to eliminate the lucrative trade - engaged by the contracted opium farmer from the excess indents of opium they deliberately brought into the colony - in opium prepared for smoking between Hong Kong and Canton. This concession came about despite the 'imperious attitude' of the Hong Kong authorities, who, as Newman put it, 'seemed to regard their little island as the Middle Kingdom of Asian commerce; deserving of tribute and concession from all round.'⁵⁸ There were also farm systems in the British territories of the Federated Malay States, Ceylon (and of course India) that imported Indian opium, usually the Bengal produce, the revenues from which were increasingly important for the colonial administrations.⁵⁹

In late June 1908 the IO informed the FO of the GOI's observations and suggested 'that one delegate should be appointed to represent India, another to represent the Crown Colonies, a third

⁵⁵ Foreign Office *The Opium Trade, 1910-1941*, Part XXVI (1929) No. 6 'Memorandum respecting the Opium Problem in the Far East' by J. T. Pratt dated the Foreign Office 10 August 1929 p.30

⁵⁶ N. J. Miners, 'The Hong Kong Government Opium Monopoly, 1914-1941' in *Journal of Imperial and Commonwealth History*, 11, 3, 1983, pp. 276-277; H. Traver, 'Opium to Heroin: Restrictive Opium Legislation and the Rise of Heroin Consumption in Hong Kong,' in *Journal of Policy History*, 4, 3, 1992, pp. 310-311

⁵⁷ Newman, 1989, pp. 526-527

⁵⁸ Newman, 1989, p. 39

⁵⁹ P. D. Lowes, *The Genesis of International Narcotics Control*, (Geneva: Librairie Droz 1966) p. 123

by the FO from among its officers serving in China.⁶⁰ In late July 1908 Minto wrote to Morley nominating Richard Dane, a British Indian administrator as a potential Commissioner. His summary of Dane's credential is worth quoting at length as it demonstrates the GOI's motivations for requesting their own representative on the British delegation:

... we are impressed with urgent necessity of being represented by officer with intimate first-hand experience of Indian trade and conditions of opium habit in India. We consider it equally important that he should be practically acquainted with working of restrictions which have been recently sanctioned. These restrictions are already raising administrative complications which were briefly described in our letter of 21st February 1907, and in particular the difficult political position in regard to Native States is receiving attention at present. The experience which is now being gained should be evidence of great value. Similarly, the development of our special policy of restriction in Burma is of far more than local importance and should be fully placed before Commission. In short, the whole question in India is developing rapidly and first-hand knowledge will alone serve purposes of Commission and requirements of India. If you accept these views, we suggest Dane, our Inspector General of Excise, as Indian representative on Commission. He has long experience and unique knowledge of our opium industry in its various phases. We have great confidence in his soundness of judgement and studied moderation of his views.⁶¹

Dane's suitability stemmed from his role in the Royal Commission on Opium 1893-1895. He had arranged the provision of witnesses, documentary evidence, and specially requested information. He also wrote historical addenda for the Royal Commission's Final Report that argued against the idea that opium was a cause of the Opium Wars with China and stressed the economic importance of the industry and the widespread and quasi-medical use of opium among the population of India.⁶² The Viceroy, however, soon suggested James Bennett Brunyate (1871-1951), secretary in the GOI Finance Department as an alternative if Dane was not available, adding that: 'He has never been associated with the control of opium or excise; but he is familiar with our policy and the important financial and political considerations on which it is based, and I nominate him on general grounds.'⁶³ The alternative nominee proved necessary when Dane was seen to 'to have committed vehemently in an Anti-opium direction.'⁶⁴ This is curious as Dane later wrote a

⁶⁰ IOL P/8224 Sir A. Godley, Under Secretary of State for India to the Under Secretary of State for Foreign Affairs, dated 22 June 1908

⁶¹ IOL P/8224 Telegram from the Viceroy to the Secretary of State for India, dated Simla, 24 July 1908

⁶² L/E/7/564 Note T. W. Holderness to Sir A. Godley, dated India office 25 July 1909 and J. C. Straus, 'Dane, Sir Richard Morris 91854-1940', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2012

⁶³ IOL P/8224 Telegram from the Viceroy to the Secretary of State for India, dated 2 September 1908

⁶⁴ IOL Morley Papers Mss Eur D573/3, f272 Private letter (handwritten copy) Morley to Minto, dated India Office, London, 18 September 1908

pamphlet, *Opium in China and India*, written unquestionably in support of the British Indian opium policy after the Shanghai Opium Commission.⁶⁵ The pamphlet, though acknowledging the sincerity of China at the Commission in professing its success in its opium suppression campaign, criticized the anti-Western sentiments in the campaign and the widespread recrudescence in the cultivation in China following the 1911 revolution. In it Dane also reiterated the argument from his historical memoranda of 1895 that the opium problem in China was not created by the British trade and the ‘fact that Indian opium does not appear to have found its way into these provinces at any time, except possibly in small quantities for the personal use of the importers.’ He argued that, despite this and the breaking of the terms of the agreement by provincial authorities in China, ‘the campaign was conducted on the whole with great goodwill on the part of both Governments.’ The reason for Dane’s refusal to attend Shanghai is not clear – perhaps he was sensitive to the criticism he received in Parliament, including from John Ellis, Morley’s Private Secretary, for his role in the supposed ‘whitewash’ of the RCO 1893-1895.⁶⁶ The substitute nominee was also well qualified if less sullied by past involvement in the opium question, as the GOI explained to Morley:

Mr Brunyate, who has been associated with our Finance Department for a number of years, has been acting Secretary to our Government since April 1908, at first in the Military Finance Branch, and afterwards as Financial Secretary; and one of the consideration which weighed with us in selecting his name for Your Lordship’s approval was the advisability of India being represented on the Commission by an officer both of high standing and with a general knowledge of our policy as a whole. We would suggest that in the formal communications through which Mr Brunyate will be introduced to the Commission, his designation as Acting Secretary to the Government of India should be duly quoted.⁶⁷

Brunyate’s financial experience attested to the continuing revenue importance of opium. However, the IO and metropolitan anti-opiumists were concerned that the British delegation should not only represent the opium interests of India or for that matter the FO or British Crown Colonies in Asia. The anti-opiumist Liberal MP Theodore Taylor again raised the issue of the Commission in the Commons in late June 1908. He asked whether ‘the Governments of the United States and of China have already appointed their representatives...and what steps His Majesty’s Government have taken, or are going to take, to be represented upon that Commission.’ Grey though unable to provide the House with details of the procedure, date and place of the Commission reassured those concerned that ‘His Majesty’s Government will, however, certainly send representatives to the

⁶⁵ BLPES Pamphlet Collection CHAT F9/16 Sir R. M. Dane, *Opium in China and India* (no date)

⁶⁶ IOL L/E/7/564 Note T. W. Holderness to Sir A. Godley, dated India office 25 July 1909 and Julia C Straus, ‘Dane, Sir Richard Morris (1854-1940)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2012

⁶⁷ IOL P/8224 Government of India to Secretary of State for India, dated Simla, October 1908

Commission and do all in their power to further its objects.’⁶⁸ Taylor also wrote to Grey at the FO in September 1908, and his letter is worth quoting at length for it reveals the work of anti-opium networks within Westminster and Whitehall as the Commission approached.

Thanks for your letter. I have written Mr Hedley to call in London at the Foreign Office or House of Commons after October 12th and write you beforehand.

In any case I was about to write to you once more re the Shanghai Opium etc., Commission. The Board of representatives of the five or six Anti-Opium Societies are getting very anxious as to the appointment of the British Commissioners and have made several communication to me lately or rather leading members of that Board have done so as well as the Board. They are pleased to express their entire confidence not only in Lord Morley and yourself but also in me as their appointed Parliamentary Representative, that no step will be left untaken to secure efficient representation of what is now the British national official view at the Conference. But they feel that so much depends upon the personnel of our representatives that they would like their views as to persons to be fully before you before it is too late.

I am therefore authorised to say that not only would Sir W[illia]m Collins, MP be to them a satisfactory appointment but that they would be specially [sic] gratified if the Right Honourable John Ellis, MP could be induced to go as one of our representatives to Shanghai. And I am also commissioned to say that Professor Caldecott of King’ College London would be specially acceptable to English Churchmen and if your delegates, thought fit to entertain his name, very powerful English episcopal [sic] backing could at once be found for his name. He has taken deep interests in the Opium question for many years and is chairman of the Church Anti-Opium Committee,

Nothing but my conviction of the extreme urgency of the question would have induced me thus further to trespass upon your time and attention. This Commission’s labours and conclusion will one hopes, determine a beneficent world policy of the future.

P.S. Of other MPs, Alan Baker and Laidlaw are both likely.⁶⁹

The anti-opium network in press, Church, academia and parliament stretched their influence into Whitehall. Grey agreed to this request for a non-official Delegate but preferred that Morley should make the specific choice of individual. The IO therefore was given two delegates to send to

⁶⁸ HC Debate 23 June 1908, Volume 190, Column 1512

⁶⁹ IOL L/E/7/564 Letter from Theodore C. Taylor to Sir Edward Grey, dated Sunny Bank, Batley, Yorkshire, 16 September 1908

Shanghai; one to represent the interests of the GOI and another, albeit unofficial, to represent the anti-opium societies at home.⁷⁰ Morley wrote to Minto 18 September 1908:

I have agreed with Grey that I may name two men for the Commission; and I think of adding S. W. Collins [sic], M.P., a medico; a prudent and experienced man on our side of the H[ouse] of C[ommons]; a persona grata to the Anti-Opium people (who are universally strong all over the country); but not at all a fanatic.⁷¹

As it turned out, the final choice for a non-official representative was not to be William Collins; his turn at such an international meeting on drug regulation came at the Hague Opium Conferences 1911-1914. The final choice was Robert Laidlaw MP (East Renfrewshire) the last substitute name on the postscript to Taylor's letter to Grey. The anti-opiumists had managed to secure some representation in the British delegation to the SOC.

Robert Laidlaw was chairman of Whiteaway, Laidlaw & Co Ltd, the 'Selfridges' of India (with branches also Kuala Lumpur, Singapore and even Shanghai, selling goods to Europeans and wealthy locals) and proprietor of the Duncan Durian Rubber Estate in the Federated Malay States.⁷² Laidlaw was a devout Methodist who led a strict Temperance lifestyle.⁷³ Looking through Laidlaw's contribution to the House of Commons debates his religious social reformism is evident in numerous questions on government policy, often calling for stricter regulation of various vices including gambling and markets for liquor and opium in areas of British colonial administration, especially in those parts of the world where he travelled extensively managing his businesses including India.⁷⁴ Whilst Collins was not considered fanatical, Laidlaw's activities within and outside Westminster were those of a dyed-in-the-wool anti-opiumist. Dr Wu Lien-The (1879-1960), medical doctor, social reformer and founder of the Anti-Opium Association in Penang, recalled in his memoirs that Laidlaw and Theodore Taylor had visited Malaya with Joseph G.

⁷⁰ IOL/L/E/7/564 Letter F. A. Campbell to Under Secretary of state India office, dated Foreign Office, 25 September 1908; Letter F. A. Campbell to Under Secretary of State India office, dated foreign Office, 13 October 1908.

⁷¹ IOL Morley Papers Mss Eur D573/3, f272 Private letter (handwritten copy) Morley to Minto, dated India Office, London, 18 September 1908

⁷² See Dr J. Francis, 'Sir Robert Laidlaw' on the Chislehurst Society website found at http://www.chislehurst-society.org.uk/Pages/About/People/Laidlaw_Robert.html and see Hansard, House of Commons Debates, various between 1906-1915 and 'LAIDLAW, Sir Robert', *Who Was Who*, A&C Black, an imprint of Bloomsbury Publishing plc, 1920-2008; online edn, Oxford University Press, Dec 2007 (<http://www.ukwhoswho.com/view/article/oupww/whowaswho/U187929>)

⁷³ Personal communication to the author from Joanna Friel, Local Studies Member of the Executive Committee of the Chislehurst Society

⁷⁴ See Dr J. Francis, 'Sir Robert Laidlaw' on the Chislehurst Society website found at http://www.chislehurst-society.org.uk/Pages/About/People/Laidlaw_Robert.html and see Hansard, House of Commons Debates, various between 1906-1915 and 'LAIDLAW, Sir Robert', *Who Was Who*, A&C Black, an imprint of Bloomsbury Publishing plc, 1920-2008; online edn, Oxford University Press, Dec 2007 (<http://www.ukwhoswho.com/view/article/oupww/whowaswho/U187929>)

Alexander, leading British anti-opiumist of the time. The group investigated and spoke publicly about the so-called opium plague. Wu Lien-Teh had himself come to London to join anti-opiumist lobbying in Westminster in Spring 1907 where he met Grey and Herbert Samuel (1870-1963), the Under-Secretary of Home Affairs, who both expressed their sympathy on the opium question and promised to help tackle the opium evil.⁷⁵ In the months preceding the Commission Laidlaw visited India despite the fact that Morley had rejected of his request to undertake an official visit.⁷⁶ Laidlaw visited Calcutta in January 1908, moving onto Madras and Bombay.⁷⁷ At a special meeting of the Calcutta Temperance Federation, on 6 January he ‘spoke of his interest in Temperance work in Calcutta’, and told his audience that ‘he had followed the doings of the Federation very closely’ and ‘was very pleased to meet the members of the Council.’ Laidlaw expressed his faith in ‘the work that they were doing in collecting information and criticising the Excise Administration was appreciated by the Government.’ He predicted that if they continued to press for reforms of a practical character these would certainly be granted in time. He also asked a number of questions as to the increase in the consumption of liquor amongst the labouring classes, and promised to continue to assist the Temperance party at home.’⁷⁸

Laidlaw’s appointment not only demonstrates the British desire to please anti-opiumists at home, it also reinforces the impression that the GOI influence was not as paramount as previous historians have suggested. If GOI influence had been supreme, it is unlikely that they would have countenanced the nomination of such a vocal critic of their excise policy as Laidlaw to be a British Delegate to an international commission that might impact on their domestic policy regarding opium and perhaps indirectly other intoxicants. Finally, it should also be borne in mind that the leadership of the delegation fell upon Sir Cecil Clementi Smith (1840-1916), the representative of Eastern Crown Colonies and the Colonial Office not a British Indian nominee.⁷⁹ This points to the importance of the opium interests of other British territories in Asia at the Commission which after all was initiated to investigate the habit and traffic in opium in the Far East not South Asia. Morley had ensured a limited role for the GPI in shaping British opium policy and diplomacy whilst his anti-opium allies, not content with getting their own representative on the British delegation, continued their efforts to pre-empt the proceedings of the Commission.

Instructions to the British Delegates

⁷⁵ Wu Lien-Teh, *Plague Fighter: The autobiography of a modern Chinese physician* (Cambridge: W. Heffer & Sons Ltd., 1959), pp. 239, 245-246, 480-481.

⁷⁶ HC Debate, 29 July 1907, Volume 179, Column 444

⁷⁷ *Abkari: The Quarterly Organ of the Anglo-Indian Temperance Association, January 1908* (Clapham: London), p. 4

⁷⁸ *Abkari: The Quarterly Organ of the Anglo-Indian Temperance Association, April 1908* (Clapham: London) p. 42

⁷⁹ IOL L/E/7/564 Letter F. J. S. Hopwood to Sir C. Clementi Smith, dated Downing street, 4 December 1908

The anti-opium lobby was anxious to influence the stance to be taken by British delegates on the opium question at the forthcoming SOC. In early December 1908, Henry Watt, another Liberal MP (Glasgow College), asked Grey ‘whether the British representatives to the Opium Conference in Shanghai are already in possession of strong view on the subjects to be discussed, and have committed themselves to these views in public; and if so, will he say what useful purpose can be served by a Conference in the East if there is no member open to conversion.’ Grey replied: ‘I am not aware how far any of the British representatives have expressed themselves publicly on the subjects to be discussed at the Opium Conference; but as British delegates they will be guided at the Conference by the instructions which they will receive from His Majesty’s Government, due regard being had to the state of facts brought as a whole before the Conference.’⁸⁰ The anti-opiumists in parliament were pressurizing the British government to change its opium policy towards a more rapid cessation of the India-China trade at the Commission by criticizing them for intransigence before it had even convened.

US officials also continued to try to influence and pre-empt British preparations for the Commission as part of their attempt to expand its agenda to include the reform of domestic systems of opium regulation in the attending countries. In early November 1908, two months before the already delayed commission, the American Ambassador to Britain, Whitelaw Reid, wrote to Grey at the FO amending the US terms of reference. The amendment was the additional fourth term, as already mentioned, stipulating that delegations should be in a position:

(4) to be able to inform the whole Commission when it assembles regarding regulations and restrictions in force at present in their country, and to formulate and discuss proposals for amending such regulations in points in which they may be found, in the course of the joint investigation, to affect the production, commerce, use, and disadvantages of opium in the Far East.⁸¹

The IO and FO were at first unsure of the significance of the additional fourth clause of the US terms of reference for the Commission:

I have discussed the American note with the Foreign office & it is thought desirable that the precise effect of this amendment on the original draft instructions ought to be ascertained. It is not clear whether the new clause is meant to take the place of clause 3 above, & if so whether clauses 1 and 2 should not be regarded as cancelled also.⁸²

⁸⁰ HC Debate, 3 December 1908, Volume 197, Column 1669

⁸¹ IOL P/8224 Whitelaw Reid, United States Ambassador to the Court of St. James to the Secretary of State for Foreign Affairs, dated 8 November 1908

⁸² IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India Office, 13 November 1908

After some deliberation the IO asked the FO to tell US officials that the amended instructions rendered clause (3) a dead-letter. This third item in the terms of reference requested that each delegation be ready to work together at the Commission to put forward concrete proposals that their Governments might enforce 'for the gradual suppression of opium cultivation, traffic and use within their Eastern possession' in order to assist China in her opium suppression campaign.⁸³ On receiving the American response to the FO suggestion that the additional term made the third redundant, Holderness wrote a minute which revealed IO thinking on the matter:

The American Gov[ernmen]t does not accept the view put forward by this office that the three heads of reference originally proposed by that Gov[ernmen]t should be held to be now superseded by the later added cause wh[ich] in effect directs the delegates to ascertain the facts before they make proposals for amending the opium regulations in force in the several countries. The American Gov[ernmen]t in its instruction to its own Commissioners has retained all four clauses. The first two affect proceedings anterior to the meeting of the Commission, and are therefore only operative as regards the Commissioners of the American Gov[ernmen]t. The third & the fourth, in the view of this office, overlap each other, and are not altogether consistent.⁸⁴

It is perhaps easy to understand British confusion on the additional clause. The third and fourth terms both asked delegations to be ready with concrete proposals to offer the Commission. The third clause in asking delegations to be ready to assist China in her suppression campaign through 'for the gradual suppression of opium cultivation, traffic and use within their Eastern possession' suggested amendments to domestic system of opium regulation following proposal accepted by the Commission as a whole. The fourth clause asked much the same but asked delegations to first report on their domestic systems of opium regulation. It was also much more ambiguous in the reasons for regulatory reform, it was not to suppress but 'to affect the production, commerce, use, and disadvantages of opium in the Far East.' Nevertheless, Holderness remained calm about the British Indian prospects at the Commission. After all, he noted 'The British delegates will be bound by the instructions wh[ich] His M[ajesty]'s Gov[ernment]t may give them, and not by the American instructions.'⁸⁵ He recommended concurrence with the FO instructions even though they gave "the fullest latitude both as regards procedure & scope of investigation," because, he wrote:

⁸³ IOL P/8224 Sir A. Godley, Under Secretary of State for India to the Under Secretary of State for Foreign Affairs, dated 18 November 1908; Sir Edward Grey, Secretary of State for Foreign Affairs to Whitelaw Reid, the United States Ambassador to the Court of St James, dated 18 November 1908; The American Embassy, London to Sir Edward Grey, Secretary of State for Foreign Affairs, dated 21 November 1908

⁸⁴ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India office, 2 December 1908

⁸⁵ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India office, 2 December 1908

As far as I can judge, the instructions seem sufficient & suitable. They will be made public, and they will apply to Mr Laidlaw as well as to the official British delegates. They can scarcely be attacked as hostile to reform, while they indicate not obscurely that India has already gone a long way in helping China, and that investigation with facts should precede the commendation.

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Holderness was confident in the British position and even that the anti-opium representative Laidlaw would be bound by the government's instructions to its representatives at the Commission. The GOI on the other hand, perhaps driven by the repeated attempts of the US to change the terms of reference and continued enthusiasm at the IO and FO for the Commission, felt it necessary to emphasize more strongly their fiscal and political opium interests in reductions in Bengal and Malwa, exacerbated at the time by speculation following the rise in opium prices in Shanghai.⁸⁷ On receiving the US proposal of 8 November 1908 Minto, sent a telegram to Morley, which stated that the GOI were happy to provide the requested information on domestic policy to the Commission. But he also outlined two areas on the question of opium which the GOI wanted excluded from discussions.

We are not aware of your views regarding terms of reference to the Commission. But although we are prepared to place, through Mr Brunyate, at the Commission's disposal all information in our power, we urge strongly that in the best interests of India two questions should be kept outside scope of enquiry, namely:- *1st*.-Issue and consumption of opium in India, and *2nd*.-Arrangements for gradual and provisional restrictions of our trade with China.

The minds of the Sikhs and other important classes who habitually consume opium in moderation and without detriment would be disturbed by the former. The latter would add to the difficulties of the financial and political situation which is already extremely delicate and which affects Native States as well as ourselves. We trust therefore that terms of reference may be so drawn that it will be possible that recommendation on above points may be excluded.⁸⁸

The GOI wanted to protect the managed cessation of the India-China opium trade and its domestic opium policy. Anti-opiumists continued to exert some pressure in parliament. Theodore Taylor again asked Grey for the terms of reference for the Commission in December 1908 Grey answered Taylor by stating the original American terms of reference with the new additional fourth term.⁸⁹ However, Grey was also careful to make clear that these terms of reference would not supersede

⁸⁶ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India office, 2 December 1908

⁸⁷ IOL P/8224 Telegram from the Viceroy to the Secretary of State for India, dated 1 December 1908

⁸⁸ IOL P/8224 Telegram from the Viceroy to the Secretary of State for India, dated 1 December 1908

⁸⁹ HC Debate 15 December 1908, Volume 198, Column 1544/1574

British instructions to her delegates, telling the House of Commons that: ‘The British delegates are being furnished with instructions on similar lines, but it is not known how far this basis has been accepted by the other participating Governments for the guidance of their delegates.’⁹⁰ Grey was, however, careful not to criticize the American terms of reference publicly. British opium policy and diplomacy moved carefully, conscious that it was under the watchful eye of the anti-opiumists.

The final FO instructions embodied much of what we have seen already about the British aim of protecting the opium agreement with China and British Indian domestic opium policy. The instructions also show that the British did not take issue with the American amendment to the instructions publicly:

The terms of reference to the Commission which have been suggested by the Government of the United States, while indicating that the principal object of the inquiry is how to assist the Chinese Government in carrying out their declared policy, give to the Commission the fullest latitude, both as regards procedure and scope of investigation and recommendation. It is not the desire of His Majesty’s Government to place any limitation on your discretion in this respect.⁹¹

British instructions even outlined the later and broader American aim ‘that it was desired to come to a decision as to whether the consequences of the opium trade and habit were not such that civilized Powers should do what they could to put a stop to them.’ But the instructions were more defensive regarding the opium agreements. They pointed out that the British had accepted the invitation on the condition that the enquiry was ‘extended to the production of opium in China as well as to the import of foreign opium’ and even stated, as Morley had earlier been unwilling to do, that ‘As far as Great Britain and China are concerned, the measures decided upon by them and already in operation have anticipated the proposals contemplated in No. 1 and No. 2.’ Firstly ‘To devise means to limit the use of opium in the possessions of that country’, and secondly, ‘To ascertain the best means of suppressing the opium traffic, if such now exists, among their nationals in the Far East.’⁹² The instructions reminded British representatives that the Anglo-Chinese opium agreement involved a great sacrifice to India:

⁹⁰ HC Debate 15 December 1908, Volume 198, Column 1544/1574

⁹¹ No. 1 Sir Edward Grey to the British Delegates to the International Opium Commission at Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909), p. 3

⁹² No. 1 Sir Edward Grey to the British Delegates to the International Opium Commission at Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909), 8pp.

These measures will involve a considerable loss of revenue to the British Government in India and to native states in India where the poppy is cultivated, and they will also affect the means of livelihood of a considerable body of cultivators and traders.⁹³

The British delegates were reminded that the Chinese authorities had their own responsibilities to fulfil as part of the opium agreement (the terms of which were spelled out to the delegates) and that ‘the aim and object of His Majesty’s Government is to help the Chinese Government not merely to get rid of the import but also of the production and consumption of opium in China itself.’⁹⁴ The instructions stressed that the British wished to express their support and sympathy for and belief in the sincerity of China’s opium suppression campaign much as they had during the negotiations for the Anglo-Chinese opium agreement (1907). Crucially, the delegates were informed that the British Government was ‘assured that the Chinese Government on their part are greatly impressed by the helpful attitude which has been adopted in the matter by His Majesty’s Government.’⁹⁵ Finally, the delegates were reminded that though the ‘manner of the investigation’ would be decided at the Commission, ‘the terms of the invitation make it clear that any conclusions which the commissioners may reach can only be ad referendum, and that each country must decide for itself whether they are applicable to its own possessions and nationals.’⁹⁶ As such, the instructions to British delegates at the SOC followed the British objectives and strategies in opium policy and diplomacy as established by the Anglo-Chinese opium agreement: to assist China in her opium suppression campaign through the gradual cessation of the trade and, without questioning her sincerity, ensure that China kept her side of the agreement in suppressing production and consumption in China lest the Indian sacrifice be in vain. The British instructions betrayed an unsurprising confidence that the Chinese were satisfied with the opium agreement which was after all had been signed just two years earlier. The only difference between the British instructions for their delegation to the SOC and the British stance in the opium agreement in China

⁹³ No. 1 Sir Edward Grey to the British Delegates to the International Opium Commission at Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909), pp. 2-3

⁹⁴ No. 1 Sir Edward Grey to the British Delegates to the International Opium Commission at Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909), pp. 2-3

⁹⁵ No. 1 Sir Edward Grey to the British Delegates to the International Opium Commission at Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909), p. 3

⁹⁶ Underlined in original text. No. 1 Sir Edward Grey to the British Delegates to the International Opium Commission at Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909), p. 3

was an additional concern to defend the domestic systems of opium regulation in British territories, one brought about by the late US changes to the terms of reference for the Commission.

The British Indian administration did little to alter instructions to His Majesty's Delegates for the opium commission. The only alterations were the replacement of the phrase "the Indian Government" with that of "the British Government in India" and the omission of the phrase "Government of India".⁹⁷ However, the GOI had, as we have seen, already asked that its domestic system of opium regulation and the opium agreement be excluded from discussions. It now also tried to secure for Brunyate a degree of freedom of action at the Commission:

We anticipate that Your Lordship will not wish that the Indian representative on the Commission should be bound by specific instruction from yourself or from our [or your] Government, especially as the matters to be dealt with by the Commission have not, so far as we are yet aware, been expressly defined in any formal terms of reference.⁹⁸

Unsurprisingly, the IO did not grant the GOI request that their representative Brunyate have freedom of action at the Commission. The IO also made clear that it was unwilling to narrow the scope of debate at the Commission and was much more optimistic than the GOI about the prospect of the Commission discussing the 'issue and consumption of opium in India' and the 'arrangements for gradual and provisional restrictions of our trade in China.' As Holderness noted having received the GOI request:

The instructions have already been given to the Delegate and a copy will reach India by 2nd or 3rd January.

Even if they have not been settled, it w[oul]d not be possible to exclude the two topics mentioned in the telegram from discussion. Although the enquiry is mainly with the object of assisting China, it has been recognised that the order of reference must be wide and indefinite to satisfy the American Gov[ernmen]t and the societies wh[ich] are keenly interested in the Conference.

As regards the first question the Commission will no doubt examine the practice of different countries, and the Indian excise regulations will with others come probably under review. But the British delegates should be able to satisfy the Commission that these regulations are suitable and carefully adapted to local requirements.

As regards the second question, one may hope that the Chinese Gov[ernmen]t will

⁹⁷IOL P/8224 Sir A. Godley, Under Secretary of State for India to Under Secretary of State for Foreign Affairs, dated 11th December 1908

⁹⁸ IOL P/8224 Government of India to Secretary of State for India, dated Simla, October 1908

express itself satisfied with the ten years' term. It might be well to ascertain diplomatically that this will be its attitude.'⁹⁹

Holderness did, however, suggest that both Clementi Smith and Sir Alexander Hosie (1853-1925) 'the two official delegates', should see the GOI's telegram and so be made aware of its concerns.¹⁰⁰ Hosie, a lifelong friend of John Jordan was acting commercial attaché at Peking, Consul-General at Tientsin and had himself arranged the proceedings of the Anglo-Chinese opium agreement.¹⁰¹ Morley agreed with Holderness' overall assessment that it would be neither possible nor necessary to exclude discussions of domestic regulations at the Commission. The IO wrote to the FO:

... even if the instructions had not been already settled and given to the British delegates, it would not in Lord Morley's opinion be possible to direct the delegates to refuse to discuss in the Commission the two topics mentioned by the government of India. If they are raised, they will have to be discussed; and Lord Morley is not without hope that the consequences will not be as serious as the government of India apprehends.¹⁰²

Moreover, the IO told the FO that discussion of India's internal opium arrangements would 'have no bearing on the question of opium traffic in the Far East, and they were confident that they would not be 'called upon to pronounce upon their sufficiency.' He confidently predicted that: 'The British delegates will be able to show that the Indian regulations are the result of much thought and care, and it may be remarked that in their application to Burma they were favourably commented upon by the American Commissioner, who in 1905 investigated for the government of the United States the opium question in the Far East.'¹⁰³ The Philippines Opium Commission (1905) report had indeed praised British policy in Burma, stating that, in their view: 'An earnest and persistent effort has been made by the government of Burmah to protect the natives of the country against the opium habit.'¹⁰⁴ The IO and FO, despite GOI anxieties, did not expect trouble for the Anglo-Chinese opium agreement and the internal system of opium regulations in their

⁹⁹ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and statistics Department, India Office, December/January 1908-1909

¹⁰⁰ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and statistics Department, India Office, December/January 1908-1909

¹⁰¹ W. E. Soothill, 'Hosie, Sir Alexander (1853-1925),' rev. K. D. Reynolds, *Oxford Dictionary of National Biography*, Oxford University Press, 2004

¹⁰² IOL L/E/7/564 Letter Colin G. Campbell to Under Secretary of State for Foreign Affairs, dated India Office 2 January 1909

¹⁰³ IOL P/8224 Colin G. Campbell, Assistant Under Secretary of State for India to Under Secretary of State for Foreign Affairs, dated 2 January 1909

¹⁰⁴ *Report of the Philippines Opium Commission* (Bureau of Insular Affairs, War Department 1905) p. 30

Asian colonies at the Commission and so did little in the build-up to the SOC to exclude their discussion.

Chinese and US assurances to the British about the Commission

The IO and British representatives had reason to head into the SOC with some confidence. Pre-commission diplomatic engagements with the United States and Chinese representatives led the IO to believe that both were satisfied with the Anglo-Chinese opium agreements. However, early on in preparations for the Commission the IO was not surprised to hear of Chinese reluctance to agree to the Commission.¹⁰⁵ G. E. Morrison *The Times* China correspondent, who was otherwise sympathetic towards Chinese reform efforts including its nascent opium suppression campaign, wrote to his editor Valentine Chirol in July 1907:

I telegraphed you about Rockhill's proposals to the Wai-Wu-Pu re Opium Commission on the 21. The Chinese are really making themselves too ridiculous for words, casting about everywhere for advice, endeavouring to discover some motive menacing their sovereignty underlying the request of the United States Government that they should participate in the enquiry. In other words they are wondering what they have done to cause them to be treated on an equality with the great powers!¹⁰⁶

Morrison even told the same story of Chinese reluctance towards the opium commission publicly, writing in *The Times* the previous week:

In view of the anti-opium decrees issued by China and of her avowed determination to suppress the use of opium and to extinguish the growth of the poppy, the United States Government confidently expected that China would assent with alacrity. China, however seems to see in the communication some hidden meaning menacing her sovereign rights, and has not yet replied.¹⁰⁷

Meanwhile, the Chinese had done little diplomatically to convince the British of their enthusiasm for the US proposed international opium commission. The FO informed the IO:

¹⁰⁵ IOL L/E/7/564 T. W. Holderness note, Revenue and Statistics Department, India Office, 16 July 1907

¹⁰⁶ G. E. Morrison to V. Chirol, dated Peking 2 July 1907 in Lo Hui-Min (ed) *The Correspondence of G E Morrison, Volume 1, 1895-1912* (Cambridge, Cambridge University Press 1976) p. 421

¹⁰⁷ 'China and the Opium Trade (From Our Correspondent) Peking, June 23' in *The Times*, 29 June 1909, p. 7

The reply of the Chinese Government is to the effect that China is not yet aware of the methods to be followed in making this investigation, and has therefore no definite proposition which she can consider and to which she has to reply.¹⁰⁸

Though aware of Chinese hesitancy towards the opium commission, the British maintained their supportive attitude towards the US proposal for the Commission. Grey, with Morley's concurrence, decided to authorise Jordan to assist his American counterpart in Peking in trying 'to elicit a more satisfactory reply from the Chinese Government as to their adhesion to the principle of an international enquiry.'¹⁰⁹The Chinese did accept. Moreover, in the desire to protect their domestic sovereignty vis-à-vis internal opium regulation from outside interference at the Commission, the British and Chinese soon found themselves on common ground, as Holderness noted:

China has accepted on the condition that the inquiry into the production of opium shall, as regards production in China, be carried out by a Chinese Commissioner – the same principle will of course apply in the case of India.¹¹⁰

As late as the eve of the Commission the Chinese attitudes towards the Commission, though not the sincerity of the central Government towards the opium agreement and opium suppression, were still open to doubt. This was in spite of some evident popular enthusiasm for and some success in the Chinese opium suppression campaign up to that point. Morrison wrote in *The Times* on 25 January 1909:

The delegates to the International Opium Commission are assembling, but the present uncertainty of China's attitude and the absence of any definition of the standing and scope of the Commission render a forecast of the results a matter of considerable difficulty. Distrustful, at first, of the motives of the American Government, whose responsibility in initiating the conference appeared scarcely justified by the American interests at stake, China is now realizing that the Commission will afford her an opportunity of showing that she intends to grapple with the stupendous task which recent Imperial edicts have announced.

There is unquestionable evidence from Consular, Customs, and missionary sources that the production and consumption of the drug throughout the country are diminishing; in some provinces in consequence of official pressure, in other as the result of the energy of local associations. There may be thus seen, for once at least, Imperial decrees producing

¹⁰⁸ IOL P/8224 Louis Mallett, Under Secretary of State for Foreign Affairs to the Under Secretary of State, India Office, dated 15 July 1907

¹⁰⁹ IOL P/8224 W. Langley, Under Secretary of State for Foreign Affairs to the Under Secretary of State, India Office, dated 24 July 1907

¹¹⁰ IOL L/E/7/564 T. W. Holderness note, Revenue and Statistics Department, India Office, 12 November 1907

concrete results. At the same time, the habits of many officials in high positions who are confirmed opium-smokers and the reckless encouragement of the use of so-called anti-opium medicines afford the usual spectacle of unorganized China at cross purposes with herself.¹¹¹

Doubts about the attitude of the Chinese government to the forthcoming opium commission echoed inconsistencies in the opium suppression campaign in China. The British government also received word from their Minister in Peking of a lack of Chinese enthusiasm. Jordan wrote to Grey at the FO in early June 1907 about the nominations for the Chinese delegation.

My American Colleague is quite satisfied with this selection of Chinese representatives, though, by some observers, the absence of any official of high standing from these lists is taken to indicate that the Chinese Government does not attach sufficient importance to the Commission.¹¹²

News of increasing threats from within China towards the terms of the opium agreement, and so the orderly reduction in Indian opium industry and exports also failed to reduce IO support for the Commission. Tensions between the Chinese Central and Provincial Government at first manifested themselves in a slow start to the suppression campaign. Soon, however, some provinces, either zealous to suppress opium or hoping to maximize their own profits, pushed eradication beyond the timetable of the opium agreement and excluded Indian opium by various means in contravention of other commercial treaties and agreements.¹¹³ For example, at the start of December 1908, the IO received an extract of an interview with Tong Tanjen, former Governor of Mukden. In it Tong expressed his optimism about the opium suppression campaign. His only misgiving was that the Indian government might not be able to keep up with the Chinese efforts. He claimed that ‘the lower province of Manchuria he had practically stopped the growth of the poppy’ and confidently predicted that in the upper province of Hei Lung Chiang it would be stopped within the year. The Governors of Yunnan and Kueichow had also asked permission to complete eradication within two years. Tong recalled how he had suggested a three-year timetable of suppression for the opium agreement with Britain but he had been overruled and a ten year timetable agreed instead. The interviewer suggested that Britain, not China, had forced the pace and cited increases in cultivation in Honan reported by a foreign observer, which contradicted the Throne’s special commendation of the Governor for his suppression efforts. Tong acknowledge that there were exceptions to the overall picture of success but argued that the opium eradication campaign was generally successful and backed by widespread public support. He left his interviewer and any readers with little doubt

¹¹¹ ‘The Opium Traffic: Problems for the International Commission (From Our Correspondent) Shanghai, 18 Jan.’, *The Times*, 25 January 1909, p. 7

¹¹² IOL P/8224 Sir J. N. Jordan, His Britannic Majesty’s Minister at Peking to Sir Edward Grey, Bart, M, Secretary of State for Foreign Affairs, dated Peking, 5 June 1908

¹¹³ Newman, 1989, pp. 540-543

as to his attitude towards the Anglo-Chinese agreement, asking: ‘But was Indian opium to continue to enter these districts for a period of seven or eight years after the native drug had disappeared?’¹¹⁴

Pressure in China for an accelerated end of the India-China trade was coterminous with pressure put by anti-opium pressure on the British government in London. *The Times* reported that the domestic anti-opium movement in Britain was not satisfied by the House of Commons resolution of May 1906 and the Anglo-Chinese opium agreement. The British anti-opium movement pressed for a shorter timetable than that in the Anglo-Chinese opium agreement for the end of Indian opium exports to China. *The Times* quoted a letter written for the Representative Board of British Anti-Opium Societies wrote to the Foreign Ministries of the various participating powers at the upcoming commission.

“Those who, in the United Kingdom, have long combated the opium traffic, whilst they recognize the great measure of progress effected by the Indian Government in undertaking to bring to an end the export of opium to China within ten years, provided the Chinese product is reduced *pari passu*, are by no means satisfied with this measure... We hope that the Governments which participate in the International Commission at Shanghai will not hesitate to take the necessary steps to put an end, as quickly as possible, to the production and sale of opium, except for strictly medicinal purposes... Western civilization cannot but sympathize profoundly with China in her supreme effort to free herself from this enervating and demoralizing scourge. The European nations having colonies or protectorates in the east cannot evade the duty of keeping pace with China. We trust that they will not content themselves with this, but regard themselves as bound in honour to set the example of speedy and effective prohibition.”¹¹⁵

The anti-opium societies were clearly trying to pressure the British government to end the India-China opium trade before the ten years already agreed with the Chinese government. *The Times* also published a letter addressed to ‘The Christian Ministers of the Country’, which was signed by various Christian leaders from across the spectrum including those from the Anglican, Methodist, Baptist, Scottish Presbyterian and Quaker denominations. The address appealed for special public and private prayers on the Sunday 31 January in light of the fact that:

We have at last reached the crisis in this long controversy. It is all-important that the full strength of this country should be put forth in terminating a traffic which the House of Commons has unanimously pronounced to be “morally indefensible,” which is discreditable

¹¹⁴ IOL L/E/7/564 Enclosed extract attached to minute by T. W. Holderness, Revenue and statistics department, India Office, 1 December 1908

¹¹⁵ ‘The International Opium Commission’, *The Times* (London, England), Saturday, 2 January 1909, p. 15

to the Christian reputation of this country, and imperils those relations with the Chinese Empire upon which the prospects of civilization in the Far East so largely depend. In this case, as in all others, the Christian course is marked out as the path of wisdom and far-sighted statesmanship.¹¹⁶

The need for the immediate end of the India-China opium trade was couched in terms of a crisis of civilization. The IO was clearly concerned that such anti-opium pressure heralded the prospect of calls at the Commission to review the opium agreement with China. Holderness wrote of the extract of the interview with Tong Tanjen:

This conversation is interesting as showing what may be proposed at the Commission. China may there say that she is prepared to terminate opium production completely within 3 years, if India will reduce export in a corresponding degree. The majority of the Com[missione]rs may support China and the Indian & English delegates may find it difficult to satisfy their colleagues that China is undertaking more than she can perform. A resolution may be passed respecting the restriction of the Indian export trade wh[ich], if accepted by the British Gov[ernment], would weigh very heavily in India.’¹¹⁷

Holderness feared that pressure at an international commission to end the India-China opium trade would be difficult to resist. Morley was also concerned at the prospect that the issue of foreshortening the timetable for the cessation of Indian exports to China set out in the Anglo-Chinese opium agreement. He noted: ‘This may raise some awkward incidents. We sh[oul]d warn FO when the time comes.’¹¹⁸ It is not clear whether the IO did inform the FO of this potential threat to the ten year timetable of the opium agreement but it is unlikely given the publicised nature of Chinese and anti-opium calls for a more rapid end to the India-China trade that officials in the FO, including Grey with his anti-opium contacts, were unaware.

Despite anti-opium pressure at home and abroad these suspicions and the US changes to the scope of the Commission to include internal opium regulations, British officials were still unwilling to oppose the Commission. After the British had agreed to its delay until 1 February 1909, the CO, dissatisfied with the behaviour of the United States Government, pushed for a further delay, as Holderness wrote in the IO notes at the beginning of December 1908:

I gathered from Sir [Charles] P[restwood] Lucas [(1853-1931) head of the Dominion’s Department at the Colonial office] that the Colonial Office do not like the Conference, thinking

¹¹⁶ ‘The Opium Commission’, *The Times*, (London, England), Thursday, 28 January 1909, p. 6

¹¹⁷ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and statistics department, India Office, 1 December 1908

¹¹⁸ IOL L/E/7/564 Minute by J. Morley, Revenue and statistics department, India Office, 4 December 1908

the American Gov[ernmen]t has behaved badly in nominating such poor representatives; and w[oul]d like to see the thing shelved. But a postponement for another month or so would not mend matters.¹¹⁹

The FO also rejected the CO proposal to delay the Commission. They informed the IO that Grey was ‘disposed to deprecate this suggestion, in view of the assurances given in Parliament that the work of the Commission should be facilitated’, and with Morley’s agreement the American Ambassador was informed that the British accepted the new start date of 1 February 1909.¹²⁰

IO officials also learned that potential moves at the Commission for the shortening of the time period for the Anglo-Chinese agreement were supported by anti-opiumist movement in its pressure on the participating powers. Holderness wrote in the IO minutes 2 January 1909

The Anti-Opium Society, in its circular letter to the Powers wh[ich] are taking part in the Commission reviews the steps that have been taken in different countries to restrict or suppress the opium habit, and in para[graph]s 18 & 19 asks the Gov[ernmen]ts taking part in the Commission “to take the necessary steps to put an end, as quickly as possible, to the production & sale of opium, except for strictly medical purposes.” The Society is not satisfied with the arrangement between India & China, and wants India to withdraw from the trade in a much shorter time than 10 years.¹²¹

The GOI cognisant of the increasing threats from Chinese officials and anti-opiumists to the timetable of the Anglo-Chinese opium agreement, to keep the 10 years arrangement outside the scope of the reference to the Commission, which was ‘under separate consideration by the S[ecretary] of S[tate].’¹²² Morley, despite the fact he and other British officials received warnings of attempts to expedite the cessation of the India-China opium trade, remained convinced that the Chinese were satisfied with the opium agreement, noting 2 January 1909 that:

‘The available evidence goes to show that the period that has been fixed by the Chinese Government itself, is none too long for the suppression of the opium habit and opium cultivation in China; and at the present early stage of the reform it wouldn’t be fair to India to ask it to revise in advance of the facts an agreement which already has entailed considerable sacrifices on the part of the public revenues, the native chiefs, and the peoples of India. If the

¹¹⁹ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India Office, 4 December 1908

¹²⁰ IOL L/E/7/564 Letter F. A. Campbell to Under Secretary of State India office, dated Foreign Office 1 December 1908

¹²¹ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India Office, 2 January 1909

¹²² IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India Office, 2 January 1909

agreement is to be revised, the proper stage for revisions would be two or three years hence, when the progress of reform in China could be more accurately determined than at present.’¹²³

Morley was committed to supporting the Chinese opium suppression campaign, and though unwilling to have the Anglo-Chinese agreement prematurely revised, did countenance the possibility of such a revision after a fair trial of its adequacy and so a possible future acceleration to the reduction of the India-China opium trade. Nevertheless, the IO decided to play it safe, recommending that: ‘It might be an advantage if the attitude of the Chinese Government towards this arrangement already made and the ten years period could be diplomatically ascertained before the meeting of the Commission.’¹²⁴The FO duly passed on these concerns to His Majesty’s Minister in Peking, Sir John Jordan.¹²⁵ At the same time the instructions were issued to the delegates. Despite outlining British opium interests, including those of the Indian administration, these instructions emphasised to the delegation that ‘His Majesty’s Government wish to give to the Commission the fullest latitude both as regards procedure of investigation and recommendation’ and instructed that ‘It is not the desire of His Majesty’s Government to place any limitation on your discretion in this respect.’¹²⁶

On receiving the FO telegram highlighting concerns about Chinese intentions to revise the opium agreement at the Commission, Jordan duly set about testing the diplomatic waters. He held a meeting with the Wai Wu Pu (Chinese Foreign Office) on 8 January at which he asked them whether they were satisfied with the current opium agreement and whether they were planning to raise the issue at the Commission meetings. Jordan, reporting back to the FO, wrote that: ‘The Ministers present Na and Liang, said they were quite satisfied with the arrangement which they had no wish to disturb. Their Commissioners would have no powers to raise such a question or to initiate proposals, the Commission, as they understood it, being one of investigation.’¹²⁷ However, we shall see shortly, this successful British search for Chinese assurances would alarm US officials. A note of the FO dated less than a week before the SOC opened shows that there were those in the FO who believed that the Anglo-Chinese opium agreement made the Commission anachronistic.

¹²³ IOL P/8224 Colin G. Campbell, Assistant Under Secretary of State for India to Under Secretary of State for Foreign Affairs, dated 2 January 1909

¹²⁴ IOL P/8224 Colin G. Campbell, Assistant Under Secretary of State for India to Under Secretary of State for Foreign Affairs, dated 2 January 1909

¹²⁵ TNA FO 228/2424 Despatch on the Opium Commission by Sir Edward Grey to H M Minister, Peking, dated 5 January 1909

¹²⁶ Sir Edward Grey to the British Delegated at the International Opium Commission, Shanghai, dated Foreign Office, December 21, 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His Majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His Majesty 1909),

¹²⁷ TNA FO 228/2424 Letter from J. N. Jordan to FO dated 8 January 1909

It is doubtful whether the US Govt. realised, when they proposed the Conference, that the question of the importation of foreign opium into China was already settled owing [to] the spontaneous reform of this country and India.¹²⁸

This note also demonstrates that there were some members of the FO who suspected that the American proposal for such an international opium commission was motivated by a desire to please a domestic audience rather than a genuine humanitarian impulse to assist China.

The US proposed the Conference, I am convinced, in order to satisfy their philanthropic and anti-opium societies who used to inveigh against this country on account of the alleged ruin of China through the importation of India opium. The US Gov[ernment] had therefore to show that they had done something, & were not affected by what had been arranged between us and China.¹²⁹

This may have been just another example of fabled FO cynicism especially when dealing with US officials.¹³⁰ However, this FO suspicion was roused further by the American reaction to rumours of Chinese assurances to the British of their satisfaction with the terms of the opium agreement. The FO received a Memorandum from the US Embassy in London 28 January 1909: 'He [Bishop Brent] considers that such a pledge, unless withdrawn, threatens to defeat the aim of the Commission and bind the hands of the Chinese delegation.'¹³¹ Brent himself wanted an assurance that, as he believed, the British were 'prepared to discuss fully and frankly all facts relating to the Opium habit and trade in the Far East.'¹³² The American Ambassador, Whitelaw Reid (1837-1912), made a personal visit to the FO in order to push Brent's case. Sir Charles Hardinge (1858-1944), Permanent Under Secretary at the FO and from 23rd November 1910 Viceroy of India, reassured the Ambassador.

His Ex[cellency] was informed that H[is] M[ajesty's] Gov[ernment]t were not aware that the Chinese Gov[ernmen]t had given any assurance that their arrangement with India concerning opium would no be discussed by the Chinese Comm[issioner]s; but that both the Chinese Gov[ernmen]t and the Gov[ernmen]t of India were perfectly satisfied with the manner in which the agreement was working and had no intention of modifying it at present.¹³³

¹²⁸ TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

¹²⁹ TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

¹³⁰ Berridge, 2013, p. 123

¹³¹ TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

¹³² TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

¹³³ TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

Reid in return assured Hardinge that ‘the US Gov[ernmen]t had no intention of attempting any modification, their sole desire being to possess the faculty of discussing the agreement.’¹³⁴ At the same time, American protestations were made to British officials in China. On 26 January 26, only a week before the Commission opened, Jordan was confronted by William W. Rockhill (1854-1914), the US Minister in Peking. Rockhill showed Jordan a telegram from Dr Charles Tenney who was Chinese Secretary to the American delegation in Peking and a US delegate at the SOC. It quoted reports in the Chinese vernacular press of the Wai Wu Pu’s assurances to the British FO that the Chinese government was satisfied with the Anglo-Chinese opium agreement. Tenney also claimed he had proof of these assurances from other ‘reliable sources’. Jordan chose not to refute Tenney’s accusation and explained that the Chinese had indeed professed their satisfaction with the opium agreement and were content to wait until the three year experimental period was over before re-opening diplomatic discussions. Jordan added that he himself saw this plan as sensible given the difficulties of suppression and that the agreement with Britain had actually proved a ‘useful incentive’ to the Chinese campaign.¹³⁵ The Ambassador’s response was not discouraging, as Jordan reported: ‘In thanking me for the information, Mr Rockhill expressed his concurrence in the efficacy of the 1907 arrangement as an incentive...and said he saw no necessity for modifying it at present.’¹³⁶

Meanwhile, in his visit to the FO, US Ambassador Reid had been forthright in expressing Brent’s concern, arguing that ‘He considers that such a pledge unless withdrawn, threatens to defeat the aim of the Commission and bind the hands of the Chinese delegation.’¹³⁷ However, he made official the American assurance in a memorandum issued to the British government that there would be no attempt to alter the terms of the Anglo-Chinese opium agreement at the SOC.

It is assumed that the British government understands there has been no thought of questioning the binding nature of the present arrangement with India; and equally no thought of withdrawing it from the field of discussion by Chinese as well as all other delegates in the Commission.¹³⁸

Both these US diplomats, Rockhill in Peking and Reid in London agreed with their British counterparts that China was satisfied with the opium agreement but were adamant it was not to be excluded from discussion at Shanghai. As we have seen the IO agreed to this as long as the discussions were not in effect a debate on the revision of the opium agreement. In order to remove

¹³⁴ TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G .at end)

¹³⁵ TNA FO 228/2424 Letter from J. N. Jordan to FO dated 3 February 1909

¹³⁶ TNA FO 228/2424 Letter from J. N. Jordan to FO dated 3 February 1909

¹³⁷ IOL/L/E/7/564 Memorandum from American Embassy, dated London, 28 January 1909

¹³⁸ IOL/L/E/7/564 Memorandum from American Embassy, dated London, 28 January 1909 and in TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

any uncertainty the IO was particularly concerned to make clear the nature of the Chinese assurances to the United States officials. The FO drafted a response to Reid's Memorandum which stated 'that H[is] M[ajesty's] Gov[ernment]t sees no reason why the arrangement between China and India should not be brought to the cognizance of the Opium Commission as an instance of steps which have already been taken in regard to the opium question.'¹³⁹ But this did not go far enough for the IO which was clearly anxious about these in the final days before the Commission. Holderness noted: 'It seems to me too obviously too evasive: and it does not quite tally with the communication made by Sir J Jordan.'¹⁴⁰ At this point, the IO had also received a report by Jordan which made clear Chinese satisfaction with of the opium agreements:

The Grand Sec[retary] Na, after recapitulating in detail the terms of the 1907 agreement, said that the Chinese Government had no intention of departing from that agreement, with which they were perfectly satisfied... There had been, it was true, several memorials suggesting that the period of ten years should be shortened, and proposing the complete and immediate suppression of opium, but the Government considered that the programme originally laid down was more likely to effect the object in view.¹⁴¹

Godley replied to the FO about their draft response to the US Ambassador's Memorandum:

I am directed by the Secretary of State for India to say that he is somewhat doubtful whether the proposed reply will satisfy the American Ambassador, and to suggest that the reply might be to the effect that Bishop Brent's information was incorrect, and that no such assurance had been given by the Chinese Foreign Office to the British Minister, though that Office had stated that the Chinese Government was perfectly satisfied with the arrangement, and had no intention of departing in any way from it, and would instruct the Chinese Commissioners to this effect.¹⁴²

The FO saw no objection to this robust assertion that the Chinese were satisfied with the opium agreement.¹⁴³ The FO and the IO were confident that they were in the right when it came to the Chinese assurances about their satisfaction with the opium agreement. The British intention, as seen in the FO instructions to the delegation, was not to prevent discussion of the opium agreement *per se* but rather that they were discussed as an example of controls implemented and not as a treaty to be revised by the Commission. All the while, the GOI remained subservient to the IO as

¹³⁹ TNA FO 371/614 Minute 26 January 1909 signed (indecipherable) (all signed E. G. at end)

¹⁴⁰ IOL L/E/7/564 Minute by T. W. Holderness, Revenue and Statistics Department, India Office, 2 February 1909

¹⁴¹ IOL L/E/7/564 Letter Jordan to Grey, dated Peking 12 January 1909

¹⁴² TNA FO 371/614 Godley, India Office to Foreign Office, dated 10 February 1909

¹⁴³ TNA FO 371/614 Minute, Foreign Office, 13 February 1909

regards preparations for the Commission as this letter from the Viceroy's Council to the IO demonstrates:

I write to ask you whether you could very kindly let us have, for Mr Brunyate's use, a copy of all the more important papers regarding the objects and work of the commission which you may be at liberty to let us have. We have received a considerable number of printed papers on the subject from time to time, but on looking through them, I am rather doubtful whether they are complete.¹⁴⁴

Despite, their anxieties about interference in their internal opium policy and the opium agreement, the GOI's own instructions to their official Delegate Brunyate were very much in line with the FO instructions. J. S. Meston, Secretary to the GOI, sent a telegram to Brunyate in Shanghai as proceedings at the Commission were beginning, which supplemented rather than contradicted the instructions issued by the British government in London.

Of two suggested topics raised discussion cannot be refused. But consequences probably not serious. As to domestic regulations Commission will probably recognise their lack of connection with Far Eastern traffic. If not, delegates can represent the care spent on their framing and can quote approval of Philippine Commission of Burma arrangements. As to export, Chinese Government will probably express satisfaction with present arrangements. Evidence shown ten years minimum possible period for reform. Revisions now unfair to India, in view of sacrifices of revenue and by native chiefs and people. Discussion will be possible two or three years later, when progress of reform measures calculable. Reply suggests communication of its contents to Clementi Smith and Hosie and instruction of minister Peking to ascertain diplomatically before Commission meets attitude of China towards existing arrangement and ten years period. Ends. Full text by post. Further letter states Jordan has ascertained Chinese Government have no wish to disturb present arrangements and their Commissioners would have no powers to raise such a question.¹⁴⁵

British officials at the FO, IO and to a lesser extent in the GOI, had been reassured by the preparations for the Commission, its own evidence of industry reductions and their own stringent opium regulation, and by the Chinese and American assurance garnered by the FO in London and Jordan in Peking that both were satisfied with the Anglo-Chinese opium agreement as it stood.

¹⁴⁴ IOL L/E/7/564 Letter from J. S. Meston Finance Member of the Viceroy's Council to T. W. Holderness, Revenue Secretary India office, dated Simla, 22 October 1908

¹⁴⁵ IOL P/8224 Letter from J. S. Meston, Secretary to the Government of India, Finance Department to J B Brunyate, Commissioner, International Opium Commission, Shanghai, dated 2 February 1909

As has been pointed out the British Indian representative did not lead the British delegation. Sir Cecil Clementi Smith, representative of the Crown Colonies, was under instruction ‘to speak and act on their behalf on any occasions when it is necessary to convey to the Conference the views of the British representative as a whole.’¹⁴⁶ These separate CO instructions sent to Clementi Smith, head of the British delegation also did not amount to a defence of the India-China trade. Clementi Smith was brought up to date on Morley and Grey’s rejection of the Australian prohibition proposal and the intention not to mention it to the Conference. He was also handed the unpublished Straits Settlement report (1909), still under consideration of the Secretary of State for Colonies and informed that ‘while the information which it contains will be at your disposal, you should not lay the report before the Conference unless you know that it has been published in Singapore.’ He was to be assisted by one representative each nominated by Hong Kong and the Straits Settlements. In fact there was one such expert on ‘local aspects of the question’ who made it into the delegation, Cecil Clementi (not to be confused with Cecil Clementi Smith).

In preparing for the Commission, the British had a wealth of historical narratives and colonial knowledge to draw upon which included knowledge of the autonomous and autochthonous nature of China’s opium culture. But in general would refrain from using it in their arguments during official proceedings. As part of their instructions the British delegates received copies of the Commission findings and reports from all over the Asian empire but most especially India.¹⁴⁷ Individual delegates also did their own research. Cecil Clementi, Assistant Colonial Secretary in Hong Kong and a minor member of the British delegation at Shanghai, made copious notes in preparation for the Commission on opium history, anti-opium arguments and even a self-authored study on the potential impact of prohibition in Hong Kong and on the veracity of anti-opium narratives of the plague of opium smoking.¹⁴⁸ Clementi concluded that his figures on opium-smoking in China, Szechwan and Hong Kong ‘go far to show that the outcry, which has been raised as to the prevalence of the opium habit among Chinese, has really no justification in fact, and add one more proof of the platitude that on the subject of opium smoking there is more loose thinking and loose writing, both among Chinese and Europeans, than there is on almost any other of the curious features which the Chinese civilization presents to Western minds.’¹⁴⁹

There was knowledge among British delegates of the long history of opium in China. Clementi noted the difficulty of such works as J. Edkins’ *Historical Note on the Poppy in China* (1889),

¹⁴⁶ IOL L/E/7/564 Letter F. J. S. Hopwood to Sir C. Clementi Smith, dated Downing street, 4 December 1908

¹⁴⁷ Bodleian Library of Commonwealth & African Studies at Rhodes House, MSS.Ind.Ocn.5, Papers of Sir Cecil Clementi, Box 45/2 ‘Memorandum on Opium Trade 1902-1911’ p. 1

¹⁴⁸ Bodleian Library of Commonwealth & African Studies at Rhodes House, MSS.Ind.Ocn.5, Papers of Sir Cecil Clementi, Boxes 46/4 and 47/1-3 Opium Papers I-IV

¹⁴⁹ Bodleian Library of Commonwealth & African Studies at Rhodes House, MSS.Ind.Ocn.5, Papers of Sir Cecil Clementi, Box 45/2 ‘Memorandum on Opium Trade 1902-1911’ p. 1

which he described as a ‘vast compendium in 10,000 books’ and so ‘not easily accessible to students.’ Clementi’s own copy had been ‘sunk to the bottom of Hong Kong harbour in the typhoon of September, 1906.’ He believed there to be only one copy left in Hong Kong, at the Registrar General’s Department and probably only one in Britain, at the British Museum, purchases by the Trustees in 1877 for their Chinese library. ‘Therefore,’ he wrote, ‘I have thought it advisable to extract the whole of the article in question and publish it in the original Chinese text, with a translation and notes, in order that such persons as take an interest in the opium question may be able to refer to the *locus classicus* in Chinese literature on the subject.’ This text, surviving in the FO records included a long history of the poppy including its cultivation, as an article of trade and use of medicine in China dating back to T’ang dynasty (618-905 AD). He noted that there was no hint earlier of “foreign medicine” or “foreign earth” in etymology of word, despite long interest in this. What’s more, he argued that

...it seems clear that, though the Arabs first taught the Chinese their knowledge of opium and the way to extract it, yet for several centuries previously *papaver somniferum* had been well known in China. In fact, all that the Chinese learnt from the Arabs was a means of extracting further profit from their already existing poppy fields.¹⁵⁰

Sir Cecil Clementi Smith, head of the British delegation at the SOC, received from Francis John Stephens Hopwood (1860-1947), permanent under-secretary of state for colonies sent him the relevant extracts for Hong Kong and the Straits Settlements from the Royal Commission of 1895.¹⁵¹ Beyond this, as we have seen, Clementi Smith received no instructions that implied keeping the India-China trade or anything else contrary to the instructions all the delegates would receive. His position in the delegation was to be paramount but his point of reference for unexpected issues was not the Colonial Office of the Crown Colonies.

Your name has been placed first on the list of British delegates and it will therefore naturally fall to you to speak and act on their behalf on any occasions when it is necessary to convey to the Conference the views of the British representative as a whole. It is impossible to furnish you in advance with instruction as to the attitude which you should assume towards the various questions which may come for discussion, but, if you think it necessary at any time you are authorized to refer to His majesty’s Government by cable, through Sir Pelham Warren and the Foreign Office.¹⁵²

¹⁵⁰ TNA FO 228/2424 Cecil Clementi, *Article on the Poppy from the Compendium of Literature and Illustrations, Ancient and Modern, Original Text translated with introduction and noted by C Clementi* (Hong Kong: Printed by Noronha & Co., Government Printers, December 1908)

¹⁵¹ IOL L/E/7/564 Letter F. J. S. Hopwood to Sir C. Clementi Smith, dated Downing street, 4 December 1908

¹⁵² IOL L/E/7/564 Letter F. J. S. Hopwood to Sir C. Clementi Smith, dated Downing street, 4 December 1908

Despite the opposition to the Commission that existed in the CO and the Crown Colonies of the Far East, Clementi Smith's instructions did not ask him to defend the status quo of the India-China opium trade. His port-of-call, should an unexpected issue arise, was not the CO but the more conciliatory FO. Therefore, there is no evidence in the minutes of and correspondence between IO and FO officials leading up to the Shanghai Commission that the British government planned and instructed their delegation to defend India's opium interests as they stood nor exclude from discussion the Anglo-Chinese opium agreement. They were instructed to support and express sympathy with the Chinese opium suppression campaign and allow for a wide debate on the opium question including the opium agreement as long as such discussions did not turn into an attempt to modify the terms agreed for the gradual cessation of the India-China opium trade *pari passu* with reductions in the production and consumption of opium in China. This conciliatory and cooperative British stance was formed in spite of public accusations made by anti-opiumists and suspicions about US motives and machinations and the sincerity and practicability of Chinese opium suppression in the build-up to the Commission, all aiming at a more rapid cessation of the India-China opium trade contrary to the terms of the Anglo-Chinese opium agreement.

Conclusion

The initial British response to the American proposal for an international opium commission was fragmented. Anti-opiumists in the press, parliament, church congregations and Cabinet supported the idea of international cooperation to assist China in her opium suppression campaign. Many of the anti-opium campaigners, though not British officials, were confident the possibility of rapid suppression of opium in China; they saw the Commission as an opportunity to expedite Chinese opium suppression in part by putting pressure on the British government to accelerate its reduction of opium exports from India to China. However, British officials continued to prefer a gradual cessation of the opium trade and sought, and received, Chinese reassurances that the original ten-year timetable and *pari passu* terms of the Anglo-Chinese opium agreement were therefore satisfactory. The GOI and British colonial administrations in Asia were also anxious, given the US terms of reference for the delegations, that the Commission would make resolutions on reforming domestic systems of opium regulation. As we saw in chapter one, Calcutta's agenda on domestic opium regulation was not simply financial. The system of regulation, GOI officials believed, was tailored to the customs and habits of opium consumption in India. Metropolitan officials were more confident than those in India and the Far Eastern Crown Colonies in the British ability to defend its sovereign control over domestic opium regulation. Therefore, confident in the colonial systems of domestic opium regulation and in Chinese satisfaction with the agreement to end Indian exports, and undoubtedly aware of continued anti-opium scrutiny, the British delegation heading to Shanghai was instructed not to restrict the areas of discussion during proceedings of the Commission, not even to exclude those areas causing anxiety to British colonial officials in Asia. They were simply unwilling

to alter the terms of any treaties including the Anglo-Chinese opium agreement to end the India to China opium trade at the Commission. They were after all delegates with only *ad referendum* powers. Nevertheless, the leading figures in the British delegation, Clementi Smith and Brunyate, were CO and GOI officials respectively and so could be expected to defend British colonial system of opium regulation if and when necessary. Before we turn to the question of domestic systems of opium regulation at the SOC in chapter five, the next chapter will look at events at Shanghai to see whether, and if so why, the British went on the defensive at Shanghai regarding the India-China opium trade and the agreement with China for its cessation.

Chapter four: the Anglo-Chinese opium agreement at the Shanghai Opium Commission 1909

On the 24 February 1909, T'ang Kuo-an, Chinese official of the Wai Wu Pu and Chief Commissioner for the Chinese Government, addressed his fellow delegates during the Twelfth Session of the International Opium Commission at Shanghai. He proposed a resolution on behalf of the Chinese government prefacing it with what was by then a oft-heard refrain of the Commission; that governments of the Powers their represented be urged to recognise 'the earnest desire' and progress of the Chinese government and people in her opium suppression campaign and to pledge their future assistance. All the Powers would have agreed at least publicly to an expression of their faith in and support for Chinese opium suppression. Sir Cecil Clementi Smith (1840-1916), leader of the British delegation responded the following day. He took exception to certain aspects of the resolution on a "point of order" and was anxious to explain to the Commission the British objections:

"Our position is simply this: that it is impossible for the British Delegates, unless specifically instructed in that sense, to discuss with representatives of China a matter which has been the subject of diplomatic negotiations between the two countries, and still less permissible for us to acquiesce by our continued presence here in such discussion by third parties. No such communications have been communicated to us, nor could there, in our judgement, be any reasonable expectation in any quarter that such instructions would be given, seeing that of the thirteen Powers represented here only two are directly and practically concerned in the matter with which this resolution really deals."¹

The stance of the British delegation was that they were unwilling to discuss the Anglo-Chinese opium agreement at an international commission of thirteen powers, only two of which were parties to it. Clementi Smith was at pains to state that this did not mean that the British delegation was no longer in sympathy with the Chinese opium suppression campaign and to remind the commissioners of the "immediate and spontaneous assurance of support" and "active practical cooperation" which Britain had given China through the agreement to end India opium exports to China.²

¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 71-72

² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 71-72

Historians of international drugs regulation have long argued that such British defensiveness at the SOC represented their desire to protect their revenues from the India-China opium trade.³ However, given their agreement with China to already end the trade and the fact that the British delegates were instructed not to restrict debate at the Commission, this British refusal to discuss the Anglo-Chinese agreement is puzzling. It is the contention of this chapter that British reluctance to discuss the opium agreement was a more a response to the diplomatic manoeuvres of their anti-opium adversaries at the Commission than any predetermined plan to defend their opium export revenues.

The proceedings of the Commission

On the evening of Tuesday 2 February 1909, Sir Alexander Hosie, of the British delegation, sat in his room in the Palace Hotel, which also hosted the conference, on the Shanghai Bund writing a report to the Foreign Office:

A thrill of excitement seemed to run through Shanghai today, and at length after a spell of apparent apathy keen interest was aroused in what promises to be of universal no less than, historical importance, the Opium Conference.⁴

That morning expectant crowds gathered outside on the corner of Nanking Road and the Bund. Tuan Fang (1861-1911), the Viceroy of Liangkiang Provinces, who was set to open the Commission, arrived accompanied by a train of Chinese horseman, carriages and Sikh policemen marshalled by a Sergeant McSwinney who together formed a guard for the guest of honour and the delegations. The Viceroy, perhaps feigning an air of humility or wishing to display his practical determination to solve China's opium problem, 'wore none of the gorgeous raiment so frequently seen at state occasions and was clad in plain silk robe.'⁵ His status and vanity were betrayed by his coterie of soldiers carrying swords. The Commissioners from Austria-Hungary, China, France, Germany, Russia, Great Britain, Italy, Japan, the Netherlands, Portugal, Persia, Siam, and the United States (the major producer Turkey had declined the invitation) were whisked up the fifth floor in elevators where they were sat, each country to itself, at small tables carefully arranged as to display no order of precedence.⁵ They waited for the Viceroy's speech to open the Commission.

Despite the Chinese and US assurances that they were satisfied with the Anglo-Chinese opium agreement, the British were immediately dismayed by the opening address of the Viceroy's

³ W. B. McAllister, *Drug Diplomacy in the Twentieth Century: An International History* (London: Routledge 2000) p. 29; A. H. Taylor, *American diplomacy and the narcotics traffic, 1900-1939* (Durham NC: Duke University Press 1969) p. 52, 65, 80; S. D. Stein, *International Diplomacy, state administrators and narcotics control* (Aldershot: Gower 1985), p. 51, 53

⁴ TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

⁵ TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

opening address. There was already some anxiety about Tuan Fang in the weeks prior to the SOC. In early January, at a meeting between Sir John Jordan, the British Minister at Peking, and the Wai Wu Pu, the Chinese officials offered reassurances that ‘The Viceroy at Nanking [sic] would preside at the opening ceremony but would take no further part in the deliberations.’⁶ However, the Viceroy now proposed, in the full glare of international attention, a Chinese opium monopoly that would, it was hoped, accelerate the process of suppression by controlling foreign opium. The plan predicted a successful opium prohibition within three years. This control of foreign opium and a three year deadline were contrary to the opium agreement signed with the British. Hosie, aware of the anxieties about the Viceroy and confirmations of Chinese satisfaction with the agreement, wrote: ‘It had been rumoured that His Excellency’s address would deal with the question of monopoly and in view of the promise of the Chinese Government contained in your despatch to the Foreign Office No. 20 of January 12 that “China had no intention at present of putting forward definite proposals” the Chinese Commissioners were approached and Mr Liu Yuk-lin wrote to Sir C Clementi Smith yesterday evening that the question of a monopoly would not be touched upon by His Excellency who, it was understood would strictly confine himself to delivering a welcome to the Commissioners.’

The British delegation set about trying to ascertain whether the Viceroy’s proposal for a Chinese opium monopoly signified an abrupt unilateral change in Chinese opium policy or was merely the proposal of an ambitious and rogue provincial official. The British were not alone in their surprise. Hosie noted that ‘The same assurances were given to the American Delegates.’⁷ However, when the Chinese version of the Viceroy’s speech did indeed mention the proposed monopoly the British still gave the Chinese central government officials the benefit of the doubt. Writing to the FO, Jordan reflected that in a statement given by the Chinese to the British commissioners it had been made clear that the Viceroy’s speech ‘advocating the establishment of a Government monopoly and the removal of treaty restriction came as a surprise to the latter [delegates] and had been inserted at the last moment.’⁸ Hosie’s account of the Viceroy’s speech was not a flattering one:

It was to be noted that His Excellency displayed some hesitation in the delivery of his speech, and on two occasions came to a halt, when the prepared English and Chinese versions had to be compared.⁹

⁶ TNA FO 228/2424 Letter from John N. Jordan to FO dated 8 January 1909

⁷ TNA, FO 228/2424 Letter from Alexander Hosie to Sir John Jordan etc, dated Shanghai, 1 February 1909

⁸ TNA FO 228/2424 Letter from J. N. Jordan to FO, dated Peking, 11 February 11 1909

⁹ TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

The Viceroy's speech was more decisive in content than in delivery. Tuan Fang quickly set about making the case for a modification of the terms, especially the timetable, of the Anglo-Chinese opium agreement. He told the Commission that:

“It was at first intended to limit the abolition of opium in this Empire to ten years but the various provinces have been able to so reduce the cultivation of the Poppy that it would seem that this cultivation may be stopped within the next couple of years.”¹⁰

The Viceroy argued that success in Chinese opium suppression should warrant the end of imports from India as “With the complete stoppage of our native grown opium it would follow that the importation of the foreign drug will also stop as a natural consequence.”¹¹ These proposals abandoned not only the timetable but the logic of the Anglo-Chinese opium agreement – designed to assist Chinese opium suppression – its bilateralism and focus on reduced Indian exports not Chinese imports. The Viceroy argued that not only the Anglo-Chinese opium agreement of 1907 but other commercial treaties, presumably those with all the Powers that included articles and clauses regulating the traffic in opium to China, needed revision to assist opium suppression.

“Should a way be found by which such clauses in the treaties that restrict the freedom of my Government in its work of abolishing the consumption of the drug in the Empire may be got over with, so that we may succeed in accomplishing our great and important task – fortunate indeed will it be for our Government and the people of this Conference. It is my earnest hope that this Conference will use its best endeavours to thrash out this question.”¹²

The Viceroy was perhaps talking from the experience in the province of Nanking where the authorities had in 1907 announced a scheme to establish a provincial government monopoly on the boiling and preparation of opium for consumption.¹³ This scheme was in contravention of the terms Treaty of Nanking (1842) which marked the end of the First Opium war (1849-1842). Under pressure from the British Consul the scheme was temporarily suspended whilst Jordan and the Wai Wu Pu discussed the issue. It was decided to let the scheme go ahead as it reduced consumption and was in line with the Imperial Edict of 1906 which the British had promised to support. However it appears the memory of this stuck with Tuan Fang or he was cognisant of other such tensions in other coastal provinces in China. As we saw in chapter one, since the turn of the century the Chinese provincial and central governments had sought to establish greater control over the opium traffic into and through China, and thereby increase their share of revenues derived from it. Such measures often imposed greater restrictions and duties on foreign opium to the

¹⁰ TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

¹¹ TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

¹² TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

¹³ Newman, 1989, p. 541

chagrin of British officials who, with a great measure of success, made frequent representations to prevent any discrimination against Indian opium imported into China and so their own opium revenues. Such attempts had continued in the early years of the opium agreement.¹⁴ The Viceroy also reflected on the broader picture of opium regulation in Asia to support his case, in particular the establishment of government monopolies in Formosa, Annam and the Philippines.¹⁵ Treaty stipulations, he regretted, prevented China from doing the same and he hoped the Commission ““would thoroughly go into this matter during deliberations.””¹⁶

The Viceroy’s speech was widely reported and, despite a critical reception, British figures associated with the Chinese administration were quick to defend the Central Government record from any whiff of duplicity in their opium diplomacy. Morrison wrote in *The Times* that the Viceroy had focused solely on the Chinese aspect of the opium question and had ‘laid stress on the fact that treaty clauses might interfere with the work of abolition, and expressed the hope that means might be devised to overcome the difficulty of revising the clauses in question.’¹⁷ The Viceroy, Morrison wrote, had ‘indicated the necessity of a Government monopoly in some form, and concluded by extolling the action of America in taking the initiative in the appointment of the Commission.’¹⁸ Anti-opiumists at home, keen for a revision of the opium agreement, also defended the speech. Nevertheless, Arnold Foster of the London Missionary Society took issue with Morrison’s assertion that the Viceroy’s speech unduly focused upon China alone, pointing out that:

So far from the Viceroy in his opening speech to the Shanghai Commission treating the opium question as a purely Chinese problem, his meaning undoubtedly was that one of the greatest difficulties China has to cope with in dealing with the opium question is the existence of clauses in treaties with Great Britain which in 1907 were used to thwart the Viceroy’s own attempts at opium reform in his own provincial capital, and which also render it impossible for China, as things now stand, to get the government monopoly of foreign opium which would, enable her to obtain the goal she seeks.¹⁹

Morrison, as a supporter of Chinese reform efforts, was concerned to distance the Chinese delegation from the Viceroy’s speech when writing of the Chinese report on the opium situation in China presented to the Commission:

¹⁴ Newman, 1989, pp. 540-543

¹⁵ See A. L. Foster, ‘Prohibition as Superiority: Policing Opium in South-East Asia, 1898-1925’ in *The International History Review*, 22, 2, (2002) pp. 254-255

¹⁶ TNA FO 228/2424 Report of Alexander Hosie from the Shanghai Opium Commission

¹⁷ ‘The International Opium Commission (From Our Correspondent) Shanghai, Feb.1.’ in *The Times*, 2 February 1909, p. 5

¹⁸ ‘The International Opium Commission (From Our Correspondent) Shanghai, Feb.1.’ in *The Times*, 2 February 1909, p. 5

¹⁹ ‘The International Opium Commission – To the Editor of the Times’ in *The Times*, 6 February 1909, p. 6

No reference is made to the creation of an opium monopoly, and the removal of existing clauses in the treaties forbidding such monopoly in China, as advocated in the opening address of the Viceroy, Tuan-fang, whose feeble display in the presence of the foreign delegates and misconception of the functions and importance of the Commission have not added to the dignity of the country which he represents. The frankness of the report made a good impression, and was received with cheers.²⁰

Writing to Morrison, Jordan also defended the Chinese Central Government citing assurances given through him to the British government of their satisfaction with the opium agreement and suggesting a non-Chinese source for Tuan Fang's opium monopoly proposal. He wrote to Morrison:

I was sure from the outset that the monopoly scheme had been pumped into Tuan Fang from outside source and that it did not represent Chinese initiative. The Wai Wu Pu is perfectly satisfied with the existing arrangement for gradual reduction made with us and know very well that if they do their part, the extinction of the trade is assured.²¹

The opening of proceedings at Shanghai did prompt some sharp criticism of advocates of opium prohibition and the SOC from defenders of Britain's colonial policy. Frank Swettenham (1850-1946), former colonial administrator and self-elected 'leading authority on colonial matters,'²² wrote a letter to *The Times* in which he questioned the very premise of opium suppression, in particular, referring to the recently published Singapore (Straits Settlements) Opium Commission:

The conclusions are very similar to those of the Royal Commission of 1895. The fact is that we know all that it is necessary to on the subject, and habitual eaters or smokers of opium, in moderation, are no more vicious or degraded, or ruined in health than their fellows who are not addicted to the habit. What is perhaps curious is that when a man with the habit is weak, or depraved, or a criminal, all his failings or crimes are attributed to his use of opium; whereas it is more than probable that, amongst moderate consumers, no larger proportion belong to the depraved and criminal classes than of non-consumers.²³

Swettenham was equally as scathing about the idea of an international opium commission to help China in its opium suppression campaign and its American origins:

²⁰ 'The International Opium Commission (From Our Correspondent) Shanghai, Fen.' in *The Times*, 9 February 1909, p. 5

²¹ J. N. Jordan to Morrison, dated Peking 24 February 1909 in Lo Hui-Min (ed) *The Correspondence of G E Morrison, Volume 1, 1895-1912* (Cambridge, Cambridge University Press 1976) p. 479

²² H. S. Barlow, 'Swettenham, Sir Frank Athelstane (1850-1946)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2008

²³ 'The International Opium Commission - To the Editor of the Times' in *The Times*, 8 February 1909, p. 4

China is at perfect liberty to do what she likes in this matter. England has made the most exhaustive inquiries, and when the report of 1895 was published it was supposed by those interested, that erroneous impressions had been removed and the matter was done with. Surely it is strange that England should be drawn into an international conference to consider the question. Would the Powers, would the United States take part in a conference, suggested, say, by Japan, to inquire into the lynching, burning and shooting of negroes?²⁴

A *Times* editorial of the same day, adjudicating between a corresponding quarrel in its letters pages, defended the Commission as a necessary investigation into how best to (not the question of whether to) aid the suppression of the opium traffic and habit in the Far East. The editorial argued that Swettenham in his letter had failed to realise that the Royal Commission of 1895 was now an anachronism because China had decided to end its own opium production (any India reduction was no longer simply a transfer of revenues to China) and that ‘every nation’ had agreed on the need to suppress opium smoking.²⁵ However, the editorial admitted that, despite popular opinion driving the Central Government along, ‘court intrigue’ and a recent ‘wave of reaction’ meant that the Viceroy’s optimistic assertion that suppression could be done in three years was misplaced. The editorial did support Swettenham in his criticism of the British anti-opiumists’ impatience especially when it was an issue of “our morals and other peoples money,” pointing out that the burden would fall on India and the Crown Colonies of the Far East. Still the paper lauded the ‘praiseworthy forbearance’ of Sir Edward Grey, the Secretary of State for Foreign Affairs. John Morley, Secretary of State for India, was also praised and the paper confidently predicted that given the efforts underway in India, ‘they will certainly not insist on the letter of our treaties when China will have shown cause for their revision by the earnestness of her own endeavours.’ Therefore the paper recommended a ‘cautious policy’ as likely to be ‘more effective than the over-hasty counsels of well-meaning zealots.’²⁶

The President of the Commission, Bishop Charles H. Brent, had expressed a similar hope for moderation in his opening address to the Commission though it is certain that he would not have described his anti-opium colleagues as zealots. However, Brent argued for moderation in debate not gradualism in the opium suppression campaign.

“All great problems go through two distinct stages. The first stage is what might be termed the emotional stage; it is based largely upon sentiment and ideals that are conceived in the inner self, sometimes more independent of facts than is warranted. In the problem before us, for a long period we have been passing through this preliminary stage – what I have termed

²⁴ ‘The International Opium Commission – To the Editor of the *Times*’ in *The Times*, 8 February 1909, p. 4

²⁵ ‘The International Opium Commission’ in *The Times*, 8 February 1909, p. 4

²⁶ ‘The International Opium Commission’, in *The Times*, 8 February 1909, p. 4

the emotional stage. The emotional stage finds expression in agitation. We have had agitation. Now I believe we are at least midway in the second or scientific stage, when men deal with ascertained fact, and on the basis of ascertained fact reach certain conclusions of a practical character that will enable those upon whom the responsibility rests to arrive at some final conclusion.”²⁷

Brent took as his rational model for dealing with contentious questions the articles from the Second Hague Peace Conference (1907), namely to deal only in facts and in a manner of conciliation to produce unanimous resolutions and perhaps practical recommendations.²⁸ In this spirit, he also cautioned against the use of history during proceedings.

“But if I may be permitted to make a suggestion to this assembly, it seems to me that it would be extremely wise if we were to rule out of our deliberations what might be termed useless historical questions beneath which a great deal of controversy lies hidden, and which would only tend to fog the issue.”²⁹

Brent’s apparent calls for moderation did not reassure the British delegation who took the first available opportunity – the final report of the RCO - to defend the terms of the Anglo-Chinese opium agreement. An oral report (a written one was delivered a week later) was presented by James Brunyate, the GOI representative on the British delegation, on the morning of the Fifth session, 19 February.³⁰ He began by emphasising India’s assistance to China in her opium suppression campaign and her adherence to the Anglo-Chinese opium agreement (1907). In British India reductions in production had already been enacted before and beyond the timetabled pace of the Anglo-Chinese opium agreement. In 1908, 1909 and 1910 exports were limited to 61,900 chests, 56,800 and 51,700 chests respectively. In the Native States, where Government control was limited to the regulation of exports within permitted limits, there was greater difficulty in finding alternative crops as remunerative as the poppy. At the same time, traders had accumulated large stocks of opium at the time the agreement came into effect thus making reductions even more urgent and difficult, as Brunyate wrote: ‘the existing supply being sufficient, without further

²⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 11

²⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 12

²⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 12

³⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 23-24. See also *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 174-179

production, for a large part of the ten-year period.’³¹ Despite the difficulties of financial and economic dislocation of the loss of the industry and trade, Brunyate made clear the commitment of the British Indian administration to end exports to China and the satisfaction of the Chinese authorities.

“It had further been agreed that, if during these years the Chinese Government duly carried out their arrangements for diminishing the production and consumption in China itself. His Majesty’s Government undertook to continue this annual diminution in the same proportion after the period in question, the restriction of the imports of Turkish, Persian and other opium into China begin separately arranged for by the Chinese Government and carried out simultaneously. Thus, at the end of ten years, when the Agreement would have produced its full intended effect, the permissible export of India opium to countries other than China would stand at a fixed maximum of 16,000 chests a year.”³²

The report presented to the Commission also recounted British efforts to prevent the smuggling of Malwa opium - that produced in the semi-autonomous states of India and exported from Bombay - to China.³³ The sale of Malwa opium in British provinces, as we have seen, had been nearly abolished, only Bombay remained. Malwa opium for export was regulated. It had to be weighed at official centres in the States known as ‘Scales’ and then made its way to Bombay ‘by prescribed railway routes, and under strict supervision’ to be stored in a government warehouse before paying a ‘pass duty’ of Rs. 600 a chest for export. As we saw in the last chapter British statements on its efforts to assist China in her opium suppression campaign did little to prevent criticism of its external opium policy as embodied in the Anglo-Chinese opium agreement. Brunyate ended his speech with the words of the Earl of Minto, the Viceroy of India, from his budget statement of March 1907 to the Legislative Council of India.³⁴ Minto had recognised the sincerity of the Chinese opium suppression campaign and conceded that there was “no doubt throughout the whole civilized world a feeling of disgust at the demoralizing effect of the opium habit in excess”, adding that it was “a feeling in which we cannot but share.” Therefore, Brunyate, continuing to quote Minto, told the Commission: “We could not with any self respect refuse to assist China on the grounds of loss of revenue to India.” However, within this quotation he had further messages for

³¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 23-24

³² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 24

³³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 178 and 189-190

³⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 25

the Commission, just as Minto had told the Legislative Council, admitting doubts about the prospects of opium suppression in China:

“I admit that the task China has set herself may be greater than she can accomplish, and that we have a perfect right to require that in agreeing to the reduction of imports of opium from India we should be satisfied of the results of China’s efforts to reduce her own internal opium production.”³⁵

Brunyate, perhaps pre-empting any criticism of the Anglo-Chinese opium agreement, made clear to the Commission that proof of Chinese opium suppression and indeed the *pari passu* term of the agreement were based on practical considerations of the difficulties of opium suppression not simply on British Indian opium revenues.

Despite Brent’s conciliatory opening speech and the British defence of the opium agreement in their report to the Commission, the US and Chinese delegations continued Tuan Fang’s efforts to force the Commission to debate the modification of the Anglo-Chinese opium agreement. The US delegation, including Brent – despite his opening speech – referred to the moral dimension of the opium problem throughout proceedings. The historian R Bin Wong has noted the way in which the Chinese delegation also, in addressing the Commission, consciously sought to trace Confucian equivalents to Christian tenets at the root of the moral crusade against the opium traffic and habit.³⁶ At the Eight Session of the Commission, 18 Feb 1909, Brent declared ‘a discussion of the British report to be in order.’³⁷ First, T’ang Kuo-an, leader of the Chinese delegation, asked whether, ‘according to existing Agreements made between the Chinese and British Governments, the annual reduction by 5,100 chests of opium of the total Indian export meant that a corresponding reduction of the import of Indian opium into China would be assured, irrespective of the conditions of demand in China.’ Brunyate, the GOI representative replied that ‘the Agreement that Great Britain had entered into to reduce the annual export of opium from India meant exactly what it said, *viz.*, that Great Britain does agree to reduce exports from India by 5,100 chests annually for the next ten years’, adding that it involved no economic proposition such as suggested by the Hon. Commissioner for China.’³⁸ T’ang, clearly unrestrained by the Chinese assurances given to Jordan in Peking before the Commission, explained that ‘there was some misunderstanding in the minds

³⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 25

³⁶ R Bin Wong, ‘Opium and Modern Chinese State Making’ in T. Brook and B. T. Wakabayashi (eds), *Opium Regimes: China, Britain, and Japan, 1839-1952* (London: University of California Press 2000), pp. 202-203. See *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 70

³⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 35

³⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 35-36

of the Chinese people’ and that the British delegation ‘would put their reply in writing, as his people were under the impression that the present arrangement meant a reduction of 5,100 chests on the total amount of opium annually imported into China; if they were mistaken they would like to have that impression rectified.’³⁹ Clementi Smith, leader of the British delegation, responded ‘that if any misunderstanding on this point existed amongst the Chinese, surely the correction would more properly emanate from the recognised authorities of the Chinese Empire than from his Delegation.’⁴⁰ The Chinese position was no doubt surprising and perhaps not a little irritating to the British delegation, given that, as we saw in chapter two, the Anglo-Chinese opium agreement specifically stipulated that reductions were to be made in the number of chests of opium exported *from India not into China*.

The Chinese delegation also used supplementary questions not found in the original printed proceedings but published in Volume II of the Commission’s report about which the FO was informed by telegram during these sessions, to pressure the British on the Anglo-Chinese opium agreement. Following the Indian report delivered by Brunyate at the Fifth Session 19 February 1909,⁴¹ T’ang asked the British delegation whether: ‘According to existing arrangement made between the Chinese and British Governments, will the reduction annually for ten years by 5100 chests of Opium from the total India export mean that a corresponding reduction in the import of India Opium into China is assured, irrespective of the conditions of demand in China?’⁴² The British again rebuffed T’ang, stating that they were ‘unable to amplify the evident significance of the diplomatic arrangement to which this question refers.’⁴³

Brent, perhaps in recognition of the protracted debates surrounding the British and Chinese reports, reiterated his calls for a scientific approach to the investigation in preparation for the proposal of resolutions due to begin on 22 Feb 1909. This time he quoted directly from the Second International Peace Conference:

“In the discussions upon every question it is important to remember that the object of the Conference is Agreement, and not compulsion. If such Conferences are to be made occasions for trying to force nations into positions which they consider against their interests, the

³⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 35-36

⁴⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 35-36

⁴¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 23-26 and see for the written report *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 173-194

⁴² TNA FO 228/2424 ‘International Opium Commission – Questions put to the British Delegation’

⁴³ TNA FO 228/2424 ‘International Opium Commission – Questions put to the British Delegation’

Powers cannot be expected to send representatives to them. It is important also that the agreements reached shall be genuine and not reluctant. Otherwise they will inevitably fail to receive approval when submitted for the ratification of the Powers represented.”⁴⁴

Brent’s talk of volition and moderation were, in light of US and Chinese behaviour during proceedings, insincere attempts to mollify the British delegation. This is clear as Brent went on to contradict himself by asserting the primacy of public opinion and the historical importance of the Commission:

“As in the past, so in the future, and in the present, sentiment is bound to be the final arbiter in all great questions, and no legislative or practical action can avail unless public opinion, rightly informed, acts spontaneously, strongly and naturally in the direction of formal, enacted law. So it is of two-fold importance that what we succeed in agreeing upon should be of a strong character, practical, and - I shall not say with a sentimental side to it, but - with a side which will tend create wholesome sentiment wherever our findings may reach. The world, I think I am not mistaken, is looking for something definitive from this Commission though when I say definitive I do not for a moment mean final. We are only striving to take a great problem one step forward in the course of development and progress.”⁴⁵

The India report also presented the American delegation with an opportunity with which to pursue their attack on the Anglo-Chinese opium agreement by asking questions about the British control of opium produced in the Princely States. At the Eight Session, 18 February, Dr Hamilton Wright and Dr Tenney of the US delegation asked the British commissioners further questions on the India report. These, like the Chinese questions earlier, were not published in the proceedings but were published as part of the supplementary Volume II of the IOC report. They relayed to the FO during proceedings.⁴⁶ These questions, obviously prepared in the week following Brunyate’s delivery, attempted to throw doubt upon Britain’s ability and efforts to prevent the smuggling of opium from British ports and make agreement with opium producing Princely States to eradicate poppy cultivation. Brunyate answered these questions, obviously denying that such difficulties were insurmountable on 19 February 1909.⁴⁷ The US delegation also asked questions aimed at

⁴⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 42

⁴⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 42

⁴⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 173-194 and NA FO 228/2424 ‘International Opium Commission – Questions put to the British Delegation’

⁴⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 39 and see *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 241-243

instigating a discussion on modifying the timetable of the opium agreement. Dr Tenney asked the British delegation: “would the fiscal difficulty in India be increased or diminished by shortening the period within which Opium may be exported from India to China, in view of the fact that Opium cultivation is still continuing and the stock of opium accumulating?”⁴⁸ Brunyate led the response, stating that the British delegation was “unable to discuss the hypothetical case put in the question which assumes a departure from the agreement relating to the export of Opium from India which stands accepted by the Governments of Great Britain and China.”⁴⁹ The British delegation found itself having to repeatedly defend the terms of the opium agreement.

The next call for an accelerated end to the India-China opium trade came with the US resolutions which Dr Hamilton Wright presented to the Commission at the Eleventh Session, 23 February 1909.⁵⁰ As James Mills has pointed out, the US, as the only delegation with resolutions pre-prepared, was it appears keen to set the agenda on international drugs control.⁵¹ Wright prefaced his attack on the Anglo-Chinese opium agreements with a speech stressing the ‘historical aspects of the opium question’, in particular American innocence and leadership in combating the opium evil and Britain’s moral obligation to do all it could, including revise the opium agreement, to aid the Chinese suppression campaign. This, as we have seen, was in contradiction to Brent’s earlier call for the Commission to avoid debating ‘useless historical questions.’ In Wright’s narrative the US had never taken part and had from an early date discouraged, through treaties, the opium traffic in the Far East. This was of course nonsense, as the US had profited greatly from in the opium trade to China.⁵²

“Our Secretary of State was of the opinion that, in view of the historical position of the United States, its Government was, perhaps, best positioned to propose that there should be called together an International Commission to study the scientific, moral, economic, political and all other sides of the opium question, and if possible for the Commission to suggest methods for its solution.”⁵³

⁴⁸ TNA FO 228/2424 ‘International Opium Commission – Questions put to the British Delegation’

⁴⁹ TNA FO 228/2424 ‘International Opium Commission – Questions put to the British Delegation’

⁵⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 43-46

⁵¹ J. H. Mills, *Cannabis Britannica: Empire, Trade and Prohibition* (Oxford: Oxford University Press 2003), p. 154

⁵² See Charles C. Stelle, *Americans and the China opium trade in the nineteenth century* (New York: Arno Press 1981); Thomas N. Layton, *The voyage of the “Frolic”: New England merchants and the opium trade* (Stanford, California: Stanford university Press 1997); Elizabeth K. Gray, ‘The Trade-Off: Chinese Opium Traders and Antebellum Reform in the United States, 1815-1869 in J. H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

⁵³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 43-44

Wright continued to argue using historical analogy and reference. He next compared Britain's decision to end the opium trade to its nineteenth century emancipation of the slaves in its colonies as an 'effort of that same great nation to sacrifice a great revenue to the end they another widespread evil may cease.'⁵⁴ He also invoked Britain's own history in India, citing Warren Hastings' famous dictum on opium, that opium "is not a necessary of life, but a pernicious luxury, which ought not to be permitted but for purposes of foreign commerce only."⁵⁵ He asked, and then answered himself, what the former Governor-General of British India would now say about the current situation?

"We believe that he would say, and would be endorsed by the decent opinion of mankind that opium was not a necessary of life, that it was undesirable to increase the production of any such article, that opium was a pernicious article when regarded as an article of luxury, an article, on the other hand, which the wisdom of Governments should carefully restrain from consumption, internally, and let us add, abroad."⁵⁶

Wright went on to praise Morley as 'another great Indian and Imperial statesman' and particular his speech and the resolution in the House of Commons 30 May 1906 condemning the traffic as 'morally indefensible.'⁵⁷ He concluded by arguing that the Anglo-Chinese opium agreement was no longer sufficient given the historical opportunity now presented to them by the assembly of such a commission. The change in British opium policy he suggested was akin to Britain's modernisation of its naval fleet beginning with the launch of *HMS Dreadnought* in 1909.

"Is Great Britain to halt? Our Delegation, our people do not believe it. Great Britain will not halt if we are to credit her public opinion, her press, her present eminent Secretary of State for Indian Affairs. Our people believe that Great Britain will defend herself against the criticism of all right-minded people by placing her opium revenue, sacrificing it mayhap, and by sacrificing dual agreements, and obsolete treaties, as she sends to the scrapheap an obsolete class of battleships that are of no further use to defend her extreme interests."⁵⁸

Chinese and American officials pushed for an acceleration of the cessation of exports of Indian opium to China through restrictions on the trade not explicitly directed at the terms of the Anglo-

⁵⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 43-44

⁵⁵ D. E. Owen, *British Opium Policy in China and India* (New Haven, Yale University Press 1934) p. 23

⁵⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 44-45

⁵⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 44-45

⁵⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 45

Chinese opium agreement. In the Fourth Resolution proposed by the American delegation extended their demands on the British authorities, specifically proposing that:

That, whereas, the reports submitted to the International Opium Commission by the Delegations present, record that each Government has strict laws which are aimed directly or indirectly to prevent the smuggling of opium, its alkaloids, derivatives and preparations into their respective territories.

Be it Resolved, therefore, that in the judgement of the International Opium Commission it is the duty of all countries which continue to produce opium, its alkaloids, derivatives and preparations, to prevent at ports of departure the shipment of opium, and of its alkaloids, derivatives and preparations, to any country which prohibits the entry of opium of its alkaloids, derivatives and preparations.⁵⁹

This US resolution targeted the continued export of opium that reached China directly or indirectly and so singled out producer countries as a barrier to Chinese opium suppression. The British responded with amendments to make all countries including those from where opium was transhipped to China responsible for assisting the Chinese opium suppression campaign. The GOI had in the opium agreement already agreed to end exports of opium from India to China but had taken no responsibility for the transhipment of India opium from other destinations to China. The GOI had also agreed to limit its non-China opium exports to the estimated needs at the time. Clementi Smith accepted, on behalf of the British delegation, this resolution but suggested two amendments. Firstly, Clementi Smith proposed the omission of the phrase “which continue to produce opium, its alkaloids, derivatives and preparations” and secondly, he proposed the addition to the same paragraph of the phrase “it is the duty of all countries to adopt reasonable measures to prevent.”⁶⁰ The British were most likely trying to avoid any criticisms of leakage of opium from non-China destinations of India opium. It was, they might have argued, the responsibility of other Asian opium consuming countries to prevent the transhipment of opium to China from their ports. In reducing the direct exports to China and in limiting the non-China trade, the British felt that they had made their contribution towards combating the smuggling of opium to China and that it was now the turn of those other countries on the opium routes to China.

Later that same day the US delegation proposed another separate American resolution that more explicitly undermined the Anglo-Chinese opium agreement which read:

⁵⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 45

⁶⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 43-46

Be it Resolved, that in the opinion of the International Opium Commission every nation which effectively prohibits the production of opium and its derivatives in that country, except for medical purposes, should be free to prohibit the importation into its territories of opium or its derivatives, except for medical purposes.⁶¹

This resolution sought to give China the right to prevent foreign opium imports into China and so would have contradicted the terms of the Anglo-Chinese opium agreement, formulated as it was to help China in her opium suppression campaign by reducing the total pool of opium in East Asia. This way India took responsibility by reducing its exports of opium to China and limiting its non-China trade to its current average. Dr Tenney prefaced this proposal with a lengthy speech that both denied and made abundantly clear that the intention of the US delegation in proposing such a resolution was to bring about the revision of the Anglo-Chinese opium agreement:

“This resolution is not to be interpreted as a fling against Great Britain on the part of the American Delegation. Nothing is further from our thoughts. Action by all the Treaty Powers in necessarily involved if China is to enjoy her rights as a Sovereign State in dealing with the opium question. We fully appreciate the fine spirit which has been shown by the British Delegates and we hope it may be further exhibited by their supporting cordially this resolution.”⁶²

Having praised the British for their assistance to China in her opium suppression so far, Tenney now attacked not both the gradual nature and the *pari passu* terms of the Anglo-Chinese opium agreement, whereby China would reduce her production and consumption of opium in time with reductions in Indian exports to China:

“Such action as that which we urge would give China a fair opportunity to show that she is in earnest, that she can help herself; and if she can help herself friendly nations ought to help her. If she proves unable to help herself, then the blame rests solely on her own shoulders. If it is, as we believe, a question of duty, then this help ought to be given without haggling or demanding any *quid pro quo*. No honourable man tries to exact payment for doing what honour demands of him or refuses to do what is right because it may cost him something. I am sure that each of us wishes his own action to conduct its foreign policy on the same principles that actuate the ideal man in his private relationships, and therefore we say that all the Governments of all the Treaty Powers should give China the “square deal” regardless of any possible temporary loss or inconvenience that it may cause them. Unquestionably the

⁶¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 54-55

⁶² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 54-55

moral tide is now rising in China. Let us help the Chinese ship of state to take it at its flood and reach the harbour of national strength and prosperity.”⁶³

Evidently, for the Chinese and American delegations the Anglo-Chinese agreement and opium clauses of commercial treaties between China and the powers did not represent a ‘square deal’ for China. The Chinese delegation supported this attack on the opium agreement. T’ang stated that he would say little as they had a similar resolution to propose but added ‘we wish to announce officially that we endorse every word that has just been uttered by Dr Tenney.’ But there was also support for the British position. The Japanese Delegate Tsunejiro Miyaoka asked T’ang ‘whether he is prepared that action should be taken on this resolution before us? I understood him to say that the Chinese Delegation intends to submit a resolution which though differently worded embodies the same idea.’ T’ang replied to the Japanese delegate that: ‘As far as this resolution is concerned we are prepared to have it submitted to the Commission. Our own resolution is not of such a general character, but has special reference to China, and I do not think the two resolutions are likely to conflict with each other.’⁶⁴ Unsurprisingly Clementi Smith reacted angrily, and with a nod to the Chinese assurances from the Wai Wu Pu in January, confronted T’ang: “It would be exceedingly interesting to us to know whether the Chinese Delegation is speaking with the authority of its Government, or whether it is merely expressing the personal opinion of its Members upon Dr. Tenney’s resolution?” T’ang’s response was evasive yet defiant:

“The Chinese Delegation submit that they are responsible to their Government for their actions. I do not think that, being representatives of a Sovereign Power, we should be called upon by a member of any delegation to state whence our authority is derived.”⁶⁵

Evidently the British delegation was losing patience with the US and Chinese delegations. Clementi Smith called out the Chinese support for the US position and significance for the opium agreement and other commercial treaties regulating the opium trade with China:

“Then I will go at once to the root of the matter. As far as I understand Mr. T’ang, on behalf of the Chinese Delegation, supports this resolution which has been submitted to the Commission by Dr. Tenney. The effect, which, of course, would not escape Mr. T’ang, is an entire abrogation of Treaties. Whether the Chinese Government are prepared to accept that situation I, of course, do not know, nor am I prepared to say whether any Government would accept that position but, speaking from general knowledge, I think it would be amazing to

⁶³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 54-55

⁶⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 55

⁶⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 55

suppose that any Power would agree for one moment to the repudiation of Agreements solemnly entered into. It is only necessary to make a statement to that effect to show the absolute absurdity of the situation, and I trust that this International Opium Commission will not for one moment allow itself to agree to any form of words which will be interpreted as meaning that nations can lightly break Treaties solemnly entered into by them.”⁶⁶

The British delegation was clearly dismayed. Brent’s calls for a dispassionate investigation were not reflected in the actions of his US colleagues and the Chinese delegation. The latter had sought a presumably much more rapid end to the India-China opium trade through the exclusion by Chinese authorities of foreign opium imports and so a complete repudiation of the terms of the Anglo-Chinese opium agreement. T’ang, before proceeding to openly call for a revision of the opium agreement, tried to mollify the British delegation:

“We had intended postponing the discussion to this point until to-morrow, but since the Right Hon. Sir Cecil Clementi Smith has brought it up, may I be allowed to say that it is not the intention of the Chinese Delegation, not the intention of our Government, to go back upon their Treaties Agreements, nor is it our intention to do anything or to say anything which might appear discourteous to the British Delegation: that would be farthest from our mind.”⁶⁷

T’ang’s response denied that this change was an abrogation of the opium agreement but he then contradicted himself by making it clear that it was intended to accelerate the end of the India-China trade by taking it upon itself to abolish the import of foreign opium:

“However, we state here and we have the authority of our Government for stating, that the ten years’ arrangement entered into between Great Britain and China was, at the time, thought by us to all that was required. But China did not have in mind never to bring up the subject for discussion. While I repeat, therefore, that we have no desire whatever to go back on any agreement, till we would appreciate any effort on the part of the British delegation to further assist us by curtailing the period of importation into China; and it is with this view in mind that we have ventured to support the resolution brought forward by Dr Tenney.”⁶⁸

For T’ang and presumably for the Chinese and US officials pushing for such a change to the arrangements to end the India-China trade the Commission represented a unique opportunity to assist China in her opium suppression campaign. The original agreement for India to reduce its

⁶⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 55

⁶⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 55-56

⁶⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 55-56

exports rather than China her imports of opium was in part intended, as we saw in chapter two, to avoid the difficulty of China having to negotiate changes to all the treaties she held with the Powers to enable her to prevent the importation of opium, a notoriously difficult task. The presence of all the Great Powers at the Commission, T'ang told delegates, meant that China could obtain their agreement multilaterally and therefore would be more easily able to exclude foreign opium from entering her ports.

“We do not come here to ask this as a matter of right. We are conscious of having entered into a compact with Great Britain to suppress opium in ten years by regular annual reduction, but, notwithstanding this agreement, we believe that we are not precluded from requesting the Powers whose Representatives are here assembled, and especially the British Delegation, to take our case into further sympathetic consideration; and I may say that is the spirit which has actuated us, and I believe that which actuates our Government in Peking. We have no instructions to go back on anything our Government has entered into; still our Government would appreciate any further concession which the British Government might see fit to make.”⁶⁹

The Japanese Chief Commissioner, Miyaoka, interceded, asking T'ang to be absolutely clear whether he spoke for the Chinese Government: “Mr T'ang has referred to the question of the ten years' agreement concluded between Great Britain and his Government, and if I properly understood him he stated that the Chinese Government was not quite satisfied with the arrangement?”⁷⁰ The support of the Japanese commissioner for the British delegation might be explained by the fact that until 1911 Japan obtained Indian opium for its colony in Formosa on the Hong Kong market, though it also obtained some Persian, Turkish and Chinese lower grade opium.⁷¹ Japan at the time was wary of anti-opium critics and in the build-up to Shanghai had announced a system of restriction in its colonies similar to that in Formosa (Taiwan), then a Japanese colony, to bring an end to the opium habit by 1914.⁷² However, Japan did not face major international criticism of its opium policy in annexed territories in Asia until after the First World War (1914-1918).⁷³ T'ang replied to Miyaoka that the ten year timetable for the end of the India-China trade was at the time of the agreement satisfactory to the Chinese government:

⁶⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 55-56

⁷⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁷¹ K. Meyer and T. Parssinen, *Webs of Smoke: Smugglers, Warlords, Spies, and the History of the International Drug Trade* (Oxford: Rowman & Littlefield 2002), p. 97

⁷² J. M. Jennings, *The Opium Empire: Japanese Imperialism and Drug Trafficking in Asia, 1895-1945* (Westport, CT: Greenwood Publishing Group 1997) p. 47

⁷³ Jennings, 1997, pp. 61-63

“...as that was far better than any indefinite period; and they appreciated the generous spirit by which Great Britain agreed to reduce importation of opium into China. But, at the same time as it was a tentative step, there was a doubt in the mind of our Government as to the manner in which our people would assist in carrying it out. Therefore we thought that we would be on safe ground if we accepted the ten years’ period.”⁷⁴

T’ang went on to tell the Commission that since the signing of the Anglo-Chinese opium agreement the circumstances in China had changed: that the response of the Chinese people to the opium suppression campaign has been “beyond our expectations”, the “degree of success we have attained has astounded and surprised the world,” and “our people are all clamouring for the suppression of the opium evil in China.”⁷⁵ The Chinese support for the resolutions to accelerate the end of the India-China trade, T’ang told the Commission, was merely a response to the demands of the Chinese people who had sent numerous telegrams to Shanghai since the proceedings began “the gist of which has been to request us to ask the British Delegation to make further concessions by allowing us to reduce the period from ten years to a shorter period.”⁷⁶ Therefore, T’ang exclaimed:

“We think we are justified in asking Great Britain to meet us half-way, and therefore we come forward to-day, sooner than we expected, to ask that the British Delegation may be good enough to entertain that proposal.”⁷⁷

The US and Chinese resolutions can perhaps also be seen as the beginning of attempts by the Chinese government and anti-opiumists to extract greater concessions from the British in the upcoming renegotiations for the Anglo-Chinese opium agreement. After the Commission, the harassment of Indian opium in Chinese provinces such as Canton would lead the British to initiate negotiations for the renewal of the opium agreement in order to maintain the ordered reduction of the trade to China and industry in India.⁷⁸ The Chinese wanted a full agreement up to 1917, not another three year extension, so as to fulfil the ambition of the 1906 Imperial Edict for domestic opium eradication. The Chinese were indeed successful in getting the British to agree to an earlier end to the trade when eradication could be proved, province by province.⁷⁹ In response to T’ang speech calling for an accelerated end to Indian exports to China, Miyaoka again defended the

⁷⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁷⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁷⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁷⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁷⁸ Newman, 1989, pp. 544-545

⁷⁹ Newman, 1989, pp. 548-550

Anglo-Chinese opium agreement telling the Commission that: ““It appears to me that this is hardly the proper time to discuss a question pending between the British and Chinese Governments.””⁸⁰ As with the Viceroy’s speech the British delegation were clearly taken aback and still, despite T’ang’s answer, unsure whether this was the official Chinese position, as Clementi Smith replied:

“It is very important that there should be no misunderstanding in this Commission upon the situation as regards Great Britain and China. I have been astounded at the words which have fallen from Mr. T’ang. He has refused to tell us point blank whether the utterances delivered to-day have been in accordance with the instructions of his Government.”⁸¹

Furthermore Clementi Smith told the conference that this was particularly shocking given the very recent Chinese assurances before the Commission that they were satisfied with the terms of the Anglo-Chinese opium agreement:

“He indicated that since China entered into the agreement with Great Britain the circumstances have altered; and he takes upon himself the responsibility of absolutely denying the statement which has been made from Peking, delivered only in January, which was to the effect that China was entirely satisfied with the arrangement which had been come to, and did not wish it altered.”⁸²

The British had little choice but to refuse to discuss the Anglo-Chinese opium agreements. The opium agreement had been raised from the beginning under the question of modifying its terms, contrary to American and Chinese assurances given before the Commission sat. But this refusal would also contradict British assurances to the US and Chinese governments, and indeed the instructions to their delegation, that the agreements could be discussed. As Wright now pointed out:

“May I ask if that reply precluded the Chinese Delegation from bringing up the question and getting an expression of opinion?”⁸³

But Miyaoka, again leaping to the defence of the British delegation, told the Commission that this was not simply an attempt to discuss but rather to modify the agreements and so was therefore unacceptable;

⁸⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁸¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁸² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁸³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

“It appears to me that we are drifting into an examination of a diplomatic question between China and Great Britain. My understanding of the work of this Commission is that it is to be one of investigation from a scientific and material point of view.”⁸⁴

Miyaoka referred to a note that the American Ambassador in Tokyo, Thomas J. O'Brien, had sent to His Excellency Count Hayashi, then His Imperial Japanese Majesty's Minister for Foreign Affairs on 15 November 1907. The note made clear that the purpose envisaged for the Commission in the American invitation was: ‘To conduct a joint and impartial investigation of the scientific and material conditions of the opium trade and opium habit in the Far East.’⁸⁵ Therefore, Miyaoka concluded: “I am of opinion that the discussion which has been going on with reference to the ten years' arrangement is out of order.”⁸⁶

Dr Tenney, again speaking for the US delegation, resorted to the moral questions of the opium trade and habit to defend the US and Chinese resolutions. He accepted the view of Clementi Smith and Miyaoka that denied “that the line of discussion which has been taken up is not appropriate to the words of the resolutions before you, and is entirely unnecessary,” but nevertheless confessed his surprise and dismay that the resolution “has not been cordially supported by the British Delegation and by every Delegation here”, exclaiming “How can any right-minded man object to the principle which is embodied here!”⁸⁷ This, Tenney argued, was not a question of diplomacy or practicability but of morality and justice.

“Whether it affects any agreement between Great Britain and China or not has nothing to do with it. China may be able to effectively prohibit importation of opium in ten years or she may not, but whenever she is able to furnish proof that the production of opium has been effectively prohibited, would it not be grossly unjust for any nation to insist in forcing the drug on her.”⁸⁸

The British delegation and the Japanese remained unmoved by Tenney's appeal to moral sentiment. Miyaoka replied that he did not object to the principle of the resolution but that, as “it is one which has to be considered in the light of existing Treaty obligations, the question is whether

⁸⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁸⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁸⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 56

⁸⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 56-57

⁸⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 56-57

this is the proper place in which to discuss it.”⁸⁹ Clementi Smith expressed the complete concurrence of the British delegation with the Japanese Commissioner.

“This is not the place for discussing diplomatic engagement, and we would not have drifted into such discussion had it not been that the mover, in addressing us on the resolution stated that it only referred to China and the ten years’ agreement. But, as has been said by the Chief Commissioner for Japan, this is not a subject which can be dealt with by this Commission, and I demur at once to the statement made that it will be unjust to call upon China to follow out engagements entered into by Treaty. If Treaties or Agreements are to be treated as waste paper by any Power I might say that we could get rid of all Agreements at once.”⁹⁰

The British delegation had not been unwilling to discuss the opium agreement outright or even the Chinese aspect of it, in effect, its reductions in production and consumption *pari passu* with the reductions in Indian exports to China. Rather, the British delegation objected when Commissioners tried to discuss modifying the terms of the agreement. The British position was not only supported by the Japanese delegation. The Chief Commissioner for France, J. Ratard, ‘stated that in his opinion it did not fall within the province of the Commission to examine questions which were of a diplomatic order between Great Britain and China. Consequently the French delegation were of opinion that Dr. Tenney’s proposal was outside the scope of discussion, and dangerous besides.’⁹¹ The US and Chinese officials were most likely aware that such an attempt to alter the Anglo-Chinese opium agreement through the Commission was out of order.

There were also back-room machinations to Tenney’s resolution and the Chinese delegation’s support for it. Mackenzie King, in a confidential memorandum forwarded by Jordan to the FO in March 1909, revealed how the US delegates tried behind the scenes, to garner support even amongst the British delegation for a resolution aimed at revision of the opium agreement. These machinations also explain the surprise and anger of Tenney at the Japanese delegation’s opposition to the resolution. Mackenzie King wrote that:

‘Mr Tang Kai-sou, one of the Chinese delegates, told me confidentially that this resolution had been taken by the American delegates in company with himself, to the Japanese and they were asked to solicit Japanese support for the resolution. Mr Miyaoka, the chief commissioner for Japan stated frankly that the resolution was hardly worded in accordance with what would

⁸⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 57

⁹⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 57

⁹¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 57

be proper from a diplomatic point of view, and that he could not support it in the form presented.’⁹²

MacKenzie King’s memorandum goes on to show how the US delegation simply upped the ante in response to Miyaoka’s reluctance to support their draft resolution:

‘He was asked in what form it might be suitable to him, and the statement was made to him at the time that both President [Theodore] Roosevelt [(1858-1919)] and Mr. Root, were most anxious that such a resolution should be passed; that they had gotten up the Commission with a view to helping the Chinese Government in its efforts to get rid of the cultivation of the poppy, and that it was along the line of this resolution that they hoped the Commission would be the means of assisting China.’⁹³

This US pressure appears to have worked as Miyaoka took the draft resolution, re-drafted it and returned it to Tenney, promising Japanese support if it was proposed in the form of his revised version. According to King ‘This was the resolution which was so strongly objected to by the British Commissioners. It was to all intents and purposes the same as the original resolution.’ However, the US and Chinese delegates were shocked when Miyaoka stood and thwarted their attempt:

‘Dr. Tenney and the Chinese were both astounded when Mr Miyaoka had, at the conclusion of Dr Tenney’s speech, taken exception to the resolution, claiming that it was out of order...This had caused Dr Tenney to appeal to the Chair against the subterfuge being resorted to by the Japanese, which he said was founded on bad faith, or words to that effect.’⁹⁴

Mackenzie King’s account shows us that the Chinese and US delegates were working together to secretly persuade delegates to support resolutions openly objected to by the British. Back-room dealing is not in itself surprising and nor does it seem likely that the British and other delegations would have been immune to such diplomacy to ensure that their interests were met at the official Commission meetings. However, it is clear that the US, and indeed, the Chinese were attempting to use the setting of an international commission on the opium habit and traffic to pressure Britain into granting concessions in the terms of the Anglo-Chinese opium agreement. The British were simply defending the terms of their bilateral agreement with China from modification at a commission, the powers of which were limited to only referring its conclusions to the respective

⁹² TNA FO 228/2425 Confidential Memorandum re Opium Commission signed MacKenzie King dated Peking, 31 March 1909

⁹³ TNA FO 228/2425 Confidential Memorandum re Opium Commission signed MacKenzie King dated Peking, 31 March 1909

⁹⁴ TNA FO 228/2425 Confidential Memorandum re Opium Commission signed MacKenzie King dated Peking, 31 March 1909

governments. Mackenzie King's account also suggests that Dr Morrison, supporter of Chinese reform efforts but often suspicious of her opium suppression intentions, had a role in the *volte face* of the Japanese commissioner over the US resolution. Mackenzie King wrote that Miyaoka's 'sudden change of front' over the resolution which he had himself drafted 'was due, I understand to the influence of Dr Morrison The Times correspondent who intimated to Mr Miyaoka that he w[oul]d be obliged to comment unfavourably on the support the Japanese were giving to the proposal.'⁹⁵ The 'comment' threatened was presumably to have been made in the pages of *The Times*. Miyaoka even moved a vote on whether Tenney's resolution was within the scope of the Commission. Tenney's response is revealing: "I protest that this is a subterfuge." Miyaoka responded in kind, asking the Chair whether "Dr Tenney is in order in stating that the question moved by the Japanese delegation is a subterfuge?" Brent ruled that Dr Tenney was 'out of order' and announced that the Japanese delegation's question was to be put to the house. Miyaoka was careful to state that 'Aye' meant that the resolution was within the scope of Commission and 'No' that it was outside. All the delegations voted 'No' apart from the United States, China and Germany, with one abstention of Siam.⁹⁶ The attempt to renegotiate the terms of the opium agreement was found by the vast majority of the delegations to be outside the scope of the Commission.

Miyaoka's intervention and British objections did not put an end to the US-Chinese attempts to have the opium agreement modified at the Commission. The Chinese delegation made good their promise to propose a resolution raising the issue of modifying the Anglo-Chinese opium agreement. T'ang delivered the first Chinese resolution at the Twelfth Session on the 24 February 1909.⁹⁷

That the Commission recognising the earnest desire of the Government and the people of China to eradicate the production and consumption of opium throughout the Empire and acknowledging that certain progress has already been made in this direction, agrees to recommend that, in order to assist China to solve the great task she is attempting as expeditiously and as effectively as possible, all the Delegates, who are assembled in this Commission should urge their respective Governments to promise their cooperation and

⁹⁵ TNA FO 228/2425 Letter from John N. Jordan to Foreign Office dated 31 March 1909

⁹⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 57

⁹⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 65-71

readiness to reduce the importation of opium into China *pari passu* with the reduction of the cultivation of the poppy within her own borders.⁹⁸

This proposal would have reversed the *pari passu* terms of the Anglo-Chinese opium agreement; forcing India to reduce its exports in line with reductions in production in China. It also sought to bind the other Powers exporting opium to China to such an agreement. The British responded at the next session on the 25th February 1909. As we saw in the introduction, Clementi Smith explained Britain's unwillingness to discuss the opium agreement. The Anglo-Chinese opium agreement was one made between the two respective governments and therefore it was inappropriate that its terms should be discussed in the presence of the other Powers. He reminded the Chinese delegation that the British were already assisting China both morally and practically in her opium suppression campaign.⁹⁹ Miyaoka, once again stood up and, perhaps anxious that the eyes of the British delegation were on him for his obvious back-room role in drafting and (broken) promise of backing for Tenney's resolution, declared in rather gushing tones his support and sympathy for the British delegation:

“With the permission and indulgence of the Commission, I beg to express the sense of sincere satisfaction with which this delegation has heard the most sympathetic statement from the British delegation. I am sure that the Chinese Delegation has the entire sympathy of the various Delegations here present in the gigantic task which she has undertaken, and no statement of profound sympathy is more welcome than that from the British delegation. I therefore beg to express the sincere satisfaction with which this delegation has heard the declaration of the Right Hon. Sir Cecil Clementi Smith.”¹⁰⁰

T'ang duly acknowledged the support and sympathy of the British as expressed by Clementi Smith and Miyaoka and so retracted the resolution. But he told the Commission “we wish to have it put on record that it is the desire of the Government and the people of China to have the abolition of the opium evil effected as quickly as possible.” The opium agreement he made clear was an obstacle to this. He hoped that the recent evidence of Chinese earnestness and success in opium suppression, which he claimed was recognised by all, would mean that “the British delegation might see their way to recommend to their Government a speedier measure for the abolition of the opium evil.” China would be, he said, “under a still greater debt of obligation to Great Britain.” Chinese overtures on the opium trade and suppression had in the past, he acknowledged, been met

⁹⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 70

⁹⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 71-72

¹⁰⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 72

with suspicions and doubts “that China was unwilling to take up the matter of opium reform – that she was too fond of the revenue derived, and that she would not assume the leadership in starting this opium campaign.” But now, he stated, she had shown leadership and determination in opium suppression and so he felt the Chinese delegation “were justified in hoping that Great Britain would not only follow us but maybe surpass the lead that China had assumed.”¹⁰¹ If the Chinese could not have the timetabled end of the India-China opium trade shortened at the SOC then they could make the British aware of this desire before the negotiations for the renewal of their opium agreement began.

Despite the robust response of the British delegation to the manoeuvrings of the Chinese and US delegations regarding the Anglo-Chinese opium agreement, the British were concerned to use the proceedings to uphold its terms without damaging diplomatic relations with China. On 12 February 1909 Hosie questioned the Chinese statistics in their report presented to the Commission on reductions in production and consumption in China following the suppression campaign. Firstly, in choosing Alexander Hosie - he had arranged the proceedings of the Anglo-Chinese opium agreement - to ask what could be awkward questions about the Chinese statistics on its opium suppression campaign, the British demonstrated their desire to hold the Chinese to its terms. Hosie told the Commission of his time travelling through ‘the chief opium-producing centres of the Empire, in Szechuan, Yunnan, and Kueichow.’ There he had personally witnessed ‘the wretchedness, poverty, misery, and evil which the abuse of opium has brought to the people.’ He added that there was ‘no Member of this Commission more in sympathy than I am with the desire and aim of the Government of China to eradicate the cultivation of the poppy and the consumption of opium in China.’¹⁰² His ‘sole object’ in asking questions on the Chinese memorandum¹⁰³ on certain aspects of the Chinese report was, he told the Commission, ‘to arrive at facts which are intended to assist – not to embarrass – China in carrying out the gigantic task which she has set herself to accomplish.’¹⁰⁴

Hosie next turned to the report handed to the Commission by the Chinese delegation. He first noted the efforts and difficulties of the Chinese attempt to gather statistics from local authorities on area of land under poppy. He pointed out that the Chinese, contrary to the Imperial Decrees’ aim of publishing its statistics on the campaign’s progress, had not lain before the Commission annual

¹⁰¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 72

¹⁰² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 27

¹⁰³ The memorandum was published in *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 27-121

¹⁰⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 27

reports of the area under poppy. T'ang, Hosie complained, had not been honest that all the Chinese authorities had been able to gather were rough estimates of production to compare output between 1906 and 1908. The statistics had little value as estimates were mere 'patchwork' in the inland provinces where opium production, irregular taxation and evasion were most prevalent.¹⁰⁵ Hosie also criticized figures on distribution of foreign opium, pointing out that they could not be obtained by the Imperial Maritime Customs.¹⁰⁶ Hosie pointed out that the figures did not show total revenue on native opium only that collected by the Imperial Maritime Customs and there was much more in the provinces. He asked the Chinese delegation whether they could provide figures for the total amount of taxation of native opium in any recent year.¹⁰⁷ Hosie also rejected evidence that between 1906 and 1908 production had been reduced by 37 per cent:

“Such reasoning is to my mind illogical, for we have been informed that the area or acreage under poppy is an unknown quantity, and a conclusion based on the alleged reduction of a unknown area is of very little value.”¹⁰⁸

Hosie noted that in other cases reductions had been calculated by cutting estimates of 1906 production by a percentage of reduction recorded in another province, assuming that they would be matched in others: “It may be so, and I sincerely hope it is; but I am afraid that the figures on which such a conclusion is based would not satisfy any Western Statistical Society.”¹⁰⁹ Hosie then commented on telegraphic reports from the various provinces added to the Memorandum. For example, one claimed that opium production had been eradicated in Fengtien, the southern Province of Manchuria. Hosie bluntly asked:

“Since when? Opium in Manchuria is a summer crop and it was cultivated in several places, especially near the Mongolian border, in 1908, so that it will be time enough to speak of the poppy having been suppressed in Fengtien when the time for sowing the crop comes around by the end of 1909.”¹¹⁰

¹⁰⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 27

¹⁰⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 27-28

¹⁰⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 28

¹⁰⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 28-29

¹⁰⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 28-29

¹¹⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 29

Hosie also showed that there were discrepancies between these telegraphic reports and tables in memorandum on production figures for example in Shantung. Careful not to offend the Chinese delegation, he told the Commission:

“I do not wish to question to question the *bôna fides* of the Governor of Shantung. He merely reports what was communicated to him by the Native Opium Consolidated Tax Bureau, and he gives the Statistics supplied by it. It is simply an instance illustrating the difficulties with which the High Provincial Authorities in China have to contend, and the laxity that prevails in accepting statements as facts.”¹¹¹

Hosie recounted how he had himself witnessed production in areas where the memorandum claimed it had been eradicated: “The burden of most of these recent telegraphic reports is that suppression will be effected in 1909; but Chêkiang and Shensi state that they will require the three years.”¹¹² In Szechwan, the province which produced the greatest quantity of opium, still over two-thirds of the district was cultivating the poppy and the Governor had predicted, perhaps less unrealistically, that the rest would be eradicated ‘within the prescribed limit.’¹¹³ Hosie also criticized the Memorandum’s report on consumption. Despite no registration of smokers or real idea of their number, the Chinese delegation had presented estimates on consumption by adding together figures for the amount of native opium produced with those for foreign opium imported and by dividing smokers into light and heavy smokers (light gets one mace¹¹⁴, heavier four maces each day). Hosie told the Commission that “This is a novel division of the classes; but I much prefer the result of careful enquiries made in many provinces of China.”¹¹⁵ The average consumption of a smoker, according to these enquires, was two mace of prepared opium consumed each day on average by a smoker. The poor estimates of the amount of native opium produced and the failure to include women in the estimates of number of smokers meant that the percentage of smokers in the population was probably overestimated in the report. However, Hosie was careful to point out that this did little to change the fact that ‘opium in China is a great evil.’¹¹⁶

¹¹¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 29

¹¹² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 29

¹¹³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 29

¹¹⁴ A mace weighed equivalent to 3.78 grams.

¹¹⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 29-30

¹¹⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 29-30

Perhaps a clearer idea of what the British thought about the Chinese statistics is revealed in Cecil Clementi's personal notes on the Chinese report.¹¹⁷ Moreover, they show that Hosie's criticism were not merely a diplomatic ploy to undermine the Chinese case for a revision of the Anglo-Chinese opium agreement. In his notes Clementi explored the discrepancies between the estimates given by the Chinese delegation to "the scraps of information" in the provincial reports upon which they were based. The Chinese statistics provided no estimates of the population of those provinces and so turning to the official Chinese census of 1902 and assuming that 'the ratio of adult males to the total population is one in five,' showed a number of incongruities. First, he noted 'the total number of opium smokers is only, 8,715,561 i.e. about one-third of the total resulting from their data.' Secondly, he went on:

In the next place, to those who are acquainted with the provinces it is ludicrous to imagine that in Kiangsi there are almost as many opium smokers as in Szechwan: that in each of the provinces Hupeh, Honan, Anhui, Kuangtung and Shantung opium smokers are vastly more numerous than in Szechwan; or that in Fukisu there are more smokers than in Yunnan; or that in Kueichou opium-smokers are fewer than in any other of the 18 provinces.¹¹⁸

Thirdly, he noted that 'if it were the case that 26 ½ million persons (i.e. allowing for a small number of women) in the Chinese Empire smoked opium', accepting the method of calculation in the Chinese report, then, the 'production of native opium in China must be at present time some 1,151,800 piculs annually, instead of the modest sum of 367,250 piculs at wh[ich] the Chinese delegates estimate it.' Clementi concluded that:

Either therefore the production of native opium is enormously greater than the Chinese delegates state it to be: or the percentage of consumers is vastly less than that given in the reports from the provinces and for the purpose of arriving at a decision on this point and on the point whether the consumption of opium in China has decreased since 1906 the figures given on pages 23-28 of the memorandum presented are entirely valueless.¹¹⁹

Cecil Clementi's harsh criticism of the Chinese opium suppression statistics presented to the SOC was, unlike those of Hosie, private. Having demonstrated that the Chinese statistics were unsubstantiated, Hosie was careful to remind his audience that such criticisms were made 'in no carping spirit' but rather:

¹¹⁷ Bodleian Rhodes Commonwealth Library Cecil Clementi Papers Box 46/4 Opium Papers 1 Handwritten note entitled on 'Chapter IV on Consumption of Opium'

¹¹⁸ Bodleian Rhodes Commonwealth Library Cecil Clementi Papers Box 46/4 Opium Papers 1 Handwritten note entitled on 'Chapter IV on Consumption of Opium'

¹¹⁹ Bodleian Rhodes Commonwealth Library Cecil Clementi Papers Box 46/4 Opium Papers 1 Handwritten note entitled on 'Chapter IV on Consumption of Opium'

‘in the hope that criticism and analysis at this stage may do something to obviate the difficulty and possible controversy which may occur if towards the end of 1910 the Chinese Government are not in a position to demonstrate, with some approach to precision, the actual progress that has been effected.’¹²⁰

In effect, Hosie argued, if the Chinese could produce reliable proof of the success of their opium suppression, which he acknowledged undoubtedly had occurred in several provinces, the better for the renewal of the Anglo-Chinese opium agreement and their suppression campaign.¹²¹ As we saw in chapter two, there is little incontrovertible evidence of the success of Chinese opium suppression before the SOC. Before and after the Commission, evidence collected of Chinese opium suppression was aimed not at genuinely proving its success but to demonstrate the sincerity and popularity of the campaign.¹²²

Morrison reported Hosie’s sympathetic criticism of the Chinese report and the promise of continued British support in *The Times*.¹²³ The British delegation wanted the Commission to formally recognise the problems with the Chinese statistics and so Clementi Smith proposed a resolution at the Eleventh Session on 23rd February 1909:

That the representatives of China in this Commission are unfortunately not yet able to produce reliable statistical evidence of the actual extent of the diminution in the production of opium; and the Commission also apprehends that in some respects this fundamental element of the problem of prohibition may present increasing difficulties: the Commission would accordingly recommend that the different Governments interested should enter into negotiations with a view to the initiation of more systematic methods of dealing with the question.¹²⁴

The British were confident and serious in their scepticism towards the practicability of Chinese opium suppression. Clementi Smith made clear that the importance of a ‘statistical return’ on opium production and consumption in China since the Imperial Edict began domestic suppression in 1906, as proof of the *pari passu* condition of the opium agreement. It was “a matter of importance in dealing with this question”, especially as it “effects agreements with other

¹²⁰ A. Baumler, *The Chinese and Opium under the Republic: Worse than Foods and Wild Beasts* (Albany, NY: State University of New York Press 2007) pp. 76-77

¹²¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 30

¹²² A. Baumler, *The Chinese and Opium under the Republic: Worse than Foods and Wild Beasts* (Albany, NY: State University of New York Press 2007) pp. 76-77

¹²³ ‘The Opium Commission, Address by Sir A Hosie (From Our Own Correspondent) Shanghai Feb. 14’, *The Times*, Tuesday, 16 February 1909, p. 5

¹²⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 58

countries.” Therefore, he argued, “there should be a system introduced into China which will ensure their being official statistics upon which everybody can rely.”¹²⁵ Like Hosie, Clementi Smith was careful not to upset the Chinese delegation. He told the Commission that: “The language of this resolution has been so framed, I trust, as not in any way to encroach upon the privileges which China enjoys as a sovereign Power.” Statistical information was of real importance to enable Britain ‘to follow China in the task she has undertaken’ and so ‘a proper subject for our Governments to bring to the notice of the Chinese Government.’ Clementi Smith even suggested some flexibility on the deadline of providing some proof:

“All that we have in our minds is that we think our respective Governments can very properly urge upon China to get this information before the ten years have elapsed, and it is with that view that the British Delegations submits this resolution for adoption by the House.”¹²⁶

As such, proof of Chinese opium suppression would have little bearing on British willingness to renew the Anglo-Chinese opium agreement. Miyaoka, perhaps sensing an opportunity to make amends for his earlier *volte face* during the attempt of the US and Chinese officials to modify the opium agreement, now stood up to defend the Chinese statistical returns. He argued that they were indeed just estimates but made no claims to be otherwise, and were in themselves, an achievement to be congratulated given the size of the problem facing China. He acknowledged that Hosie was correct in saying that they would not be accepted by ‘any Western Statistical Society’ but questioned the application of a Western yardstick to the measure of an international concern. This was “an International body” he told the Commission, composed “of Delegates from all parts of the world” with “different traditions, different forms of administration, and different degrees of accuracy in taking statistics.” Miyaoka concluded: “that they should all combine in passing judgement upon the statistics which have been resented by the Chinese Delegates seems hardly proper”, adding that given the immensity of the area covered in the statistics, “with your permission I tender them my hearty congratulations.”¹²⁷

T’ang expressed the Chinese delegations’ appreciation of the ‘kind words of support of Miyaoka, the ‘reasonable and just terms’ of the British resolution and ‘the fair manner’ of the British delegation criticism of the inadequacy of Chinese statistical returns on opium suppression in China. T’ang argued that the difficulties of obtaining reliable statistics, about which the Chinese authorities and Alexander Hosie were fully cognisant, were not unique to China, “in India and all

¹²⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 58

¹²⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 58

¹²⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 58-59

other countries where proper methods of land survey do not exist, the same confusion would be experienced.” He promised that the Chinese delegation would “draw the attention of the central government to our present inadequate system for the compiling of records, and it shall also be our duty to draw the attention of the Government to the fact that the lack of such proper statistics will give rise to a certain amount of difficulty when we come to adjust matters with Great Britain.”¹²⁸ T’ang had promised that they would do their utmost to obtain reliable statistics but in highlighting the depth and complexity of difficulties in doing so made no guarantee of success. Nevertheless, Clementi Smith expressed his appreciation and satisfaction at T’ang’s reassurances and withdrew the resolution.¹²⁹ Clementi Smith still made a point, in his detailed report for the FO written on his return to London, of criticizing the “guesswork” and “patchwork” nature of the Chinese report.¹³⁰ The British did not in the workings of the opium agreements push the burden of proof for *pari passu* reductions in China hard. Hosie would soon conduct a tour to gauge the degree of success in opium eradication in China.¹³¹

British objectives at the Commission and future controversies over the opium agreement and Chinese opium suppression campaign are illustrated by the attempt, towards the end of its proceedings, by the IO to use the Commission as an opportunity to hold the Chinese authorities to the terms of the opium agreement. The IO wrote to the FO about recent regulations on the sale of opium which had been made by the provincial authorities in Kiangnan. The authorities in Kiangnan had limited the number of wholesale houses and the number of their dealers. The wholesale regulations included a clause that exempted foreign opium from its application, but there was no such clause exempting foreign opium from that which required ‘retail dealers to obtain their supplies from the licensed wholesale dealers.’¹³² Sir John Jordan was responsible for ensuring that Chinese opium regulations did not discriminate against Indian opium and the IO suspected this was a mere oversight in his letter asking for such exemptions to Prince Ch’ing. The letter stated that the Secretary of State for India, now Viscount Morley, ‘hopes that this and other similar questions will be deferred by the Chinese Government to the Opium Commission for examination and report.’ According to the IO letter, this had been suggested by Jordan to the Chinese minister at a meeting on the 5 January. In the IO the Commission was seen as an opportunity to hold China to the opium agreement which guaranteed that Indian opium would not be treated disproportionately to domestic or other foreign opium in order to exclude it out with the timetabled reductions of exports. This episode presaged difficulties in the negotiations and

¹²⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 59

¹²⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 59

¹³⁰ No. 2. Sir C Clementi Smith to Sir Edward Grey (Received April 10), dated London 8 April 1909

¹³¹ Newman, 1989, pp. 546 and 549

¹³² TNA FO 371/614 India Office to Foreign Office dated 24 February 1909

diplomacy surrounding the renewal of the opium agreement. The IO wrote to the FO on 24 February 1909:

The present position is eminently unsatisfactory. There are constant attempts on the part of the Chinese Provincial Governments to establish systems of opium licenses, which, if properly devised and honestly worked, would at once restrict consumption and bring in revenue. These projects are usually suspected as discriminating unfairly against foreign opium, and for the most part have so far been successfully resisted by His Majesty's Representatives in China by an appeal to existing Treaties.¹³³

As we have seen, treaty abrogation in Canton were part of the reasons for Britain's proposal for a renewal of the opium agreement despite no strong proof, as seen in the Chinese report to the Commission, of success in the reduction of production and consumption in China. For the British the Anglo-Chinese opium agreement was in large part a means by which they might ensure China fulfilled its own obligations for opium reductions. For the British the agreement was not simply about protecting a gradual diminution of their opium exports to China. In turn, the Commission, the IO suggested, might be an opportunity to promote Chinese opium suppression and so Chinese adherence to the Anglo-Chinese opium agreement. The letter from the IO to the FO continued:

But Indian experience shows that for the effective regulation of the opium habit a license system for all classes of dealers is necessary. It is desirable that advantage should be taken of the presence of the Opium Commission to have the subject thoroughly examined on the spot, with a view of seeing whether something cannot be done to meet the wishes of the Chinese Government by arrangements which shall be fair to foreign opium.¹³⁴

The IO, confident that the Commission would approve the system of opium regulation in India, and - in contrast to the GOI's anxiety about possible international interference - even suggested that the British propose to the Commission that China follow British experience in India in licensed vend of opium to establish adequate control over the habit. The FO note on the IO letter defended Jordan stating that he had actually 'protested against prohibition measures against sale of any British opium imports not just wholesale.'¹³⁵ The FO were content to propose Morley's request that the issue of discriminatory regulation in Kiangnan and the suggestion that China should adopt India's system of licensed vend be passed on to the British delegation. But, as the note read 'if it has not already been done (& I see no mention of the licensing question in the summary of the resolutions passed by the Commission - in today's Times. I fear it is too late to put it forward as

¹³³ TNA FO 371/614 India Office to Foreign Office dated 24 February 1909

¹³⁴ TNA FO 371/614 India Office to Foreign Office dated 24 February 1909

¹³⁵ TNA FO 371/614 Minute by R. Collier 24 February 1909

the Commission is practically over.¹³⁶ We will see in the next chapter that the British delegation would have been unlikely to make this suggestion as they were opposed to the idea of any country being forced to adopt a system of regulation designed for the conditions and circumstances of another. Nevertheless, the IO had sought to use proactively not defensively the SOC to hold China to the terms of the opium agreement.

In his report to the FO, Clementi Smith, as leader of the British delegation, reflected on the proceedings of the Commission. He remarked on the great deal of time spent answering the subsequent questions on reports and the clashes with the Chinese and US delegations. Despite the obvious tensions with the American and Chinese delegations over the opium agreement, Clementi Smith did not feel the British had stood alone or been frustrated in any great ambitions.

The British delegates were not furnished with any formal proposals to lay before the commission, and, so far as I could learn, their attitude was similar to that of all the other representatives, with the exception of those from the United States. I should add that at a somewhat late stage the Chinese delegates brought forward certain resolutions, some of which were not, however, pressed, one of them delaying with the agreement between India and China being rules by the commission as not within its scope.¹³⁷

The British position was more reactive than proactive during the Commission proceedings and they were broadly satisfied. Reflecting on the Commission, Clementi Smith told the FO: ‘The conference was held, and, I am glad to be able to add, with very satisfactory results.’ The resolutions were accepted by all and, a part from on opium divans in the settlements and one on anti-opium remedies, both issues of concern for the Crown Colonies not British India, he was satisfied.¹³⁸ Brunyate initial report was unreflective; he simply reported the Commission conclusion and the resolutions passed.¹³⁹ Dr Morrison, *The Times* correspondent, in reporting the end of the Commission looked forward to the negotiations for the renewal of the opium agreement:

China will, presumably, at an early date, approach the British Government with a view to the revision of the existing agreement regarding the reduction of the export of opium from India, and will endeavour to have the reduction increased with special reference to the export of opium from India to China. China having by the terms of the agreement a right to station an official in Calcutta to report upon the opium reduction, presumably the Government of India

¹³⁶ TNA FO 371/614 Minute (signature indecipherable) 26 February 1909

¹³⁷ No. 2. Sir C. Clementi Smith to Sir Edward Grey (Received April 10), dated London 8 April 1909

¹³⁸ No. 2. Sir C. Clementi Smith to Sir Edward Grey (Received April 10), dated London 8 April 1909

¹³⁹ IOL P/8224 Telegram J. B. Brunyate to the Secretary to the Government of India dated 26 February 1909

will now require a right to delegate officers to inspect the actual condition of the reduction of poppy cultivation in China.¹⁴⁰

However, it was not to be until July 1910, in line with the original timetable, that Anglo-Chinese diplomacy began for the renewal of the opium agreement. Moreover, the general British public were perhaps less concerned than those extolling the historical moment of the Commission would have hoped. As Chirol wrote to Morrison, explaining that the delay to the publication of his report on the Resolutions was because they were cramped for room in that day's paper:

Your Conference work was excellent but, of course, it was not a subject which attracted as much attention here as it did in China or as it would have done in normal times.¹⁴¹

If the British had not been successful in preventing the Commission from attempting to modify the Anglo-Chinese opium agreement and so precipitate the end of the India-China trade, and if British officials were not so careful to not criticize the Chinese and US delegations too harshly or loudly given anti-opium pressure at home, it is perhaps likely that the events at the SOC may have garnered more public interest in Britain.

Conclusion

We now return to the question posed in the introduction of why the British refused to discuss the Anglo-Chinese opium agreement during the Shanghai Commission. We saw in the previous chapter that the British did not set out to limit the scope of the Commission. There were anxieties that the Commission might, as anti-opiumists in London had, press for a more rapid cessation to the India-China opium trade. However, these concerns did not bring the British to narrow the agenda of the Commission. Leading officials such as Morley and Grey were in favour of the Commission whilst others felt confident that British regulations in its colonial possessions in Asia could be defended. The British had also obtained assurances from the Chinese that they were satisfied with the opium agreement and would not use the Commission as an opportunity to seek its modification. However, from the opening speech of the Commission by the Viceroy of Liangkiang Provinces, the Chinese and US officials in their questions and resolutions, sought to have the India-China trade end more quickly citing the success and speed of Chinese domestic opium suppression. These proposals were unacceptable to the British delegation whose government had since 1906 been reducing its exports of opium to China through an agreement with the Chinese government. The British position was that the end of the trade should be orderly and gradual and that the Chinese should suppress opium production and consumption in China

¹⁴⁰ 'The Opium Commission-Summary of the Resolution (From Our Own Correspondent) Shanghai, Feb 25)' in *The Times*, 26 February 1909, p. 5

¹⁴¹ V. Chirol to Morrison, dated London 30 March 1909 in Lo Hui-Min, 1976, pp. 480-481

pari passu with reduction in Indian exports. An accelerated end brought about at an international Commission at which British commissioners only had *ad referendum* powers was unimaginable. Moreover, the claims about opium suppression in China were not backed up by the statistics presented by the Chinese to the Commission. Even Alexander Hosie, often a supporter and witness to the sincerity of the Chinese government and people in the opium suppression campaign, disputed the Chinese claims based on his observations on recent travels through China.

The resolution of T'ang Kuo-an's we saw in the introduction to this chapter appeared in this context. By asking delegates to 'urge their respective Governments to promise their cooperation and readiness to reduce the importation of opium into China *pari passu* with the reduction of the cultivation of the poppy within her own borders,' the resolution sought to reverse the workings of the opium agreement.¹⁴² The resolution and others like it proposed by the Chinese and US delegations, were aimed at binding Britain and other powers to reduce their imports into China at the pace of Chinese opium eradication. This would also have abrogated the ten year timetable for a gradual cessation of the India-China trade which was a condition of Britain's support for Chinese opium suppression. Therefore, the British refused to discuss the opium agreement with China, not to protect their India-China opium trade but rather to maintain their control over the terms and timetable of its cessation, already agreed to and well under way by the time of the Commission. This was a position upon which all the British official agencies involved in the Commission would have agreed. For the IO and FO holding to the opium agreement would still bring the India-China opium trade to an end and, especially important for Morley, help China in her opium suppression campaign. The opium agreement was for the GOI the best means to guarantee that the reductions in its exports and domestic opium industry were gradual and orderly, not a mere transfer of opium revenue from British to Chinese coffers.

¹⁴² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 70

Chapter five: the Shanghai Opium Commission and domestic opium regulation in British India 1909-1910

This chapter will look at British official responses to attempts at the Shanghai Opium Commission (1909) to establish international principles of opium regulation. As we saw in the introduction historians have noted how the SOC saw a clash between two standards of opium regulation.¹ The US delegation postulated that any consumption of opium that was non-medical was illegitimate and so should be defined as illicit. The colonial powers in Asia rejected the notion that forms of opium consumption, sometimes including smoking, were harmful. Colonial powers argued that ‘quasi-medical’ uses of opium with established cultural acceptability should be recognised as legitimate especially as there were limited medical alternatives that would be available and considered acceptable to the populations of their colonies. This medico-cultural logic was bolstered by arguments that pointed to the spread of more deleterious Western manufactured drugs, alien to these Asian societies, which they argued, would be stimulated by suppression of opium as it was feared that consumers would switch to alternative intoxicants. The colonial powers, as McAllister argues, were successful in watering down the terms of the Commission’s resolutions in line with their *laissez faire* systems of opium regulation.² The political scientist M. Emdad-ul Haq, in his study of drugs in South Asia, has considered the impact of the Shanghai Commission on British Indian internal opium policy.³ Haq argues that the non-binding nature of the resolutions, their compromised form and the Government of India’s over-riding desire for revenues meant that in British India there was no lasting adherence to the SOC principles of greater stringency in opium regulation and the gradual prohibition of opium smoking. Moreover, Haq contends that the loss of the India-China opium trade and the need to replace its revenues saw the GOI reverse its earlier opium policy which had ostensibly sought to maximize exports and revenue whilst minimizing consumption within India. This chapter will look again at these positions of the British colonial administration as regards domestic opium regulation in India during the proceedings and, afterwards, towards the resolutions of the SOC.

We have already seen in the introduction how British arguments about industrial drugs such as morphine and cocaine seen later at the Hague Opium Conference (1911-1912) were in fact rooted in genuine anxieties of colonial officials about their harms and spread amongst the population of Asian colonies.⁴ Moreover, chapter one showed how British Indian opium regulations were far

¹ W. B. McAllister, *Drug Diplomacy in the Twentieth Century: An International History* (London: Routledge 2000), pp. 28-30

² McAllister, 2000, p. 29

³ M. Emdad-ul Haq, *Drugs in South Asia: From the Opium Trade to the Present Day* (London: Macmillan 2000), pp. 70-77

⁴ See J. H. Mills, ‘Cocaine and the British Empire: The drug and the diplomats at the Hague Opium Conference, 1911-1912,’ in *Journal of Imperial and Commonwealth History*, 42, 1, 2014 (in press).

from *laissez faire* or simply about revenues, shaped as they were by the prejudices and exigencies of the colonial administration. The British, as the GOI feared (chapter three), had to defend their systems of opium regulation in their colonial territories in Asia, especially that of its largest opium colony India. This was not only a question of revenue but also one of limiting the illicit market and avoiding interference with the local use of intoxicants considered popular and traditional. British arguments about domestic opium regulation at Shanghai reflected such concerns of their colonial administrations especially in India. After the Commission, the GOI corresponded with local governments and administrations throughout British India on the question of reforms to the local systems of opium regulation in order to bring them into line with the standards set by the Shanghai resolutions. The latter half of this chapter will look at the correspondence between central government, provincial authorities and local officials across British India upon the desirability and practicability of tighter opium regulation or prohibition. The British position on opium was not only fractured horizontally between metropolitan politics and colonial administrations but was also divided and contested vertically between different levels of the colonial administration.

The British (Indian) defence of domestic opium policy at Shanghai

The question of opium regulation in British India at the SOC was connected to the assistance of China in her domestic opium suppression campaign. In particular, successful Chinese opium suppression required not only the reduction of the Indian opium industry and exports but also that the British administration prevented the leakage of opium from India for the illicit China market. The British oral and written reports to the Commission on India sought to defend the systems of opium regulation in their opium colonies.⁵ As we saw in chapter three, US officials had broadened the scope of the Commission which made GOI and Colonial Office officials anxious about outside interference in their domestic systems of opium regulation.⁶ Bishop Brent's opening speech reminded delegates of their obligation, following the US notification of the summer before, to present to the SOC the results of their investigations into 'every phase of the opium question in their own territory, including their homeland.'⁷ The GOI representative who delivered the oral report for India began with the questions of the Anglo-Chinese opium agreement and the opium trade with China, including their domestic aspects, and moved on to the question of the

⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 23-24 and *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 174-179

⁶ For the reports of the Crown Colonies see *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909)

⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 12

consumption and regulation of opium in India.⁸ Brunyate told the Commission that general regulations were common throughout India though differences in detail abounded. The sale of preparations of opium for smoking and their possession was 'absolutely prohibited' and individual possession was not permitted above 180 grains weight, except in Burma. The amount of opium that an individual could possess was limited in the majority of provinces to 540 grains and in a few provinces to 900 grains. Opium was mostly eaten in India with an annual consumption roughly equivalent to 8,000 chests of opium for export. Having discussed the prevalence and rates of consumption across the colony Brunyate explained that an apparent increase in consumption in the last two-three years 'could be definitely accounted for by the smuggling of opium into Burma' encouraged by the prohibition of its consumption among the unregistered native Burman population.

Brunyate was anxious to explain to the Commission both the difficulties and success of the prohibition policy in Burma.⁹ He told the Commission that 'the experiment, which seemed to him an exceedingly interesting one, had now extended over fifteen years.' Initially the policy had brought a sharp fall in consumption but this had been followed in recent years by a 'large and rapid increase'. In the initial period of the prohibition policy smuggling had been rife. But now, he told the Commission the figures for consumption showed 'a definite tendency to progressive decline' whilst 'the creation of a strong preventive establishment, had recently led to an increased resort to licit modes of supply.' There remained problems especially as opium was still available to Indians and Chinese in Burma who would sell opium illegally to the Burmans, a practice known as 'hawking'. In response the authorities had limited the supply of opium to individuals to an estimate of the level of individual consumption. This had led to a fall in consumption since 1905-1906. Overall, Brunyate told the Commission 'in Upper Burma the opium habit has been kept well in hand' and in 'Lower Burma success appeared to be in sight.' Brunyate acknowledged that informative statistics on illicit consumption were difficult to produce but cited figures on opium consumption among the jail population as a proxy. In the ten years preceding the prohibition policy in Burma the average percentage of consumers among the jail population was 20.39. In the eight years following prohibition this had fallen to 16.69. After further improvement the proportion of the population in consumers soon fell again to 12.8 per cent. By 1905, the final year for which he had statistics, 12.12 per cent of the jail population were classified as consumers of opium. Brunyate's message was clear: prohibition was difficult but a gradual and responsive

⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 24. See also *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 179-194

⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 24-25

approach promised eventual success. In finishing his presentation of the British India report Brunyate had a further message, delivered through the words of Viceroy Minto in the Legislative Council in May 1907 on the Anglo-Chinese opium agreement and the wisdom of a total suppression of the opium habit:

“I am no opium faddist. I quite admit the hardship a proscription of opium would entail on those who use it in moderation, as many in this country [India] do.”¹⁰

In Brunyate’s speech, the written report and during later debates on the resolution the British would refuse to support a policy of absolute suppression of non-medicinal opium use. Those delegates that bothered to also read the Report delivered the following week would have found an explanation for this British refusal to condemn non-medical opium use.¹¹ Firstly, the report portrayed opium consumption more as a harmless pastime and tonic for the aged; ‘the habit is frequently adopted about middle age when the general health begins to decline.’ Secondly, the report addressed directly the question of whether opium was a cure for malaria, arguing that its widespread use rather than medico-scientific proof was of greater significance in rejecting a policy of non-medical prohibition, as the RCO had concluded:

... whether actually efficient or not as a preventive or permanently curative remedy, it is widely used with the object of relieving pain and bodily discomfort among a population the great bulk of which is unaccustomed to or beyond the reach of medical treatment on European lines, and indeed, of genuine medical treatment of any school.¹²

The report also acknowledged that the ‘practice of administering opium to infants in minute doses’ was ‘prevalent in Rajputana and in Central India and elsewhere’ but was ‘discontinued after the first few years of life.’ Finally, the report argued that the use of opium ‘as an indulgence’ was to ‘some extent interwoven with the quasi-medical use, or originating in it, and other cases distinctly separable.’ This picture of opium consumption and regulation in India presented by the British delegation to the Commission chimed with their defence of their system of opium regulation, as seen in chapter one, set out in the final report of the RCO nearly a quarter of a century earlier.

There was some opposition amongst the delegations, as well as the British, to the discussion of domestic systems of opium regulation. On the afternoon of the Seventh Session, 15 February 1909, delegates debated whether the Commission was established to inquire into the opium question in

¹⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 25

¹¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 186

¹² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. II. – Reports of the Delegations* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 186

countries outside of East Asia.¹³ The Chief Commissioners of France and Portugal argued that the Commission was to apply to the Far East only. The American officials would, however, insist on the broader discussion of domestic regulations. Dr Hamilton Wright of the US delegation reminded the Commission that his government had ‘suggested the study of all phases of the opium question in each country represented’, stressing that this was to have been done before the Commission sat in order to facilitate its investigation. Bishop Brent, as President, cut ‘what promised to be a lengthy debate’ short and, perhaps in conciliatory tones, suggested that each delegation ‘might at least obtain such information regarding the conditions at home as would enlighten the Commission, and enable it to carry the work before them to a successful issue.’ The American delegations would use the opportunity to question the British on the India report to cast doubts both on British efforts to assist China in her opium suppression and on the morality and efficacy of their domestic opium regulations in their colonial possessions, especially India.

At the Eleventh Session, 23 February, Dr Hamilton Wright gave his speech in preparation for the US delegation presenting its resolutions to the Commission.¹⁴ Wright not only sought to put pressure on the British to end India to China exports more quickly than envisaged in the Anglo-Chinese opium agreement but also sought to establish the principle whereby legitimate opium consumption was restricted to medicinal use. As we saw in the last chapter Wright was fond of citing British officials, such as Governor-General of Bengal Warren Hastings and Secretary of State for India John Morley in their criticisms of the opium trade. He now reminded the Commission and no doubt the British delegation that Morley, as we saw in chapter two, had in his speech to the House of Commons 30 May 1906 questioned the validity of the medical conclusions of the RCO and so, in effect, expressed some distance from the GOI position on opium in favour of the evidence of the Philippines Commission and of anti-opium witnesses in China who insisted that opium consumption was an unmitigated evil.¹⁵ Having used much of his rhetorical force in an attempt to create pressure on the Anglo-Chinese opium agreement, Wright finished his introductory speech with an attack on the non-medicinal consumption of opium. He acknowledged its medicinal with an allusion to a dictum of Thomas Sydenham (1629-1684), English physician and creator of the alcoholic tincture of opium known as laudanum¹⁶, that, as Wright put it, ‘medicine would go limping had it not been for the discovery of the drug.’ However, Wright remarked that its use should be restricted to ‘those stresses and strains of mental and physical life that may be said to be extreme.’ There were dangers even in medicinal use which had become

¹³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 34

¹⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 45-46

¹⁵ See HC Debate 30 May 1906 Volume 158 Columns 505-510

¹⁶ Thomas Dormandy, *Opium: Reality's Dark Dream* (London: Yale University Press 2012) pp. 53-55

evident in the US's problem with opium about which Wright was, at the time, the chief doomsayer:

We would agree, I think, that there is a constant temptation to the most enlightened members of the medical profession to the use of the opium to relieve mental and physical pain, a temptation to which the medical profession too often gives way.¹⁷

Therefore the Commission, Wright argued, should look at the question from the financial and diplomatic perspectives 'for the control or reduction of the use of opium amongst those people to whom it is a familiar and ready remedy for all the minor ills that flesh and mind are heir to.'¹⁸ Wright then proposed resolutions, four of which would as the British saw it, challenge the principle of opium regulation in their colonies in Asia, most importantly in India.¹⁹

The response of the British delegation to these US resolutions made clear the fundamental clash on the principles of opium control. The first US resolution called on governments 'to confine the use of opium, its alkaloids, derivatives and preparations to legitimate medical practice in their respective territories.'²⁰ However, the resolution did acknowledge that each government was 'best able to determine for its own nationals, dependent or protected peoples, what shall be regarded as legitimate medical practice.' When this resolution came to a vote, Clementi Smith, leader of the British delegation, responded reading from a pre-written speech which, as he explained to the Commission, he believed would be 'more respectful.'²¹ The British delegation rejected the notion of unqualified opium prohibition which they believed this resolution was aimed at. They were however agreed to the prohibition of opium smoking. The US resolution, they argued, was based in the mistaken view that all the countries represented had agreed on the principle of restricting opium consumption to the purely medicinal. However, he pointed out that only the US, Chinese and Canadian reports had done so. They did not deny the necessity of US and Chinese opium prohibition but argued that in other countries there were very different circumstances and conditions. Some countries would disagree with the prohibition of non-medical use, they argued, whilst others might favour such a prohibition but not immediately. In particular, the conditions and system of opium regulation in British India, in contrast to that in British Burma, "made it absolutely clear that it is altogether impracticable in the near future, to depart from this established

¹⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 46

¹⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 46

¹⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 46-48

²⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 48-50

²¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 48-50

policy.”²² The British even argued that the policy of opium regulation in India was demonstrably superior to that of prohibition in China.

“The opium habit has been known in India for centuries, You have only to look at the statistics of consumption to-day, and compare them with the lowest estimate of consumption in China, and remember how rapid has been the extension of the production and consumption of opium in the latter country, to see that the system of regulation built up in India is in fact, in a large measure, an efficient instrument in the prevention of abuse.”²³

The system of regulation in British India, developed over centuries of colonial rules, Brunyate told the Commission, already successfully controlled the opium habit and traffic. Moreover, he told them:

“You have only to consider for a moment the relations between the ruling power and the subject populations of India to realise that despotic interference with a national habit, dating, as I have said, from a period long anterior to British rule, could only be justified if that habit had been the cause of extensive social degradation, of which we have no sufficient evidence, or by the assurance of strong and genuinely popular support from Indian public opinion. This general support would not be forthcoming to-day.”²⁴

As we saw in chapter one, the British did not believe that there was any great movement for opium suppression, following the Chinese example, in India in the years leading up to the SOC. The British confessed that it was impossible to sacrifice domestic opium revenues until those from the India-China opium trade had been replaced. Any such prohibition would be, they argued, impracticable as well as unpopular. India was bordered in the north by opium-producing countries including Nepal and Afghanistan. It had 200,000 square miles of Princely State territory in the Western and Central India with a corresponding inland frontier. In the south it was bordered by the state of Hyderabad, which could by agreement with the GOI start opium cultivation with a single year’s notice. All these border territories posed a similar threat as a potential pool of illicit opium. These difficulties, Clementi Smith insisted were not hypothetical but based on British experience of dealing with the opium-producing Princely States and in trying to maintain the salt monopoly,

²² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 49

²³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 49

²⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 49

as we saw in chapter one, through the Inland Customs Line or Great Hedge as the historian Moxham has christened it.²⁵

“I am not raising speculative difficulties. We now from actual experience in regard to these same centres of production in the past what we must expect in the future. We know too from actual experience the evils and futility of a policy which can only be maintained by the employment of enormous preventive establishment to guard an extended inland barrier.”²⁶

The British delegation also returned to their experience of Burma in order to their opium policy. But this time with much greater emphasis on the difficulties of enforcing a policy of prohibition. They told the Commission that in Burma, despite popular and religious sentiment being in favour of prohibition and the provinces’ relative isolation from the main body of India:

“...the problem of prohibition has resisted the efforts of the Government for a period of fifteen years, and can hardly yet be regarded as solved even by the system of minute individual scrutiny which has now been attempted.”²⁷

The British delegation argued that in India it would be impossible to establish a policy of proscribing opium ‘as the source of more extended social injury than alcohol and hemp.’ It would be necessary first reduce opium consumption considerably through a system of regulation and gradually build public support for prohibition. Opium’s status and use as a cure-all household remedy in India would also, they argued, prove to be a major barrier to suppression. The reliance of local governments and administrations on subordinates to enforce regulations, a problem that had beset attempts to suppress opium smoking throughout India (see chapter one), would also jeopardize the efficacy of any prohibition. Corruption was highly probable in a system of prohibition.

“Even if we adopted the resolution in principle we should still, and for a long time to come be compelled to put a most liberal construction on the term ‘medical purposes’; and to entrust the distribution of the drug for such purposes to a subordinate agency, constantly exposed to strong temptation. This further opportunity of irregularity would go far to complete the undermining of a scheme of nominal prohibition.”²⁸

²⁵ R. Moxham, *The Great Hedge of India* (London: Constable and Robinson 2001)

²⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 49

²⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 49-50

²⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 50

In order to mitigate these British objections Wright proposed adding the words ‘Legitimate medical practice of Government Regulation’ to the preamble of the first US resolution. This, and a proposal by Dr Rössler, Chief Commissioner of the German delegation and Consul-General at Canton, to add the words ‘as far as practicable’ to the resolution did not satisfy the British delegation. Clementi Smith, impatient to make clear the British position, told his fellow Commissioners: “To put it perfectly plainly, and to be entirely frank, the British Delegation is not able to accept the view that opium should be confined simply and solely to medical uses.”²⁹ Dr Wright, rather than leap on a confession of a position antithetical to his own, acknowledged that it was almost impossible for the British to distinguish between medical and quasi-medical uses of opium India, and admitted to the Commission that it was “impossible to apply modern western medical ethics to a great country like India.”³⁰ Despite his earlier demands that the Commission aim to eradicate the non-medicinal use of opium Wright, rather than conceding to the British position, was more likely trying to avoid further antagonising the British before the rest of the US resolution had been put to the vote. With this aim in mind, he had acknowledged the validity of the British medico-cultural argument against opium prohibition in India.

The British delegation would have to also object to the second US resolution which recommended that government give up their dependence on their opium revenues in favour of a policy of restriction to ‘legitimate medical practice.’³¹ The British particularly objected to that part of the preamble to this resolution which stated that ‘the revenue derived by certain countries from opium is primarily due to the unguarded and indiscriminate use of the drug.’ Clementi Smith countered that “It is a commonplace of opium administration, and is abundantly clear from the reports themselves, that it is the most efficient systems of regulating the use of opium which yield the highest return in revenue.”³² Clementi Smith also objected to the suggestion in the resolution that such a government was unable to face the problem of losing its opium revenue, he argued that: “If any country finds the prohibition of the use of opium to be incumbent upon it, its revenue problem will no doubt be faced and ultimately successfully faced”³³ Clementi Smith made clear the unwillingness of the British delegation to set foot in the ‘fiscal domain’ of other governments, besides, he noted, other governments derived “a substantial portion of their revenue from an excise

²⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 50

³⁰ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 50

³¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 46-47

³² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 50

³³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 51

on articles the consumption of which is associated with abuse.”³⁴ The British did not object to all US resolution which touched upon colonial systems of opium regulation.

The British delegation was more accommodating of the third US resolution which posited ‘the principle of the total prohibition of the manufacture, distribution and use of smoking opium. . . in the shortest possible time.’³⁵ Clementi Smith accepted this resolution on behalf of the British on the condition that the delegations should move their own Governments “to take measures for the gradual suppression of the practice of opium smoking in its own territories and possessions.”³⁶ But the British staunchly opposed any interference in their autonomy in internal opium policy. The sixth US resolution proposed that ‘a concerted effort should be made by each Government represented in the Commission to assist every other Government in the solution of its internal problem.’³⁷ Clementi Smith began the British response by drawing the Commission’s attention to the resolutions’ preamble which admitted that ‘each Government is best able by its National Laws to control its internal problem as regards the manufacture, importation or abuse of opium’ and the success of the US’s own domestic legislation. But he told the Commission:

“I only wish to take that case as an illustration of the argument which I wish to urge upon this Commission. It appears to me that we are interfering or proposing to interfere in a way which our instructions do not allow of in the matter of internal administration, and that alone, to my mind, makes it almost impossible for us to fall into line with the American delegation.”³⁸

Clementi Smith argued that Commissioners’ *ad referendum* powers were insufficient to interfere directly in the internal administrations of countries. Wright disagreed with Clementi Smith’s assessment of the significance of the resolution arguing that it rightly recognised that ‘assistance’ was necessary to any domestic controls but that it did not aim at undue interference in the internal administration of other countries. This resolution was, however, dropped when the Japanese Commissioner, Miyaoka pointed out that its objective had already been accomplished by the fourth resolution which the Commission had already accepted.³⁹ Having found support in their objection to the US resolution from Miyaoka, as they with Tenney’s earlier resolution aimed at the India-

³⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 51

³⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 47

³⁶ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 51

³⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 48

³⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 52

³⁹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 52-53

China opium trade, the British decided to take a more proactive approach to the defence of their internal opium policy.

After the Commission, Clementi Smith recounted to Sir Edward Grey, Secretary of State at the Foreign Office, the story of the US resolutions, telling him that ‘we were aware of the form they would assume’, and so ‘we decided to submit certain proposals on behalf of our own commission.’ The British proposals had been circulated before the whole commission when the American resolutions were introduced. Clementi Smith told Grey that, after the majority of the American resolutions had been rejected:

It became manifest that the majority of delegations were not prepared to adopt the major portion of these resolutions, and at the suggestion of the senior French delegates an informal conference was held between the British and the United States’ delegates with a view to the preparation of such resolutions as would meet the general approval of the commission as a whole.⁴⁰

The British-American Conference evidently had some success. At the Twelfth Session, 24 February, they together presented two resolutions, which approved by the Commission were to replace the first and second American resolutions. The first joint Anglo -American resolution stated:

That in view of the action taken by the Government of China in suppressing the practice of smoking, and by other Governments to the same end, this Commission recommends that each delegation concerned move its own Government to take measures for the gradual suppression of the practice of opium smoking in its own territories and possessions, with due regard to the varying circumstance of each country concerned.⁴¹

This first joint resolution was adopted unanimously with only two minor issues. The Chief Commissioner of the Dutch delegation, A. A. De Jongh, Inspector-in-Chief and Head of the Opium Régies in Netherlands-India, remarked that they had a similar resolution to propose and that Hamilton Wright wished a reservation to be placed. Wright’s reservation was recorded as a

⁴⁰ No. 2. Sir C. Clementi Smith to Sir Edward Grey (Received April 10), dated London 8 April 1909 in *Correspondence Relative to the International Opium Commission at Shanghai 1909* (London: Printed for His majesty’s Stationery Office, by Harrison and Sons, St. Martin’s Lane, Printers in Ordinary to His majesty 1909)

⁴¹ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 61

statement under Brent's instruction and made clear that the United States held 'the principle of total prohibition.'⁴² The second joint Anglo-American resolution read:

That the Commission finds that the use of opium in any form otherwise than for medical purposes is held by almost every participating country to be a matter for prohibition or careful regulation; and that each country in the administration of its system of regulation purports to be aiming, as opportunity offers, at progressively increasing stringency. In this connection the Commission recognises the wide variations between the conditions prevailing in the different countries, but it would urge on the attention of the different Governments concerned the desirability of a re-examination of their systems of regulation in the light of the experience of other countries dealing with the same problem.⁴³

This resolution was also unanimously passed. The only issue raised was the word 'almost' by T'ang Kuo-an, leader of the Chinese delegation. Only Portugal reserved its vote as it did with all other resolutions.⁴⁴ The resolution did not bind any of the countries to change their domestic opium regulations but instead resolved that they re-evaluate them and adopt a principle, much easier to do, of progressive stringency towards the eventual prohibition of non-medical opium consumption.

The final threat at the Commission to the British Indian system of opium regulation came not from the US or Chinese but from the Dutch delegation. After the joint resolutions had been passed De Jongh proposed alterations to one of the already accepted resolutions. The Dutch had circulated a written copy of their proposed alterations that morning perhaps in order to assuage any possible British objections. De Jongh told the Commission that:

“These alterations have to be made to avoid the words *opium regie*. I intended to recommend that system because I think it is the best system, but I know there is some objection from the British Delegation, and to meet their opinion I think I can do no better than to make these alterations.”⁴⁵

The Dutch delegation was, in effect, recommending their system of opium regulation as an international standard. De Jongh explained that in order to reach the “at present unattainable ideal” of the “total eradication of the use of opium within a few years” it was necessary to follow the

⁴² *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 61-62

⁴³ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 61

⁴⁴ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 61-62

⁴⁵ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 62

Dutch example of opium regulation known as the *opium regie*.⁴⁶ The resolution proposed a number of measures towards the principle that ‘the opium business shall be managed in such a way that no person concerned in the management be interested in the amount of sale, and that the establishment of such a way of managing shall not be put off longer than the circumstances require.’⁴⁷ First to object was the Chinese delegation, which objected to the suggestion that rapid opium suppression was impossible. Next, the Japanese delegation pointed out that the prescribed system of opium regulation was contrary to that of governments taking measure they considered ‘proper’ for the gradual smoking of opium. Clementi Smith stood to give his backing to further Japanese criticism of the Dutch proposal, stating that it was incompatible with the first resolution and questioning the premise and details of the resolution. De Jongh had failed, Clementi Smith argued, to head the outcome of previous discussions as there was evidently “some misapprehension in his mind which tends towards supposing that it is absolutely impossible to be connected with the sale of opium without being interested in the price of it.”⁴⁸ Clementi Smith argued that the Straits Settlements Opium Commission had demonstrated this to be a false assertion. Not only this, Clementi Smith objected to the detailed proposals on preventing Army and Navy officials engaging in the vend of opium and on raising retail prices without regard for the conditions, for, as he asked the Commission: “is it not perfectly clear that if you enhance the price of opium beyond a certain point, the inevitable result is evil and not good?” Dr Rössler, noting the opposition amongst the other delegations, recommended the withdrawal of the Dutch resolution. It was subsequently dropped but not before Dr Wright expressed his agreement with many of its suggestions and obtained the House’s recognition of it as ‘general principle’ of the Commission. Still, with support from other delegations, the British had successfully defended their colonial system of opium regulation.

On the 26 February 1909 J. B. Brunyate sent a telegram to the GOI informing them that the SOC had finished its work and informing them of the resolution passed. There was nothing in the list of resolutions that would have unduly worried the IO or the GOI. As we saw in the last chapter the British delegation, not without a fight, had successfully defended the Anglo-Chinese opium agreement and the gradual cessation of the trade. The British delegation was also successful in preventing the SOC from interfering in domestic systems of opium regulation. Following the Shanghai Commission, John Morley, as Secretary of State for India, asked the GOI to consider if any changes to regulations were needed to make sure British Indian opium regulations fulfilled

⁴⁶ On the origins and rationale for this system see J. R. Rush, *Opium to Java: Revenue Farming and Chinese Enterprise in Colonial Indonesia 1860-1910* (London: Cornell University Press 1990) pp. 208-214

⁴⁷ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) pp. 62-63

⁴⁸ *Report of the International Opium Commission, Shanghai, China, February 1 to February 26, 1909. Vol. I. – Report of the Proceedings* (Shanghai: North-China Daily News and Herald Ltd. 1909) p. 64

numbers 2 to 6 of the SOC resolutions.⁴⁹ In turn, the GOI asked local governments and administrations for their views on the need for and form of any necessary regulative changes. The questions would be slightly different to each local administration reflecting the variation in systems of opium regulation across British India. There was some concern at the outset to make sure that Brunyate vetted any proposal for changes in the regulation in order to ‘see that they are not inconsistent with the attitude which he, as the GOI’s representative, took up at Shanghai.’⁵⁰ There were two resolutions, in particular, upon which the GOI would make its investigation for the possible modification of its opium regulations. Firstly, the second SOC resolution which, as Brunyate told them called for the gradual suppression of opium smoking.’ Secondly, the third SOC resolution, which moved ‘each country to re-examine systems of regulation in light of other systems’ but, as the British had secured, with ‘no particular selected for commendation.’ These proposals were roughly akin to the existing principles of opium regulation in British India. The SOC resolutions did not seek to establish and prohibitionist standard of opium regulation on the participating powers and had, in fact, acknowledged ‘that each existing system aims at progressively increasing stringency.’

The response of British officials in Burma to the Shanghai resolutions

Burma was the first of the local governments to respond to the GOI enquires and did so at some length with a large number of enclosed letters from local officials.⁵¹ The GOI proposals, though aimed at fulfilling the SOC resolutions, reflected the recent history, as seen in chapter one, of the system of opium regulation in Burma. More specifically Calcutta asked Rangoon:

- (i) Is it possible and desirable to increase the restrictions on the consumption of opium in Burma?
- (ii) Is it advisable to raise the issue price of the drug?
- (iii) Is it desirable to institute a system of official vend?⁵²

Harvey Adamson (1854-1941), formerly Home member of the Viceroy’s Council, who we met in chapter two, was now the Lieutenant-Governor of Burma. The Burma reply explained that Adamson opposed a number of the GOI proposals, specifically, the extension of the prohibition of the consumption of opium to non-Burmans, an increase in the issue price of opium and greater

⁴⁹ NAI Foreign Department Notes Internal-B, October 1912 Nos. 130-131 *Memorandum for the discussion in Council* by J. S. Meston dated 31 August 1911

⁵⁰ NAI Foreign Department Notes Internal-B, October 1912 Nos. 130-131 Note by J. S. Meston 10 November 1911

⁵¹ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁵² NAI Foreign Department Notes Internal-B, October 1912 Nos. 130-131 Note by J. C. Jukes dated 1 December 1910

stringency in the existing opium regulations.⁵³ However, Adamson did support replacing the present system of sales, then consisting of licensed vendors under the supervision of the Resident Excise officers, with a system of direct vend by government officials. The letter outlined Adamson's reasoning in detail. The total opium prohibition in Burma would be impossible without the exclusion, reduction or destruction of opium produced in India, China, the Shan States and the Wa territory. Otherwise this non-Indian opium would be smuggled into Burma. To increase the preventive establishments sufficiently to tackle such illicit activity would require an increase in the already straitened provincial budget which Adamson estimated at fifty per cent. These were obviously established issues as the letter cited the recent Burma Excise report:

The present position as regards opium appears to be that owing to the strict supervision of sales at the shops little opium is available from this source for illicit sale. In this direction the restrictive policy pursued has undoubtedly achieved real success and the testimony of the District Officers to it may be accepted. They also express the view that opium consumption among the Burmans is not increasing but is rather on the decline and instances are quoted in the Pegu District of registered consumers giving up the habit and returning their certificates. Allusion is also made to the condemnation of the habit at public meetings in Arakan.⁵⁴

However, despite this note of optimism the report also reflected on the difficulties of prohibition and the limits of government control over Burma's opium markets:

As against this, however, must be set the reports of most officers that importation of contraband opium from the Shan States into Upper Burma, and from India and the Straits into Lower Burma. The Lieutenant-Governor is not satisfied that the smuggling of opium has increased or that its use among Burmans is spreading. He is satisfied that all steps are being taken by the excise Departments as at present constituted to suppress smuggling. But he is also convinced that with the Excise Department at its present strength and as at present organized success in this direction is not attainable. When the establishments are placed on a proper footing, better results may be expected.⁵⁵

⁵³ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁵⁴ G. F. Arnold, Revenue Secretary to the Government of Burma, Resolution on the report on the Excise Administration in Burma for the Year 1908-09 in *Report on the Administration of the Excise Department in Burma during the year ending the 31st March 1909* (Rangoon: Office of the Superintendent, Government Printing, Burma, 1909) p. 2

⁵⁵ G. F. Arnold, Revenue Secretary to the Government of Burma, Resolution on the report on the Excise Administration in Burma for the Year 1908-09 in *Report on the Administration of the Excise Department in Burma during the year ending the 31st March 1909* (Rangoon: Office of the Superintendent, Government Printing, Burma, 1909) p. 2

The author of the Excise report pinned its hopes for opium suppression among the Burmans less on government activity and more on initiatives amongst the native population:

As regards the prevention of the spread of the use of opium among Burmans His honour has some hope that the undoubted revival of activity in Buddhist propaganda and associations may have a beneficial effect. The matter is one which concerns the people themselves and without the active cooperation of the leaders of opinion among them the task of maintaining the moral standard in this respect is exceedingly difficult.⁵⁶

Much like his earlier response to Chinese proposal for the opium agreement in 1906-1907 (chapter two), Adamson was unwilling to question the sincerity of the Chinese opium suppression. However, he did openly doubt its practicability, arguing that ‘it would be prudent to wait and see how far China is successful before we begin to destroy our own supply.’⁵⁷ The Deputy Commissioner in the Ruby Mines district reported to Rangoon that neither production nor consumption of opium had stopped in Maingtha county which was part of Chinese territory. Any prohibition of opium in British areas bordering China, such as in the Shan States and Kachin Hills, he argued must be conditional on Chinese opium suppression, otherwise the ‘stringent measures against opium consumption in China itself will probably lead to increased export of opium from China to Burma.’⁵⁸ In fact, Adamson questioned the whole notion of opium suppression in Burma. Opium consumption was already common amongst the Burman population, he argued, and besides, as the RCO had shown, there was little to suggest that it was really harmful, a view also expressed in the Excise report:

Instances quoted of classes and persons who take it without harm and with benefit are Burmese boatmen and fishermen, and Chinese fishermen at Kyapazat in the Mergui District who are said to be more in the water than out of it and take opium to keep them warm and sustain their strength.⁵⁹

Adamson argued that it was commonly held amongst local officers that it was used as a prophylactic against malaria, for example by the Chindwin and Shans. As further evidence of this, Adamson pointed out that the map of the consumption of opium in Burma matched that of malarial

⁵⁶ G. F. Arnold, Revenue Secretary to the Government of Burma, Resolution on the report on the Excise Administration in Burma for the Year 1908-09 in *Report on the Administration of the Excise Department in Burma during the year ending the 31st March 1909* (Rangoon: Office of the Superintendent, Government Printing, Burma, 1909) p. 2

⁵⁷ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁵⁸ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁵⁹ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

fever: 'Thus in the damp districts of Lower Burma much opium is consumed, and the in the dry zone very little and again further north where the rainfall is heavier and in the hills much is used.'⁶⁰ These arguments made by Adamson and the Burma provincial administration had a long pedigree.

An important authority cited in the Burma government letter was Sir George Scott (1851-1935). Scott was a renowned Burma expert and had the dubious honour of having introduced association football to the country.⁶¹ He held some authority on Burman affairs, only recently retired as superintendent and political officer of the southern Shan States where he had been based since joining the service following the annexation of Upper Burma in January 1886. In 1893 Scott took time-off from his role of Chargé d' Affaires in Bangkok to write to the RCO citing his long experience in the Shan States and his interest and study of the opium question including in his travels to China, Tongking and Cochin-China.⁶² He told the Commission that opium in the Shan States was consumed by the vast majority and was harmless in moderation. He observed that as you approached the Salween river (towards the eastern borders of Burma), moral indignation at opium smoking melted away in a population almost universally taken to the pipe. Poverty, age and sickness, not opium brought emaciation and death. Opium was the paramount industry and an aid to work. Opium was also the only remedy for the heat, malaria, fevers, dysentery, cholera and arduous labour that beset the lives of the inhabitants of the area. It was not the cause of immorality either. Whereas alcohol excited its users to violence and misbehaviour, opium, he argued, 'softens or does away' with the 'ferocity and violence' characteristic of the local people. He warned the RCO that: 'To deprive the Shan and the hill man of opium would be to put him to death. To forbid him to grow the poppy would be to court defiance and revolt.'⁶³ This view, published by Scott in his *Gazetteer of Upper Burma and the Shan State* (5 vol., 1900-1901) and in other 'handbooks' of colonial administration would be held by many of his successors in the British administration of Burma.⁶⁴ Opium prohibition or a rise in its retail price would, however, not only lead to disquiet

⁶⁰ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁶¹ P. M. Herbert, 'Scott, Sir James George (1851-1935)', *Oxford Dictionary of National Biography* (Oxford University press, 2004)

⁶² Appendix XLIV Letter from J. George Scott, Superintendent of the Northern Shan States (on deputation as Chargé d' Affaires and Acting Consul-General Siam) to the Secretary to the Opium Commission, Rangoon, Burma, dated 8 December 1893 in HCPP 1894 [C.7387] Royal Commission on Opium. Minutes of Evidence taken before the Royal Commission on Opium Between 18th November and 29th December 1893; with appendices. Vol. II., pp. 523-524

⁶³ Appendix XLIV Letter from J. George Scott, Superintendent of the Northern Shan States (on deputation as Chargé d' Affaires and Acting Consul-General Siam) to the Secretary to the Opium Commission, Rangoon, Burma, dated 8 December 1893 in HCPP 1894 [C.7387] Royal Commission on Opium. Minutes of Evidence taken before the Royal Commission on Opium Between 18th November and 29th December 1893; with appendices. Vol. II., pp. 523-524

⁶⁴ *Gazetteer of Upper Burma and the Shan States in Five Volumes, Compiled from official Papers by J. George Scott, assisted by J. P. Hardiman, Part I.-Vol. II* (Rangoon: Printed by the Superintendent,

amongst consuming populations. It would also lead to the use of more harmful alternative intoxicants.

On the question of reforming opium regulations following the SOC resolutions, Burma officials argued that opium prohibition or an increase in opium prices would lead to the widespread consumption of more deleterious alternative intoxicants – they were aware that the Commission had itself discussed the question of unintended consequences of prohibition. The Burma government warned the GOI of the already emerging danger of alternative intoxicants to opium:

It is confidently stated as the result of experience that all the substitutes have a worse effect than opium on their devotees and particularly cocaine the consumption of which has increased terribly in Lower Burma during the last few years. It has been caused by the recent increased restriction on opium consumption, as seems probable, it is undeniably open to question whether Government' efforts to prohibit opium have had altogether beneficial results. This danger appears to be recognised by the International Commission in their Fifth Resolution as regards morphine but in his Honour's opinion it is not confined to this drug. Ganja grows wild like a weed in many parts of the Shan States and it would be difficult to keep it from the people. Alcohol has worse effects on Burmans in particular as regards crime for it excites them and makes them quarrelsome.⁶⁵

Indeed, in the 1870s the British had made the possession of cannabis in Burma illegal though this had failed to reduce its demand whilst stimulating higher prices and smuggling. This illicit cannabis market was thought by some to have been exacerbated by the influx of Sikhs from the Punjab to take up posts in the colonial Police.⁶⁶In contrast, the Burma government now argued that the extension of the prohibition of opium to non- Burmans would cause serious damage to the provincial economy.

It is quite conceivable that such a prohibition would seriously affect the labour market in Burma as the Coringhi coolies in Rangoon, the Maingtha labourers in the Ruby Mines District and the Chinese workmen in numerous parts of Burma, but particularly in the tin mines of Tavoy and Mergui, are large consumers of the drug.⁶⁷

Government Printing, Burma 1900) pp. 358-361 and Sir J. G. Scott, *Burma: A Handbook of Practical Information* (London: Daniel O'Connor 1921) pp. 272-275

⁶⁵ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁶⁶ J. H. Mills, *Cannabis Britannica: Empire, Trade and, Prohibition* (Oxford: Oxford University Press 2003) p. 110

⁶⁷ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

Around 1904 the Burma Ruby Mines Company employed in its mines - set roughly 60 miles east of the Irrawaddy in Upper Burma - around 1,600 persons: 44 European and Eurasians and the rest Indians, Shans, Maingthas and Burmans.⁶⁸ The Burma government letter to the GOI made clear that the Lieutenant-Governor did not accept that total prohibition in Burma was necessary in order to assist China in her opium suppression campaign as the SOC resolution had stated. Adamson further rejected the idea of prohibiting opium amongst the Chinese in Burma:

Many of the Chinese in Burma have never been in China: they were born in Rangoon, Moulmein, Tavoy, Mergui etc., and are British subjects or they have come from the Straits Settlements and not from China. These men are quite unconcerned with what has been or now is in China, the policy of the Chinese Government in China has not made itself felt here and the argument quoted has no application here.⁶⁹

This quotation also suggests that Adamson did not believe opium prohibition was necessary in China due to any racial propensity of the Chinese for addiction. Therefore it was not necessary to apply opium prohibition to British subjects of Chinese descent. Moreover, the population of migrant labourers in Burma, many of whom consumed opium, made opium prohibition in the province not only an economic risk but also impracticable.

The non-Burman population, however, includes a large floating element of Indians and Chinese who are already addicted to opium who come from time to time from India and the Straits Settlements respectively. It would seem hardly possible to introduce registration once for all among such a population and the excise Commissioner has expressed the view that a proposal which has ignored new comers who are opium consumers must certainly fail. In a few years Burma would be full of unregistered non-Burma opium consumers. Even as it is, it has been found so difficult in Rangoon to apply restrictive rules in their entirety to the mass of the Coringhi coolies who throng the town that practically no attempt is made to supervise the consumption of individuals of this race. Exception also in the case of the Hill tribes in Northern Burma would have to be made.⁷⁰

Adamson argued that any such registration of opium consumers, as proposed by the GOI, would be pointless as within a number of years there would be many new unregistered non-Burmans. He also rejected the idea of raising the issue price. He argued that an increase would only stimulate smuggling, especially as the price of illicit opium was currently higher than government opium.

⁶⁸ *Imperial Gazetteer of India, Provincial Series Burma Vol. I* (Calcutta: Superintendent of Government Printing 1908) pp. 74-75

⁶⁹ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

⁷⁰ IOL P/9250 G. F. Arnold, Revenue Secretary to the Government of Burma to the Secretary of State to the Government of India, Finance Department dated Rangoon 22 August 1910

This, in turn, would necessitate further preventive establishments which as already stated were not a welcome expense. Finally, Adamson warned that recent changes to opium regulations had reached a limit of stringency and repression beyond which they would cause grave discontent and even riots. The last few years had already seen small outbreaks of unrest in Rangoon town whilst individual Excise officers had reported numerous assaults there and in other localities.

In content the responses of local officials in Burma largely resembled Adamson's response to the GOI. However, they were much more scathing about the GOI, IO and SOC interference in local opium regulation. This difference in tone is perhaps explained by the fact they were addressed to the provincial headquarters and not directly to the GOI. J. B. Wingate, the Collector of Rangoon Town, whom we met in the introduction, argued against basing GOI opium policy 'on the lead of a more a less benighted country [China] in which the conditions are dissimilar to those prevailing in India.'⁷¹ In British India, he argued, the system of opium regulation was matched to the conditions of that country, 'settled after an exhaustive consideration of the moral and political principles involved.' An immediate prohibition, Wingate warned, would deprive Burmans of a licit supply of opium which would amount to a 'breach of faith' between British officials and local consumers. Wingate was particularly riled by the interference of international and metropolitan ideas, especially when they advocated the suppression of opium:

I confess that personally I am constitutionally opposed to prohibition unless in the most exceptional circumstance. I do not care to set up as a judge and to interfere with the *menus plaisirs* of my fellowman, black or white, unless his pet vices constitute a danger to the community. If anyone suggested to me that the use of alcohol should be prohibited in the United Kingdom I should turn my back on him as a ranter and a fanatic. In the view of the Royal Commission, expressed not once but many times throughout their report, the position as regards opium in China is similar to the position as regards alcohol in England.⁷²

There were those in England, Wingate wrote, who wished to prohibit any form of intoxicant, who viewed 'any small pleasure as a crime,' and if given the power 'would make everyone moral by Act of Parliament and kill joy in the world.' Though Wingate thought such people 'mad', he still argued that as 'the drink problem at home is ten times more serious than the opium problem in India... the conditions in England are more favourable for the adoption of drastic measures.'⁷³ Any

⁷¹ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁷² IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁷³ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

total prohibition of opium in Burma would therefore leave the British open to the charge of hypocrisy. He asked his seniors:

Are we prepared to admit that total prohibition is a suitable and practicable remedy for the drink habit? If not, we must take care that we do not lay ourselves open to the charge of being willing to promote morality at the expense of other people but not at our own expense.⁷⁴

Wingate also disagreed with GOI suggestion that the administration in British Burma should stop Chinese there from smoking opium as was supposedly being done in China. Wingate also took issue with the GOI argument that the chief difficulty resulting from opium suppression in Burma would be the local Sikh population. In Rangoon the chief consumers were 9,000 Coringhis (opium-eating) and 2,000 Chinese (opium-smoking) and only 102 registered Burman smokers. Any such change in opium regulation could only be considered, he argued, if and when opium was suppressed in China and the Coringhi homelands. Wingate argued that there should be no rise in the issue price until control over illicit market including steamers was established. Like other local Burma officials, he recommended a system of official vend whereby profits went into the preventive establishments.

W. J. S. Carrapiett, the Superintendent of Excise in Rangoon and Hanthawaddy, formulated his response on his administrative experience and the epistemic framework of the RCO.⁷⁵ For Carrapiett, the Burmans as a race were incapable of Temperance. Besides, in Rangoon the majority of registered consumers were Coringhi or China men with fewer numbers of Burmans and other Indians including Mahomedans, Pathans and Sikhs. Coringhi coolies consumed one anna (1/16th of a rupee) per day without harm. The RCO, Carrapiett reminded the provincial government, had rejected extending the prohibition to non-Burmans, as such consumption, though common, was not harmful. The past Kings of Burma had also excluded non-Burmans from their own opium prohibitions. The RCO had decided not 'to treat the mere personal indulgence in opium, or any other stimulant as a crime.' Carrapiett shared Wingate's view that any prohibition now would constitute a 'breach of faith' with those consumers registered by government invitation in 1893 and 1900-1903. Carrapiett also argued that at present the regulations ensured that the consumption of opium was moderate and harmless, and limited the scope for an illicit market. Prohibition, Carrapiett predicted, would push consumers to the more deleterious intoxicants of morphia, cocaine, ganja and alcohol, with devastating effects.

⁷⁴ IOL P/9250 J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁷⁵ IOL P/9250 Note by W. J. S. Carrapiett, Superintendent of Excise, Rangoon and Hanthawaddy enclosed in J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

The effect of opium is soporific; the effect of liquor is the reverse. The consumption of liquor (even in moderation) by the Burman usually makes him quarrelsome and sometimes ends in the use of violence. The same may be said of the Indian coolies though he is not quite so prone to use a *dah* [‘knife’] as the Burman. I would rather see the Burman and Indian consume opium than cocaine, morphia, ganja or liquor. The disastrous effects of cocaine or morphia may be seen any day in Rangoon and I have seen enough of it.⁷⁶

The policing of prohibition, Carrapiett argued, would only bring ‘harassment of the people and risk of oppression.’ He also cited Sir George Scott’s letter to the RCO, which as we have already seen, argued that the prohibition of opium in the Shan states would cause harm and revolt. Moreover, Carrapiett argued, prohibition would constitute unwarranted and aggravating interference in local habits and customs - a political risk especially in areas of doubtful British control:

... it is not desirable to impose on those races in our districts a law in respect to opium so entirely different from the custom and practice which prevail among their brethren of the same races in the adjacent semi-independent territories; and that the violence of the contrast might raise discontent and might injure our influence over the semi-independent country.⁷⁷

Like Wingate, Carrapiett favoured official vend if the profits were used for preventive measures. Noting that the Secretary of State had recently rejected the idea of official vend, he argued that now was an ideal opportunity to implement it. Licensed retailers had provided Excise officials with enough information about smugglers and their methods to perform themselves the detection duties of a ‘moderately good licensee.’ However, he believed that an increase in the issue price would require a much larger preventive establishment to match the greater incentives to smuggling created by prohibition:

For instance, there are three Inspectors and two Sub-Inspectors allowed for the city of Rangoon. There are at times from 20 to 25 steamers in the harbour and every one of them requires watching. Even if I withdraw the whole staff from duty ashore I have not a sufficient number to effectively or even partially watch the steamers in the river.⁷⁸

G. P. Andrew, Deputy Commissioner, Mergui, in a statement more akin to the RCO conclusions on regulation and habit in India proper than Burma, rejected the idea that Burmans needed special

⁷⁶ IOL P/9250 Note by W. J. S. Carrapiett, Superintendent of Excise, Rangoon and Hanthawaddy enclosed in J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁷⁷ IOL P/9250 Note by W. J. S. Carrapiett, Superintendent of Excise, Rangoon and Hanthawaddy enclosed in J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

⁷⁸ IOL P/9250 Note by W. J. S. Carrapiett, Superintendent of Excise, Rangoon and Hanthawaddy enclosed in J. B. Wingate, Collector, Rangoon Town to the Commissioner, Pegu Division, dated 16 February 1910

protection against opium but acknowledged that public opinion was against it.⁷⁹ Andrew favoured allowing Indian, Chinese and Burmans already consuming opium to be allowed free access without encouraging consumption. He recommended strong penalties against those supplying Burmans and the use of ‘special jails’ or ‘curative institutions’ so that Burman habitual consumers ‘might be treated as opium victims.’ Looking back through recent correspondence between the provincial government and the GOI he noted that a previous though small-scale attempt to reduce consumption amongst Chinese and natives had ended in violence:

“...the shop was besieged by hundreds of licensed Chinamen and Natives and a riot was only averted” by the action of the Deputy Commission, who issued provincial orders for sale to be carried on for present on the old lines.”⁸⁰

Raising the issue price, Andrew argued, would increase smuggling (most likely from Siam) and push consumers to alternative intoxicants. Cocaine and morphia were also of particular concern to Andrew. He wrote that they were ‘more easily smuggled than opium, and absolutely ruins its votaries’ body and mind and soul in a few years.’ Like some of his colleagues, Andrew partly based his judgement on what he knew of opium suppression in China:

As regards morphine pills the idea one gets from reading the ‘Times’ is that they are largely imported into China from Japan: and that many Chinese would now as soon have morphia as opium, while the hypocrites among them take morphia in various disguises as anti-opium pills.⁸¹

Opium suppression, the Chinese case had shown, brought negative unforeseen consequences of growing markets for more deleterious intoxicants. Andrew argued that the official vend of opium was the best means of regulation if profits were used for preventive measures. Opium was also of great importance, he stated, to the economic prospects of Mergui District:

I would point out that its development largely depends on the efficient supply of labour which at present is most difficult to procure. This labour will almost certainly be supplied by Chinese, who are opium consumers to a man. I believe that prohibition would preclude all chance of obtaining a plentiful supply of Chinese labour: across the border in Siam and in the Straits Settlements, the Chinaman can obtain his opium practically for the asking; it is not

⁷⁹ IOL P/9250 G. P. Andrew, Deputy Commissioner, Mergui, to the Commissioner, Tenasserim Division, dated 18 February 1910

⁸⁰ IOL P/9250 Officiating Revenue Secretary to the Government of Burma to the Government of India, Finance Department, dated 5 December 1905 cited in G. P. Andrew, Deputy Commissioner, Mergui, to the Commissioner, Tenasserim Division, dated 18 February 1910

⁸¹ IOL P/9250 G. P. Andrew, Deputy Commissioner, Mergui, to the Commissioner, Tenasserim Division, dated 18 February 1910

likely that he would migrate to a country where he could not obtain the drug which is as much to him a necessity as a luxury.⁸²

Burma officials opposed the prohibition of opium as it would discourage the immigration of Chinese labourers upon which the provincial economy depended but they still supported tighter regulations to reduce opium consumption amongst the Burmans. Like most of the officials writing to the provincial government, N. G. Cholmeley, Commissioner of Magure Division, also proposed a system of official vend was the best means to reduce opium consumption in Burma.

I have no doubt that the only way in which opium can be sold so as not to encourage increased consumption by the purchaser, is for the Government to sell it by a salaried establishment having no interest whatever in the amount sold. I look upon the present system of vend as foredoomed to failure as a means of reducing consumption, and I should like to see it abolished without any unnecessary delay.⁸³

The Commissioner of Sagaing Division suggested that the supposed problem of Sikh opium consumers could be solved by replacing Sikhs, the numbers of which in Burma he considered too great, with Burmans in the Military Police.⁸⁴ This was not a proposal made by many of the Burma officials who instead, almost to the man, recommended a system of official vend. H. N. Tuck, Deputy Commissioner, Myingyan, also favoured official vend, and most likely alluding to the Secretary of State's Morley's rejection of the idea a few years earlier (see chapter one) dismissed the usual reasons given against it, namely that the people would associate it with the Government. Tuck advocated a more pragmatic approach:

We have to face facts and not theories in this wicked world and, although Government said I was a "young and inexperienced Deputy Commissioner" when I put forward similar views when in charge of the Tharrawaddy District, I am still convinced that our policy, however well intentioned, has not been successful if the welfare of the Burman was the sole end and object; and that opium is cheaper and better now and that more Burmans use it and use more of it than when the new system was started.⁸⁵

Tuck's reference to his earlier disagreement with senior British Indian officials on the best method of opium regulation is clear evidence of established tensions between local administrators and the

⁸² IOL P/9250 G. P. Andrew, Deputy Commissioner, Mergui, to the Commissioner, Tenasserim Division, dated 18 February 1910

⁸³ IOL P/9250 N. G. Cholmeley, Commissioner, Magure Division, to the Excise Commissioner, Burma dated 7 January 1910

⁸⁴ IOL P/9250 W. H. A. St J Leeds, Commissioner, Sagaing Division to the Excise Commissioner, Burma, 5 February 1910

⁸⁵ IOL P/9250 H. N. Tuck, Deputy Commissioner, Myingyan, to the Commissioner, Meiktila Division dated 24 January 1910

GOI on opium policy. The Burman officials were, on the whole, hostile to the outside interference of the Shanghai Opium Commission in their local systems of opium regulation. However, this was not simply an objection to a more stringent regulation of opium that might threaten government revenues from the sale of opium to non-Burmans in Burma. Local officials defended the conclusions of the RCO, administrative antecedents and their own experience from all outside notions of regulation. Rather, the question of the Shanghai resolutions was just another occasion at which the tensions between metropolitan and local colonial objectives and strategies of opium regulation were articulated. These district and municipal officials saw opium regulation as one strand of their local administrations which was connected to their responsibilities for maintaining a labour force, and law and order. As such, local officials wished to control the opium market even suggesting that they have a more direct role in sales to consumers. This proposal for official vend was objectionable to the Secretary of State of India as it openly associated government officials with sales for opium. Ironically, fear of ant-opium pressure, even in the period of the emergence of an international drugs control regime, could still work to limit local official control over opium markets even if it was believed closer regulation would reduce illicit opium distribution and consumption. Following the SOC resolutions there was, as before, no simple international or metropolitan/colonial and prohibition/*laissez faire* dichotomy in British opium policy in Burma.

The replies of the Local Governments and Administrations of British India (proper)

The reports from the other Provinces of British India also revealed divisions and disputes in colonial opium policy reignited by the prospect of implementing the SOC resolutions.⁸⁶ The local governments were asked to give their opinion on the prospect of raising the issue price and increasing the stringency of opium regulations in particular by tightening controls over retail vend. None of the governments except that of the Province of Bengal replied in detail on these issues. All agreed that opium in India, as the RCO had concluded, was consumed mainly for medicinal purposes and when used as an intoxicant was less harmful than other drugs. Its consumption, when not in the form of smoking, was not considered a vice or an evil.⁸⁷ The Bengal response quoted the local Inspector-General of Hospitals, then Colonel Samuel Haslett Browne (1850-1933), who described the widespread use of opium to combat malarial fever. He told the story of how the Surgeon-General R. Harvey, most likely Robert Harvey (1842-1901) Residency Surgeon in the Eastern Rajputana Agency between 1866 and 1871,⁸⁸ used it everyday to stave of fatigue when serving with the Central India Horse. The Inspector-General also noted that ‘chronic invalids and

⁸⁶ NAI Foreign Department Notes Internal-B, October 1912 Nos. 130-131 Note by G. E. Soames dated 24 July 1911

⁸⁷ NAI Foreign Department Notes Internal-B, October 1912 Nos. 130-131 Note by G. E. Soames dated 24 July 1911

⁸⁸ John F. Riddick, *Who Was Who in British India* (Westport CT Greenwood Press 1998) p. 165

elderly people' and those suffering diabetes or gastric and intestinal troubles often took a daily dose of opium or morphia or codeine to get through it 'comfortably' with no ill-effect.⁸⁹

Sir John Hewett (1854-1941), Lieutenant-Governor of the United Provinces and secretary to the RCO 1893-1894,⁹⁰ also reviewed the evidence of that Commission and reiterated its conclusion that the opium habit, perhaps with the exception of smoking, was not harmful. For Hewett, prohibition was morally unjustifiable and, by interfering with the 'habits of the people', would provoke their resentment.⁹¹ C. E. Wild, the Commissioner of Excise of the United Provinces criticised advocates of limiting access to and the use of opium to the purely medicinal:

The large majority of the assailants of Government would, if cross-examined, be found to belong at heart to this school. Their view, however, is open to several fatal objections and has never been accepted by Government. It has always been recognised that there is a perfectly legitimate use for opium, as a narcotic, as a popular remedy for bowel complaints of all kinds and as a stimulant greatly enhancing the power of endurance under hard and exhausting toil.⁹²

All the local governments agreed that 'no radical change in the present system of regulation and control is necessary or desirable.'⁹³ In contrast, the question of raising the issue price of opium brought mixed responses from the provinces. In Coorg, the Chief Commissioner had, in response to increased opium consumption, already increased the issue price from four to five annas a tola and was considering a further increase once the impact of the original increase was evident. Similarly, in the Central Provinces the Chief Commissioner had proposed a rate of Rs 27-8-0 and possible further increases. Bengal was content to consider raising the issue price but suggested the appointment of a committee of experts to examine the question for the whole of India in order that adjustments may be made according to a uniform principle.⁹⁴ Other provinces were less interested in the question of raising the issue price of opium. Bombay did not think it was necessary and so felt it had little to say on the matter. Eastern Bengal and Assam, Madras, the Punjab, the North-West Frontier Province and the United Provinces all told the GOI that they had recently raised

⁸⁹ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

⁹⁰ K. Prior, 'Hewett, Sir John Prescott (1854-1941),' *Oxford Dictionary of National Biography*, Oxford University Press, 2005; online edn., 2012

⁹¹ IOL P/9250 R. Burn, Secretary to the Government, United Provinces to Secretary to the Government of India, Finance Department dated Allahabad 4 February 1911

⁹² IOL P/9250 C. E. Wild, Commissioner of Excise, United Provinces to Joint Secretary to the Board of Revenue, United Provinces, dated Allahabad dated 25 October 1910 enclosed in R. Burn, Secretary to the Government, United Provinces to Secretary to the Government of India, Finance Department dated Allahabad 4 February 1911

⁹³ NAI Foreign Department Notes Internal-B, October 1912 Nos. 130-131 Note by G. E. Soames dated 24 July 1911

⁹⁴ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

their issue price for opium and did not believe any further increase then necessary. The administrations in Ajmer-Merwara and Baluchistan both opposed raising the issue price; the latter argued that it was impracticable because of the risk of smuggling of opium from Afghanistan and Persia.⁹⁵

The response of Ajmer-Merwara echoed the RCO findings on opium consumption in the Rajput states.⁹⁶ The RCO had shown how opium had a ceremonial function among Rajputs, when a 'strained solution of opium water' was offered at court, religious festivals, births, funerals and formal reconciliations. Consumption was also relatively high as opium was widely available from nearby producing tracts. Now the Chief Commissioner argued that raising the issue price of opium was impracticable because of the risk of smuggling from the surrounding Native States.⁹⁷ The Commissioner of Ajmer-Merwara wrote that:

In my opinion, so far as Ajmer-Merwara is concerned, little can be done towards limiting the consumption of opium until the surrounding Native States co-operate cordially with the Government policy. The practice of taking opium is so firmly established among Rajputs that it has become almost part of their ceremonial hospitality, and it would be a matter of extreme difficulty to induce Rajput States to adopt regulations which aimed at restricting consumption.⁹⁸

The Commissioner argued that an attempt to restrict opium consumption further in Rajput areas would back-fire:

At the same time, it is the opinion of many Rajputs with whom I have discussed the matter that the consumption of opium by Rajputs is distinctly on the decrease. The habit will probably die out in time, if left to itself, but if the idea gains ground that any forcible interference with ancient Rajput custom is to be attempted, the conservatism of the Rajput character will probably be roused, with the result that the old custom will acquire a new lease of life, and the opium habit will receive not a check but an impetus.⁹⁹

The Commissioner of Ajmer-Merwara saw increased opium consumption not a turn to more deleterious alternatives as a dangerous potential unintended consequence of opium prohibition.

⁹⁵ IOL P/9250 Colonel Sir Henry McMahon, Agent to the Governor General and Chief commissioner in Baluchistan to the Secretary to the Government of India, Finance Department dated 20 April 1910

⁹⁶ J. F. Richards, 'Opium and the British Indian Empire: The Royal Commission of 1895' in *Modern Asian Studies*, 36, 2, 2002, pp. 402 and 403-405

⁹⁷ IOL P/9250 E. G. Colvin, Chief Commissioner Ajmer-Merwara to the Secretary to the Government of India, Finance Department dated 17 September 1910

⁹⁸ IOL P/9250 E. G. Colvin, Chief Commissioner Ajmer-Merwara to the Secretary to the Government of India, Finance Department dated 17 September 1910

⁹⁹ IOL P/9250 E. G. Colvin, Chief Commissioner Ajmer-Merwara to the Secretary to the Government of India, Finance Department dated 17 September 1910

Besides, the Commissioner did not consider the consumption of opium in Ajmer-Merwara harmful as it was not usually smoked:

Opium eating or the drinking of opium water are the forms in which the drug is generally taken by Rajputs. These are, I believe, both far less harmful methods than opium smoking. On the whole, considering the peculiar position of Ajmer-Merwara in the heart of Rajputana, I am not disposed to recommend at present the adoption of any measures in those districts in the direction of restricting consumption.¹⁰⁰

Other local governments argued that raising the issue price of opium would bring negative unintended consequences. The Bengal government cited the evidence presented by the Inspector-General of Civil Hospitals which argued that there was always a tendency for ‘degenerates to take stimulants, narcotics or sedatives.’ He compared the increasing consumption of cocaine to the story of the Irish who, on no longer being able to obtain *potheen* or ‘native still whiskey’, turned to methylated spirits or morphia. Likewise, he observed that, when obstacles were erected to the consumption of those intoxicants normally consumed (opium, ganja, alcohol and tobacco), Indians turned to these more deleterious drugs. He noted that the cocaine habit had spread quickly in the last ten years and with more devastating results than ever seen in consumers of opium or morphine.

“The opium habitué is doubtless in many cases a degrading spectacle (medical men too frequently see examples of the morphine maniac), but the “cola-fiend” (as the person regularly habituated to the use of this drug is called is a more repulsive spectacle than either of the others”¹⁰¹

Similarly, the United Provinces argued in its reply to the GOI, that the prohibition of opium smoking was risky as ‘the habit of using other drugs such as cocaine, is certainly on the increase,’ and so it was ‘undesirable to drive the wretched smokers of opium, fast decreasing in number to more deleterious forms of indulgence.’¹⁰²

In Eastern Bengal and Assam the impact of a recent downturn in the lac trade was believed to have impacted on local markets for intoxicants.¹⁰³ Lac was cultivated in Kāmrup, the Khāsi and Jaintiā and Gāro hills; the translucent orange gum transported on the sticks in which the insects had

¹⁰⁰ IOL P/9250 E. G. Colvin, Chief Commissioner Ajmer-Merwara to the Secretary to the Government of India, Finance Department dated 17 September 1910

¹⁰¹ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

¹⁰² IOL P/9250 R. Burn, Secretary to the Government, United Provinces to Secretary to the Government of India, Finance Department dated Allahabad 4 February 1911

¹⁰³ IOL P/9250 L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

embedded themselves. The gum would eventually be scraped off the twigs and separated from the insect body, melted, cleaned and finally sold as shellac or button lac.¹⁰⁴ Before the downturn young men had used their income to take up opium-smoking but since the slump in the lac trade they had been forced to give up opium and turned to other intoxicants, liquor in the towns and ganja in the villages. The Board of Revenue worried that consumers would turn to more deleterious intoxicants with further restrictions on opium. The provincial government was alarmed that consumers had already resorted to ganja following an earlier increase in the issue price of opium and reduction in the number of shops selling opium:

The Board are advised that *ganja* is more deleterious to the consumer than opium, and the *bhang* variety of the hemp plant more so than *ganja*. To suppress opium, *ganja*, *bhang* and other intoxicants which might be used as substitutes would involve an amount of prohibition and policing of the people likely to lead to greater evils than those which now result from the use of opium in the Assam Valley. It has to be remembered that opium is largely taken as a precaution against fever and bowel complaints, and that the consumption is largest in the terai or submontane tracts of the Valley which are notoriously unhealthy. In these tracts it may fairly be urged that some stimulant is necessary, and nearly all classes of the population either take spirit, *pachwai*, opium or *ganja*.¹⁰⁵

The Commissioner of Excise and Salt in Assam predicted that opium consumption would fall in the face of disapproval among educated opinion and with diminished facilities for obtaining the drug but feared unforeseen results:

Whether this will eventually prove beneficial to the people of Assam, I confess that I have lately had grave doubts. Human nature is human nature, and it in most cases, whether educated or uneducated, demands an intoxicant of some sort, so if we succeed in extinguishing the consumption of opium, the people will probably take to some other intoxicant, and in Assam *ganja* or *bhang* is the obvious alternative. There are now indications of this danger.¹⁰⁶

¹⁰⁴ *Imperial Gazetteer of India, Provincial Series Eastern Bengal and Assam* (Calcutta: Superintendent of Government Printing 1909) p. 78

¹⁰⁵ IOL P/9250 J. T. Rankin, Secretary to the Board of Revenue, East Bengal and Assam to Secretary to the Government, East Bengal and Assam, Municipal Department dated Shillong 27 Feb 1910 in L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

¹⁰⁶ IOL P/9250 The Commissioner of Excise and Salt, East Bengal and Assam to the Secretary to the Board of Revenue, East Bengal and Assam dated 27 February 1910 in L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

There was already a history of calls for greater restrictions on the consumption of opium especially from workers on the tea plantations in Assam¹⁰⁷ However, as the historian Jayeeta Sharma has argued, there was no ‘no simple dichotomy between the British advocacy of opium and opposition from locals.’ In 1907 there had been an Anti-Opium Conference at Dibrugarh, organised by local social workers with official blessing, it memorialized the government to check the opium menace and resolved to establish an Assam Temperance Association.¹⁰⁸ This pressure was maintained by Assamese members on the provincial council and would eventually lead an official investigation into the opium problem, known as the Botham Committee, between 1912 and 1913. This reminds us that the controversies and conditions of opium regulation could differ from locality to locality across British India.

The hesitancy of many local governments about raising the issue price of opium was not, as the historian Haq might have argued, part of a policy to loosen opium regulations after the SOC in order to increase revenues.¹⁰⁹ None of the local governments, and certainly not the GOI, proposed lowering the price of opium sold to consumers. Moreover, the provinces, as we will see, proposed other means to tighten opium regulation. Three provinces proposed reducing consumption by lowering the maximum limit of possession. Bengal proposed a reduction from the current maximum of 5 tolas to a new lower limit of 3 tolas. They also proposed a maximum of one shop for every 100 square miles.¹¹⁰ Madras meanwhile had already issued orders reducing the limit of possession from 3 tolas to 1 tola. Bombay proposed reducing the maximum limit of possession from 3 tolas to 1 tola across the Presidency except in the desert Talukas of Thar and Parkar where they proposed reducing the limit from the current 10 tolas to 4. The United Provinces also suggested that the sale to women and children below the age of 16 should be prohibited. Bengal recommended the shortening of the hours of opium retail; setting them from sunrise to sunset rather than from sunrise to 8pm in the cold weather and 9 pm in the hot weather. Overall, local governments and administrations were willing to restrict the consumption of opium by Indians even in the forms seen as traditionally acceptable. However, officials were anxious about pushing such restrictions so far as to provide a stimulus to illicit flows of opium, the consumption of more

¹⁰⁷ A. Guha, *Planter Raj to Swaraj: Freedom Struggle and Electoral Politics in Assam 1826-1947* (New Delhi: Indian Council of Historical Research) pp. 88-89. On the history of opium and its connection to the colonial tea plantation economy in Assam, see also J. Sharma, *Empire's Garden: Assam and the Making of India* (London: Duke University Press 2011) pp. 61-65 and 155-162 and J. Sharma, ‘‘Lazy’ Natives, Coolies Labour, and the Assam Tea Industry,’ in *Modern Asian Studies*, 43, 6, 2009, pp. 1287-1324

¹⁰⁸ J. Sharma, *Empire's Garden: Assam and the Making of India* (London: Duke University Press 2011) p. 159

¹⁰⁹ M. Emdad-ul Haq, *Drugs in South Asia: From the Opium Trade to the Present Day* (London: Macmillan 2000), pp. 70-77

¹¹⁰ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

deleterious intoxicants such as morphine, ganja and cocaine, and to unrest among those groups that saw opium consumption as a key component of their cultural identity.

In the provincial responses to the GOI enquiries into further regulatory changes towards the prohibition of opium smoking, there was a great deal of difference between the provinces' replies. All, however, proposed some form of further restrictions. The Madras government suggested prohibiting the possession of any opium prepared for smoking in order to totally eradicate smoking both in public dens and in private residences. In the Central Provinces, the Chief Commissioner proposed total but gradual prohibition by a system of registering all smokers for 3 years only, after which it would be completely prohibited.¹¹¹ Many of the provinces suggested further restrictions on opium smoking even when they reported that the habit was rare and in decline in their territory. This reflects the long-established assumption within British opium regulation, reaffirmed by the RCO and now by the second resolution of the SOC, that the smoking of opium should be suppressed. Only the Chief Commissioner of Coorg recommended that no action be taken but he did so reporting that there was no smoking of opium in his territory.

Baluchistan reported that opium smoking was only found in Quetta town within the Quetta-Pishin District where it was further limited to the 'alien' (Indian) element of the population.¹¹² Nevertheless, the Chief Commissioner recommended legislation though he also acknowledged that the habit was difficult to break. As any prohibition would be difficult as long as the possession of opium was otherwise legal he suggested that initially the reduction of possession be made (from 1 to ½ a tola), followed by the prohibition of private manufacture of opium for smoking and a system of registration by which smokers were supplied with limited quantities. The United Provinces rejected any further legislation against opium smoking.¹¹³ The local government considered that the opium smoking habit was limited to the lower orders and was already 'dying a natural death' in the United Provinces. The provincial government was also anxious about the negative impact of such legislations:

For it must be recognized that any further legislation directed towards the suppression of opium-smoking must involve vexatious domiciliary visits and interference with individual freedom of action: and such inconvenience must affect public opinion.¹¹⁴

¹¹¹ IOL P/9250 The Chief commissioner of the Central Provinces to Secretary to the Government of India, Finance Department, dated 27 June 1911

¹¹² IOL P/9250 Colonel Sir Henry McMahon, Agent to the Governor General and Chief commissioner in Baluchistan to the Secretary to the Government of India, Finance Department dated 20 April 1910

¹¹³ IOL P/9250 R. Burn, Secretary to the Government, United Provinces to Secretary to the Government of India, Finance Department dated Allahabad 4 February 1911

¹¹⁴ IOL P/9250 R. Burn, Secretary to the Government, United Provinces to Secretary to the Government of India, Finance Department dated Allahabad 4 February 1911

Instead the United Provinces government argued that a reduction in the limit of possession from 1 to ½ a tola would not cause undue interference but would help in convictions of patrons of illegal saloons.¹¹⁵ The government of the North-West Frontier Province reported the presence of opium dens in towns and cantonments but only to any great extent in Peshawar district.¹¹⁶ They acknowledged that prohibition would reduce smoking but argued that as there were so few smokers any benefits from such a policy would be outweighed by a concomitant increase in blackmail and official interference. The Chief Commissioner did not believe any practical advantage could be gained from a reduction in the limit of possession. In coming to these conclusions the Chief Commissioner agreed with the Deputy Commissioner of Peshawar:

“The lessees or proprietors of the premises prepare opium for smoking and provide the pipes etc. If these public clubs are closed by legislative action and opium smoking is allowed in private houses only, there will certainly be some decrease of the habit. Every opium smoker will have to make his own ‘chandhu’ and ‘madak’ and provide his own pipes, and apart from the trouble and expense entailed will not always be able to obtain the smoking mixtures. The advantages, however, to be gained by legislative measures to suppress opium smoking clubs are, in my opinion, far outweighed by the disadvantages. The main reasons which have hitherto prevented legislative restriction have lost none of their effect, and if such legislation be carried into effect the solicitation of blackmail and interference with the privacy of the people which may be anticipated as result will hardly be compensated for by the scattering of the opium smokers and their indulgence in the habit at their own or their friend’s houses.”¹¹⁷

The majority of provincial government were anxious that opium prohibition would not bring greater control over or a reduction in opium markets and the habit but would instead bring corruption and undue government interference in the private domain of the native population. Other provinces that reported greater levels of smoking were not sanguine about the prospects of prohibition. The Chief Commissioner of Ajmer-Merwara reported the existence of 12 opium dens frequented by low classes, the presence of which encouraged smuggling, but stated that prohibition would be impossible.¹¹⁸ But he public approval, proposed legislating against the dens and the prohibition of the assembly of 3 or more persons in a public place to smoke opium. There would,

¹¹⁵ IOL P/9250 R. Burn, Secretary to the Government, United Provinces to Secretary to the Government of India, Finance Department dated Allahabad 4 February 1911

¹¹⁶ IOL P/9250 W. R. H. Merck, Officiating Chief Commissioner and Agent to the Governor-General, North-West Frontier Province to Secretary to the Government of India, Finance Department, dated 17 March 1910

¹¹⁷ IOL P/9250 W. R. H. Merck, Officiating Chief Commissioner and Agent to the Governor-General, North-West Frontier Province to Secretary to the Government of India, Finance Department, dated 17 March 1910

¹¹⁸ IOL P/9250 E. G. Colvin, Chief Commissioner Ajmer-Merwara to the Secretary to the Government of India, Finance Department dated 17 September 1910

therefore, he argued, be no need to reduce the limit of possession. In the Punjab, the Lieutenant-Governor proposed reducing the limit of possession of opium smoking preparations from 1 tola to ½ tola. He also proposed legislating against opium dens and clubs in the municipalities and cantonments but only when complaints had been received from local inhabitants.

Bombay reported that action already taken had reduced the number of smoking clubs so that now there were only some in Bombay, Ahmedabad and Poona.¹¹⁹ Prohibition of private consumption, they argued, was impossible as long as other forms of opium consumption were legal. Any benefits, with such a small smoking population, would be far outweighed by occasioning oppression and blackmail. Bombay rejected legislating against clubs as impracticable; it favoured reducing the limit of possession as this would affect the possibility of dens. They reported that the ‘opium dens’ had originated in the earlier prohibition of licensed *chandul* and *madak* shops of 1892. These simply continued their trade unlicensed and in spite of the police and excise staff who were powerless to stop them. The proprietor of ‘opium-smoking clubs’ was not allowed to sell opium, crude or prepared, for smoking but could allow a room and apparatus to be used for its preparation if the drug was brought by the smokers themselves. However, the regulations were not followed and it was extremely difficult for the excise staff to secure a conviction before a magistrate.

With much trouble a man may be got to go in with a marked coin, and by this means a conviction for illegal sale may be had; but the man is thenceforward a marked man and can get no more *chandul* or *madat* to smoke.¹²⁰

Still, the Bombay government reported that there had been a fall in the number of opium saloons since 1896, from 71 to 40 at most. These saloons were concentrated in Ahmedabad, Bombay and perhaps Poona whereas before they were mostly to be found in Surat, Malegaon, Poona and few places in Khandesh, and in the towns of Bagalkot, Mijapur, Hyderabad, Sukkur, Karachi and Shikarpur. The Bombay Government also reported very few smokers, a maximum of 600 in Bombay and 1000 in the presidency and so saw little need to make opium smoking a criminal offence. They argued, as they had in 1897, that the harms of any legislation would outweigh the benefits as it:

¹¹⁹ IOL P/9250 G. Carmichael, Chief Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 15 May 1911

¹²⁰ IOL P/9250 G. Carmichael, Chief Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 15 May 1911

... would afford opportunities for black-mailing and for taking illegal gratifications by the subordinate Police and Excise staff and would result in oppressive domiciliary visits by the lower officers of these establishments.¹²¹

The Bombay Government also suggested that the prohibition of opium dens would be ‘impossible’ to enforce as it would be extremely difficult to obtain evidence to satisfy a Magistrate:

If two or more persons were found smoking in any premises, there would be no means of proving that anyone kept the premises for the purpose. Persons who frequent such rooms belong to the poor and low classes only; it is common for any number of such persons, from two to eight or even ten, to share one room between them, to live in; and residence is not fixed; quarters are constantly changed. Plainly, any two or more persons found smoking together in any premises can easily make out that each is in his own premises; and it would be extremely difficult for the excise officers to prove that the premises were kept for the purpose of opium smoking.¹²²

Instead the Governor in Council of Bombay recommended making the limit of individual possession of opium prepared for smoking very low. The limit for collective possession would be only a small multiple of the amount needed to make the preparation of *madat* and *chandul*. The aim was to make such the preparation of such opium for each smoke so necessarily frequent to render such a business unviable:

The manufacture of *chandul* in small quantities is a tedious, laborious and expensive process, and consequently the craving is rarely satisfied in private, as it is beyond the means of the classes concerned to keep the requisite apparatus, and the *chandul* smoker requires assistance in order to get his pipe going. The evil prevails in clubs only, and it should be the aim to render the keeping of opium smoking rooms so difficult and troublesome that the keepers will find it no longer worth while to go on with the business.¹²³

The Bombay government estimated that the daily use of *chandul* was ¼ tola and of *madat* 1/8 tola. The Governor in Council recommended that the limit be set at ¼ tola. Another benefit of the low limit of possession tactic was that it was considered easier to obtain a conviction not just of individuals but also, if the law stipulated all present guilty, for an aggregate possession of a group above the collective limit. The aim was to suppress the smoking of opium, not all opium

¹²¹ IOL P/9250 G. Carmichael, Chief Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 15 May 1911

¹²² IOL P/9250 G. Carmichael, Chief Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 15 May 1911

¹²³ IOL P/9250 G. Carmichael, Chief Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 15 May 1911

consumption; the provincial government predicted that: 'Presumably the habitués will take to eating opium which is not nearly so injurious to health.'¹²⁴

In Assam, smoking was considered widespread among agriculturists in the villages of the five upper districts of the Assam valley unlike other provinces where it was believed to only be common in towns if anywhere at all.¹²⁵ The population of the towns was usually a mixture of non-Assamese who consumed liquor and ganja and so, it was believed, that there was little danger of opium dens. Recent increases in consumption in Assam, especially among the hill people and semi-aboriginal peoples of the unhealthy and febrile sub-montane tracts of the Assam Valley were reported:

The last few years have been a period of great agricultural prosperity, and the consumers being mostly agriculturalists, the sudden rise in the prices of produce which occurred some four years ago, has greatly increased their resources and left them with a greater margin for luxuries and indulgences, thus enabling them to consume opium, in its more expensive form, as well as increasing the consumption of the drug among the hill and semi-aboriginal tribes among whom the practice of smoking is not prevalent.¹²⁶

The provincial Assam government reported that there had recently been a sudden stop in the rise of agricultural prices which along with the reduction in the number of shops and increase in treasury and so retail prices would most likely reduce consumption. As for dens, none were reported but it was admitted that 'in parts of the Assam Valley villagers, when they meet together on festive occasions sometimes indulge in smoking.'¹²⁷ The local government did not favour legislation against dens. It also rejected the prohibition of private smoking as unnecessary and undesirable, as they argued:

... it would be impossible to prevent smoking in private houses unless the subordinated ranks of the preventive staff were largely increased, and except at the cost of unduly severe and inquisitorial enquiries which would inevitably lead to oppression and blackmail.¹²⁸

¹²⁴ IOL P/9250 G. Carmichael, Chief Secretary to the Government of Bombay, Revenue Department to the Secretary to the Government of India, Finance Department, dated 15 May 1911

¹²⁵ IOL P/9250 L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

¹²⁶ IOL P/9250 L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

¹²⁷ IOL P/9250 L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

¹²⁸ IOL P/9250 L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

Not only was prohibition of dens considered unnecessary and action against smoking likely to be unpopular due to its oppressive nature but it was also likely to fail due to the Assamese landscape:

Even with a strong preventive staff a prohibition of this kind could not in any case be enforced in those parts of Assam where smoking is most prevalent, owing to the jungly nature of the country and to the fact that population is scattered and that many of the smokers live beyond the inner line.¹²⁹

The Bengal government, repeating arguments about opium regulation made before the SOC, was particularly anxious about extending opium regulations into the private domain.¹³⁰ It objected to opium smoking being made a private vice and penal offence when it did no harm to others or a large section of the population. Such a prohibition, the Bengal government argued, was impracticable, unlikely to succeed and only likely to result in unnecessary domiciliary inquisitions and oppressive actions of police and excise establishments. Bengal also rejected the idea of reducing the limit of possession for smoking preparations reasoning that as it was so arduous, time-consuming and costly that individuals would be forced to break the law in their own houses or turn to dens and clubs. However, it did recommend legislating against opium dens as they were an offence to public morals and set a bad example. The Bengal government letter quoted Oldham, most likely William Benjamin Oldham (1845-1916), who was a member and for a time President of the Bengal Board of Revenue 1898-1900.¹³¹ Oldham had argued that:

“The existence of these ‘dens’ is everywhere regarded as an evil; their effect is pernicious and in my opinion there is no justification or the continuance. I have no hesitation in recommending their prohibition by legislation, and feel confident that public opinion will warmly support the Government in such action.”¹³²

But the prohibition of opium saloons in Bengal had been vetoed in 1896, 1899 and 1906, and so the provincial Board of Revenue was tentative towards such prohibition, as their letter to the GOI, now quoted at length in provincial government response, had explained in detail:

“The main objective to it is that even if it is effective, the vice is not thereby stopped but only driven underground, and possibly the only effect of such legislation would be to split up each saloon or club into three or four smaller ones assembling at private houses. It may be urged

¹²⁹ IOL P/9250 L. J. Kershaw, Secretary to the Government of East Bengal and Assam to the Secretary to the Government of India dated 13 January 1911

¹³⁰ IOL P/9250 The Chief commissioner of the Central Provinces to Secretary to the Government of India, Finance Department, dated 27 June 1911

¹³¹ John F. Riddick, *Who Was Who in British India* (Westport CT Greenwood Press 1998) p. 277

¹³² IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

that the public example and fellowship in vice invoked in the existence of these clubs may induce and strengthen a habit which might be weakened if more were done to make it disreputable; but the counter argument just adduced is at least of equal weight; and other objections are that such legislation would afford opportunities for oppression and blackmail and could only, with much difficulty, be made even partially effective. The board, therefore, while willing to give such legislation a trial, does not press for it, and would be promptly opposed to any attempt to go further and penalize a man for smoking in private premises with one or two friends.”¹³³

However, the Lieutenant-Governor of Bengal was less equivocal on the question of prohibiting public smoking, arguing that despite objections then was the moment to act:

In the case of gregarious smoking there is greater justification for stigmatizing the practice as disreputable, since it is usually pursued amid squalid surroundings and amongst low and sometimes criminal, company. Its effects, moreover, are more dangerous and insidious. Whatever shame the practitioners may feel is blunted by their mutual knowledge of each other's infirmity, and it appears that the habit is found more attractive when practised in company. It is doubtful if the coteries which are formed for its indulgence will ever die out, if left to themselves, since the existing members will interest themselves in obtaining new recruits to their numbers. Moreover, the existence of these dens is scarcely a secret, since it is known that they exist, and, fairly accurately *where* they exist, this being the case, their continuance is of bad example and an offence against public moral while it should be possible to ascertain their whereabouts without undue espionage or harassment of domestic liberties.¹³⁴

For the Lieutenant-Governor of Bengal the prohibition of public opium smoking was a matter of principle, but couched his view, not unlike the RCO, in terms of public opinion:

Whatever rights an individual may possess of private action, he is not justified in parading in public a vicious habit, the practice of which may be a source of contamination to others, and a considerable degree of public sympathy may be anticipated in any action taken by the Government towards the suppression of these dens. It is not believed that well-to-do people ordinarily resort to them, and the better class of public opinion may be willing to accept

¹³³ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

¹³⁴ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

interference necessary if these gatherings are to be prohibited, in return for the disappearance of an admitted nuisance.¹³⁵

The Bengal government, as it long had, held to the view that public opium smoking should be suppressed. More broadly, the responses of the local governments and administrations in India displayed none of the hostility that the Burma government had to the proposal for changes in opium regulation following the Shanghai Commission. This difference reflected the greater scrutiny and supervision of Burma policy from London and the resulting tensions with the provincial and local officials responsible for opium regulation. However, the GOI enquiries subsequent to the SOC forced local governments to articulate their anxieties about and objectives for opium control. None suggested loosening controls to encourage opium eating or other accepted forms of consumption. All suggested some form of greater stringency whether through raising prices, reducing the maximum limits of possession or other restrictions on sales to consumers. All those administrations reporting opium smoking in their territory were willing to tighten regulations to bring about its eventual abolition. Some doubted the actual harm of opium smoking but recognised, as the British had long done in India, that the habit was considered immoral and harmful by the majority of the people and its control desirable. However, in formulating their regulations to prohibit opium smoking, governments were anxious not to interfere in the private domain of individuals lest it cause unrest not least through the corruption and despotism of those officials policing them. Such restrictive measures were also acknowledged by the majority of provincial and local governments to be largely ineffective merely making invisible a vice that was earlier practised within the purview of officials. Anxieties about opium smuggling and underground smoking dens were nothing, however, in comparison, to the fear that consumers, once denied their opium, would turn to more deleterious drugs whether they be alcohol, ganja or the novel manufactures of cocaine and morphine.

Conclusion

The provincial and municipal correspondence following the resolutions of the SOC does not reveal a colonial opium administration that prioritised revenue generation in its domestic system of opium regulation. Most advocated raising issue prices where consumption had increased; none suggested lowering the prices to encourage consumption. Local officials also set about reducing the limits of individual possession and abolishing the smoking of opium in public. The principle of opium regulation long established and set, more or less, in stone by the RCO remained articles of faith; regulation should reflect the habits and customs of local society in its opium consumption, whether medicinal, ceremonial or recreational. An attempt to do otherwise would not only fail but

¹³⁵ IOL P/9250 H. Wheeler, Secretary to the Government of Bengal to the Secretary to the Government of India, Finance Department dated 13 June 1911

would bring a whole host of unintended consequences: unrest, an increase in existing illicit opium activity and greater consumption of more deleterious alternative intoxicants.

The correspondence between the GOI and provincial governments on the SOC resolutions echoed these already well established debates about how best to regulate opium in British India is testament to the work of British delegates at the Commission. Sir Cecil Clementi Smith and James Brunyate were successful in securing British control over opium regulations in their colonies and did so using arguments about prohibition, regulation and cultures of opium consumption gleaned from over two hundred years of British experience in India. They did so in the face of an attempt by the US commissioners to resolve the SOC to a principle of eventual worldwide opium suppression and, in the meantime, international standards of regulation towards that end. This was contrary to the tradition of regulating culturally accepted and popular forms of opium consumption in British India. The difficulties of opium prohibition, especially amongst the indigenous of the province of Burma, had demonstrated to the British the futility and dangers of attempting such suppression. As such the British position on domestic opium controls at the SOC was not one of *laissez faire*, but rather one of regulation within the bounds of the local culture of consumption and the limits of control. In the joint resolutions with the US the British were able to guide the Commission towards the principles of opium regulation that they espoused for their colony in India: an increasingly stringent regulation of all forms of opium consumption and the eventual prohibition of opium smoking. As such, the British were also architects of the international drugs control regime in its early inception.

The municipal correspondence on the SOC resolutions also tells us that local officers on the ground, who could observe local conditions and who would be expected to implement changes, often held views significantly different from those at the GOI and officials that had represented British interests at the SOC. Officers such as Wingate felt that these distant imperial representatives lacked their local knowledge and an understanding of the conditions and circumstances of opium regulation. Outside interference from Shanghai, London or Calcutta might be resented. The importance of opium revenues does not appear as a major, let alone singular, motivation for opium regulation in this municipal correspondence.

Conclusion

This thesis began and ended its investigation with the responses of colonial officials in British India to the prospect of changes to the systems of domestic opium regulation in their administrative areas following the resolutions of the International Opium Commission held at Shanghai in February 1909. These responses raised two key questions about the relationship between empire, intoxicants and the international drugs control regime which this thesis has sought to address. The first was how far opium revenues were important in shaping British opium policy in the period in which the international drugs control regime was being put into place. The second issue was that of the tensions within the British colonial regime on the question of opium. The thesis has tried to answer these two questions in three ways. Firstly, it has questioned the long-held assumption, within much of the literature on opium and the British Empire and the history of international drugs control, that the British were simply duplicitous drug-peddling imperialists.¹ Secondly, in order to break away from this ‘opium as empire’ assumption, this thesis has placed British attitudes and agendas at the Shanghai Opium Commission within the context of their centuries-old experience of opium regulation in India as interpreted and understood by them through often competing visions of empire. Thirdly, this thesis has applied this new understanding of British opium policy – contextualized in the imperial ideology and colonial praxis of opium regulation – to an investigation of, using often previously unused private and secret papers, British attitudes and agendas during the build-up, proceedings and aftermath of the SOC.

In taking such an approach this thesis has built upon the revisionist historiography of McAllister, Mills and Newman. By the time the SOC met in early 1909, the political and moral arguments against the India-China opium trade were of more importance to Britain’s overall position on opium than financial interests.² There were at the SOC, as later during international drugs control diplomacy at the League of Nations, a plurality of British positions on the question of opium and the international drugs control regime.³ Moreover, the British were not simply imperialist purveyors of opium and other intoxicants to Asian populations. They were also avid regulators of the markets for intoxicants within the traditions of consumption of native populations in their

¹ For a recent versions of this well established thesis see C. A. Trocki, *Opium, Empire and the Global Political Economy* (London: Routledge 1999) and H. Derks, *History of the Opium Problem: the Assault on the East ca. 1600-1950* (Leiden: Brill 2012)

² Richard K Newman, ‘India and the Anglo-Chinese Opium Agreements, 1907-14’, *Modern Asian Studies*, Volume 23, Issue 03, July 1998, pp. 535-560; David E Owen, *British Opium Policy in China and India* (New Haven: Yale University Press, 1934)

³ William B. McAllister, ‘Wolf by the Ears’: The Dilemmas of Imperial Policymaking in the Twentieth century’ in J. H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

colonial territories.⁴ They were alarmed at burgeoning markets for new manufactured drugs - towards which they adopted a more prohibitionist stance - which they had already struggled to control in their South Asian and Far Eastern colonies for at least a decade.⁵ In taking this approach this thesis has shown that the two most detailed accounts of the British at the SOC - upon which much of the historiography relies - those of Arnold H. Taylor and S. D. Stein, no longer stand scrutiny.⁶ The British delegation at Shanghai did not, as the standard historiography has mistakenly argued, refuse to discuss the Anglo-Chinese opium agreement under pressure from the Government of India and nor was it solely motivated by concerns to protect revenues from the India-China opium trade. This revisionist thesis provides a more complex and nuanced account of British opium policy and diplomacy and so also the significance of their role in the foundations of the international drugs control regime in the early twentieth century.

The importance of Indian opium revenues to British diplomatic objectives and strategies during the period of the emergence of the international drugs control regime has been exaggerated by historians. Opium revenues from the British monopoly of exports and sales in India were of course important to the financial health of the colonial administration. However, the presence of opium in many different areas of Indian economy and society meant that the British had far more than their solvency at stake in its regulation. Opium was an important economic asset to cultivators, merchants, dealers and princes. It was also a medicine, tonic, object of ceremonial practice, recreation and vice, to many groups and individuals across the subcontinent. The prevalence and patterns of use and the boundaries between acceptable and unacceptable forms of consumption varied between areas and groups across British India. This variety of opium encounters were increasingly filtered through competing visions of empire in London, Calcutta and the provinces, districts and municipalities across India.

By the start of the twentieth century colonial officials involved in the regulation of opium across British India were concerned with much more than the question of revenues. The GOI position on opium regulation reflected two centuries of colonial administration in the subcontinent seen through the prism of a late imperial ideology of non-interference. As such, the British monopoly of opium was seen to conform to 'Asiatic principle of government.' Interference in native opium habits and customs, and indeed in private vices, was considered as politically dangerous. The

⁴ R. K. Newman, 'Early British Encounters with the Indian Opium Eater' in J.H. Mills and P. Barton (eds), *Drugs and Empires: Essays in Modern Imperialism and Intoxication, c. 1500-c.1930* (Basingstoke: Palgrave Macmillan 2007)

⁵ Mills, J. H., 'Cocaine and the British Empire: The drug and the diplomats at the Hague Opium Conference, 1911-1912,' in *Journal of Imperial and Commonwealth History*, 42, 1, 2014 (in press)

⁶ A. H. Taylor, *American diplomacy and the narcotics traffic, 1900-1939* (Durham NC: Duke University Press 1969) and S. D. Stein, *International Diplomacy, state administrators and narcotics control* (Aldershot: Gower, 1985)

Mutiny of 1857 had left the British scarred by the fear of popular rebellion incited by a modernizing imperialism. Public opinion in India whether read through the words of Indian nationalist leaders or through the habits of the populace was seen to condone certain forms of opium consumption, most popularly its eating. Opium smoking, on the other hand, was considered rare and was deprecated as deleterious and immoral by the majority of Indians, therefore, its suppression was viewed as mandated by popular opinion. These general principles of opium regulation in India were codified in the final report of the Royal Commission on Opium (1895) which would act as a reference for central, provincial and municipal officials who sought to justify their views, often also based on their own experience of opium regulation on the ground. However, the victory of the RCO over domestic calls in the imperial metropolis and among global missionary networks to end the India-China opium trade and the opium habit in India did not leave British systems of opium regulation uncontested.

In London, revenue considerations were outweighed by anti-opium sentiment which found new resonance in the changing metropolitan and global political circumstances at the beginning of the twentieth century. Anti-opium strictures against the India-China opium trade and sales of opium to India consumers were heard loud and often – as they had been in the late 1880s and early 1890s - in pulpit, press and parliament. With the Liberal election victory of 1906 this anti-opium movement found a mass of support in Westminster and influential voices in Whitehall. John Morley, paramount in the British Indian administration and given control over opium policy in the British Cabinet, pushed for the Anglo-Chinese opium agreement to end the India-China trade. Morley also rejected the conclusions of the RCO that were still used by colonial officials to acquit the GOI of the charge that their revenues from exports of opium to China and sales to consumers in India were ‘morally indefensible.’ Morley’s anti-opium task was made easier by Foreign Office calculations that an end to the trade would further British commercial and geopolitical interests in China by both strengthening the Qing state and gaining its comparable favour against Great Power rivals who competed with Britain for the apocryphal riches of the domestic market of the Celestial Empire.

By the time of the SOC the British position on the opium traffic was not determined by its revenue concerns. Anti-opiumists and their official allies in London were more concerned about the moral and political dimensions of the opium question and so sought the cessation of the India-China trade. In Calcutta, British officials knew themselves to be powerless to prevent the eventual end of opium exports from India to China. Instead, GOI officials pushed for a gradual diminution in the trade and guarantees that China would fulfil her obligations to reduce its domestic opium production and consumption. This position on the opium agreements would form the basis of the British agenda at the SOC. The British objective heading into the Commission was not to protect GOI revenues from exports of opium to China. As far as the trade with China was concerned the

priority of the British delegation was to hold China to the terms of the opium agreement in particular the ten year timetable for the suppression of the trade and the *pari passu* reduction in China. The British delegation entered proceedings confident in their ability to protect the terms of the opium agreement. They had received assurances from Chinese and US officials prior to the Commission that both their respective government was satisfied with its terms. Anti-opiumists, including John Morley at the IO, saw the Commission as another opportunity to aid China in her noble opium suppression campaign. However, anti-opiumist outside the government wished to use the SOC proceedings to push the British for a modification of the terms of the opium agreement to bring forward the cessation of the trade as soon as possible. It was attempts by US and Chinese delegates to force an acceleration in the reduction of the India-China opium trade that pushed the British onto the defensive at the SOC. As such the question of opium revenues only had a minor significance for the British position on the opium trade at the SOC; that the GOI be given time to adjust for their loss and that China did not use the agreement merely to appropriate a greater share of revenue from the taxation on opium by excluding the Indian product.

Given the atmosphere of anti-opium scrutiny in Britain and at the Commission it is unsurprising that the importance of opium revenues did not feature large in the British defence of colonial systems of opium regulation. The GOI and the Colonial Office had been right to interpret the expanding agenda of the Commission as an indication that the US delegation would attempt to interfere in domestic opium regulations. The case put forward by the British delegation in defence of their domestic opium regulation was in large measure built upon the experiences of colonial administrators in British India, including their racial prohibition of opium consumptions among ethnic Burmans, and the findings of the RCO (1895). That this British defence of their colonial opium regulations was not a diversionary ploy to protect revenue concerns is demonstrated by its resemblances to the debates surrounding opium regulation and prohibition prior to and after the SOC. The British made the usual arguments about how firmly the consumption of opium was embedded in Indian society. They explained to the Commission how difficult it was - given India's extensive internal frontiers with a large number of semi-autonomous opium producing Princely states and external frontiers with opium producing countries such as Persia, Nepal and Afghanistan - to control the flows of illicit opium through British India. However, they were careful not to overplay their difficulties lest the Chinese and anti-opium critics held them to account for illicit exports of Princely State opium to China. As the GOI had during its consideration of the Chinese proposal for the opium agreement, the British delegation drew on the experience of the prohibition of opium amongst the indigenous of Burma to question the wisdom of any moves by the Commission to propose that governments seek to prohibit rather than regulate opium in their territories. Mindful of anti-opium scrutiny back home, the British delegation was careful to strike a note of optimism about the prospects of suppressing opium consumption amongst the Burman

population. The British delegation also shared their anxieties about burgeoning markets for novel and more harmful intoxicants; the stimulation of which they argued was an unintended consequence of a prohibitionist opium policy. Proof that these arguments about the danger that prohibition would simply push consumers to more deleterious intoxicants such as morphine and cocaine were not merely a ruse to defend opium revenues is demonstrated by their repeated occurrence in the correspondence of provincial and municipal officials with Calcutta subsequent to the Commission. This is more evidence to support James Mills's argument that the British focus on morphine and cocaine at the Hague Opium Conference (1911-1912) was not merely a diplomatic ploy to protect their opium revenues.⁷

The correspondence of provincial and municipal officials with Calcutta subsequent to the Commission shows us that the further the historian delves into the colonial archive the more fractured the British approach to opium regulation in Asia appears at this time. Municipal officials in urban centres and the countryside resented interference in local opium regulations whether it come from Calcutta, London or the international SOC. Local officials felt themselves best placed to determine the most appropriate form of opium regulation in their jurisdiction. The question of opium control was tied to questions of the economy, and law and order. The topography of their administrative area and its proximity to frontiers, borders and waterways across which opium and other intoxicants might be smuggled also featured heavily in their calculations. The bitter tone of the local administrative correspondence following Calcutta's enquiries into reforming regulations subsequent to the SOC was born of the history of metropolitan interference. It is not surprising that the local official ire was strongest where IO interference had been most direct, Burma. What emerges, therefore, from this is a more nuanced picture of British attitudes and agendas towards opium than has hitherto been drawn in the historiography. The importance of opium revenues, we have seen, in British calculations about opium policy and diplomacy was balanced against differing and conflicting ambitions and anxieties regarding opium regulation at all levels of the imperial and colonial administration.

This picture of differing and competing British positions on opium questions the prevailing image of the British as obfuscatory in the foundation years of the international drugs control regime. The British were not trying to defend their revenues from the opium trade. Instead, British officials saw the Shanghai Commission as an opportunity to hold the Chinese government to promises to reduce its domestic production and consumption of opium in line with reductions of Indian exports to China and as a further opportunity to demonstrate Britain's moral and practical support for Chinese opium suppression. The British are better described as willing participants in the initial

⁷ Mills, J. H., 'Cocaine and the British Empire: The drug and the diplomats at the Hague Opium Conference, 1911-1912,' in *Journal of Imperial and Commonwealth History*, 42, 1, 2014 (in press)

stages of the establishment of an international drugs control regime. However, the desire of the Chinese and United States commissioners to accelerate the termination of the trade forced the British to take a defensive stance on the diplomatic stage. Calcutta's concerns for an end to the trade whereby China kept pace with the timetable for reductions in Indian opium exports were suddenly threatened. The British delegation's refusal to countenance discussion of the opium agreement at the Commission therefore represented this GOI agenda, one widely accepted by the British. Moreover, throughout the subsequent heated debates they made clear their commitment to ending the trade and helping China in her opium suppression campaign.

The British can also be characterized as regulation advocates at the Commission. The British were not simply defending their opium revenues from domestic sales to Indian consumers; they were defending a system of opium regulation which had been elaborated over two hundred years of colonial rule. They were particularly anxious at attempts by the US commissioners to establish international standards of opium regulation, aimed at the eventual prohibition of its non-medicinal use, which were antithetical to the tradition of regulating culturally accepted and popular forms of opium consumption in British India. The British believed from their bitter experience of attempting to proscribe the use of opium amongst ethnic Burmans that prohibition was costly and highly unlikely to succeed. In truth, the British delegates representing colonial administrations, unlike anti-opiumists in London, doubted the very need for opium suppression. They held to the RCO view of opium as a harmless intoxicant and vital household cure-all remedy. However, in their compromise resolutions with the US the British were able to guide the Commission towards the principles of opium that they espoused for their colony in India: an increasingly stringent regulation of all forms of opium consumption and the eventual prohibition of opium smoking. As such, the British were also architects of the international drugs control regime in its early inception.

Finally, the British, can be characterized as the Jeremiahs of international drugs control. One of their most striking objections to prohibition, and one that was voiced by municipal officials across British India, was that restrictions upon access to opium would risk stimulating markets in more deleterious intoxicants. In particular, the costly and often futile attempt to prohibit opium consumption amongst ethnic Burmans and the related threat posed by an invasion of what were considered more deleterious alien intoxicants— an influx believed to be stimulated by attempted restrictions on the opium traffic and habit - weighted heavily on the minds of colonial officials. The British would carry their doleful prophecies about the manufactured drugs of morphine and cocaine into the subsequent stages of the establishment of an international drugs control regime.

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