At the beginning of the twentieth century, opium use was a global phenomenon. Yet why people used opium, and what people thought of the brown, sticky poppy product, differed so widely that it is impossible to talk about one global issue of opium. That is, however, what the delegates at the International Opium Commission of Shanghai did. On 1 February 1909, 38 delegates from thirteen countries assembled in the Palace Hotel of Shanghai in order to form a commission instructed to face «the» opium problem. They were greeted with the following telegram sent by President Theodore Roosevelt: «I extend to the Commissioners to-day assembled my good wishes and conviction that their labours will be of the greatest importance towards the general suppression of the opium evil throughout the world.»¹ As we know today, governments did not succeed in effectively suppressing the «opium evil» over the following decades. However, the International Opium Commission of Shanghai was of the «greatest importance» to what would become a very ambitious and very ineffective global regime of narcotics control. The set of resolutions adopted by the commission established the basic assumption that non-medical opium use was «evil» and, as such, needed to be prohibited. This notion remained at the core of most national and international narcotics legislation for the rest of the century and resulted in a tendency to fight drug problems with law enforcement measures. Over time, this opium evil consensus evolved to become what might, in analogy, be called a «drug evil» consensus, shaping interpretations of illegitimate drug use on a more general level. As liberalisation started to change industrial societies, this interpretation of drug use remained resilient despite multiple challenges from social as well as scientific opposition. Understanding the circumstances of the establishment of the opium evil consensus thus helps to explain the history of drug control policy in general. What became common sense to politicians who were dealing with drugs in the twentieth century was indeed the product of a specific historical situation.

In order to understand the conditions leading up to the Shanghai Commission, which was the first attempt at international cooperation in global narcotics control, I will (1) outline the various national perspectives and objectives of the powers involved by describing their specific experiences with opium and how their views on opium as a problem developed over time. I will then (2) analyse the institutional and diplomatic framework of the commission and how it shaped the negotiations. Finally, I will (3) assess strategies of negotiation and (4) the results of the International Opium Commission’s work. I argue that the opium evil consensus was not only a product of public discourse, social perception and political negotiation, but also essentially shaped by new forms of political communication. The newly established systems of multilateral cooperation stressed the importance of moral arguments, aligning them with the mechanisms of power and force. The new rules of the conference room were used smartly by U.S. diplomats to the benefit of their government, while their British opponents were trying to defend what was left of the Indo-Chinese opium trade. Taking a closer look at this process not only helps to understand the early history of drug diplomacy, it also shows on a more general level how institutional and communicational frameworks can influence the outcome of political negotiations.

Historical research on psychoactive substances tends to be biased. Emotional drug opponents emphasise the timeless evil of substance abuse by dragging the reader toward the darkest corners of human suffering. Their opponents, on the other hand, write the history of the *homo narcoticus*, trying to show that the transgression of the boundaries of the body and mind with a little chemical help is absolutely natural. Most of the research on the history of drugs ranges between these two extremes. Often, studies from both camps essentially support political agendas by using historical argumentation, sometimes selecting evidence mainly in order to make a point that was set from the beginning. Therefore, it seems appropriate to stress that the following analysis does not answer the question of whether opium is evil. Rather, it explores the question of why these diplomats in this particular situation decided that it was.

1. Naming the Evil: National Perspectives on Opium

The delegates of the International Opium Commission who gathered in Shanghai in 1909 represented the governments of China, Great Britain, the United States, France, the Netherlands, Germany, Japan, Austria-Hungary, Portugal, Italy, Russia, Siam and Persia. The delegations did not engage equally in the debates – mainly, because the resolutions at stake affected their countries to different degrees. In order to assess the significance and outcome of the commission, it will be sufficient...
to focus on the three most important players of the Shanghai negotiations: China, Great Britain (with one delegate from India) and the United States.

Opium had been known in China as a remedy for various ailments since at least the seventh century. Along with tobacco leaves, Dutch and Portuguese merchants introduced the practice of opium smoking in East Asia in the sixteenth century, thereby establishing the use of the substance for non-medical purposes. Little is known about the extent of opium consumption before 1800. What we do know is that the first imperial edict against the cultivation, sale and use of opium was issued by Emperor Yongzheng in 1729, followed by the anti-opium edict issued by Emperor Jiaqing in 1813. These examples of early anti-opium legislation suggest that Chinese state authorities identified opium as something that should be controlled by the state long before the issue came up in international politics.

Beginning in the 1780s, Chinese attempts to control the opium use of its citizens started to conflict with the commercial interests of the British Empire in terms of the national economy and private enterprise. British demand for Chinese products such as tea, silk or porcelain was not being matched by Chinese demand for British products. This imbalance resulted in a trade deficit, and the British Empire was eager to compensate this by exporting commodities like opium from the British colonies to China. On the level of private enterprise, the opium trade was extremely profitable. After fruitless attempts to establish regular trading relations with the Chinese government, British merchants engaged in illicit opium trade. The increasing influx of high quality Indian opium into the Chinese opium market cut prices and led to increasing rates of opium consumption and the establishment of opium smoking as a common social practice in China.

The Chinese government under Emperor Daoguang feared social disintegration and the erosion of Confucian ideals as a result of the spreading opium habit. In 1838, the government commissioned Lin Zexu to launch an anti-opium campaign, which culminated in the highly symbolic and purposely provocative act of the public destruction of confiscated British opium in the port of Guangzhon in June 1839. While this may have provoked an imperial war that was named after the substance,
opium was not the main cause of the Opium Wars. However, as a symbol of Great Britain's penetration of the Chinese market, opium now started its career as a political and diplomatic issue. As a result of the Opium Wars, China was forced to accept the unequal treaty system, which not only granted the European powers commercial access to China, but also limited Chinese sovereignty rights on its own soil. The Indo-Chinese opium trade became legalised. The Chinese opium prohibition laws, officially still in effect, could no longer be enforced by the authorities.

In the second half of the nineteenth century, opium consumption increased dramatically and became a central element of Chinese popular culture. In 1872, the urban population of Shanghai was sucking on their opium pipes in roughly 1700 opium dens, where the substance could be purchased and consumed without any legal difficulty and at affordable prices.

Troubled by more serious problems, like the civil war after the Taiping rebellion and the international degradation of China in the unequal treaty system, the Qing government stopped fighting opium consumption and consolidated the legalisation of opium by imposing taxes on the popular product. As a result of legislation, domestic poppy cultivation flourished, prices dropped, consumption rates augmented, and for rising numbers of peasants as well as for the Chinese government, opium production became an important source of income. Hopes of stabilising the currency system, which was constantly troubled by the drain of silver caused by Indian opium imports, seemed to exceed concerns about the rising dependency on opium production. Not even the famines of 1876 and 1878 in northern China, caused by excessive opium cultivation on soil formerly used for alimentation, were followed by political attempts to oppress poppy growing.

While Chinese authorities had moved on to embrace opium as a solution rather than treating it as a problem, other groups in Chinese society voiced their concerns about this phenomenon. Among the first and most influential of these groups were Western missionaries. The habit of smoking opium for pleasure not only contra...
dicted their mostly Puritan, Quaker or Calvinistic ideas of pious and abstinent conduct, it also impeded their mission of spreading the gospel, because opium addicts typically had more urgent things to do than go to church. Highly questionable treatments for withdrawal that sometimes involved brute force or the use of opium-containing anti-addiction pills (“Jesus opium”) were used at missionary clinics as a regular strategy of missionary work. The foundation of the Chinese Anti-Opium League by missionaries inspired and strengthened the development of other political structures opposing the opium phenomenon.

These political structures gained influence with the development of the Chinese reform movement of “self-strengthening” toward the end of the nineteenth century, when China was defeated by Japan. An important element at the core of this movement was anti-opium rhetoric. Public debates that were charged with nationalistic and anti-imperial symbolism and peppered with social Darwinian elements declared opium to be the root of poverty, crime, sexual deviance and addiction as well as physical, mental and moral weaknesses, making it the reason for the nation’s degeneration. The eradication of the opium evil thus promised to be a shortcut to national strength. By branding opium as a British means of imperial domination and referring to the opium reformer Lin Zexu as a national hero, the anti-opium campaign gained momentum as an anti-imperial movement fighting for national liberation.

On 20 September 1906, Emperor Guangxu issued an edict on opium, regulating the gradual prohibition of the consumption, cultivation and sale of opium products. A majority of the Chinese people supported the reform, and the anti-opium movement was surprisingly successful, given that only a few years before opium had been a key element in Chinese social life. However, regardless of how ambitious and momentous the movement was, it did not stop the Indian opium ships from discharging their valuable load in Chinese ports. Prohibition fuelled illicit opium trade and, without the support of the administration of the European settlements in China, the Chinese government was powerless to enforce the prohibition laws effectively. In December 1906, the Chinese government addressed the embassies of Germany, Great Britain, France, and the United States, pleading for assistance with

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implementing the opium reforms. What China was really asking for in these letters, however, was the abolition of the Indian opium trade to China.

Great Britain’s perspective on opium differed somewhat from China’s. As a household remedy for all kinds of aches and pains, poppy tea had been known in the United Kingdom for centuries. Evidence of the first more advanced medical use of opium dates to around 1600, when a certain tincture by the name of Laudanum was first mentioned. Laudanum was used to treat all kinds of ailments and inconveniences like headaches, depression, or the screaming of infants. The British Medical Dictionary from 1801 states: «There is scarcely any disorder in which, under circumstance, its use is not found proper.» Given its qualities as a painkiller, opium was not perceived as a problem in British society at the beginning of the nineteenth century.

In 1804, the young Romantic poet Thomas De Quincey went to a pharmacy in London and bought a little bottle of Laudanum to ease his piercing headaches. In his Confessions of an English Opium-Eater, he described his first use of the tincture with euphoria: «O heavens! What a revulsion! [...] That my pains had vanished was now a trifle in my eyes; this negative effect was swallowed up in the immensity of those positive effects which had opened before me, in the abyss of divine enjoyment thus suddenly revealed. [...] happiness might now be bought for a penny, and carried in the waistcoat-pocket, [...] and peace of mind could be sent down by the mail.»

As with many of his Romantic colleagues, opium became the poet’s regular companion, helping him to flee the pallid realities of nineteenth-century England, while escaping the rational ideals of Enlightenment and entering more Romantic spheres. Easily available at any pharmacy without a prescription, Laudanum could be consumed at low cost and was mostly perceived as a powerful but harmless form of medication with some inspiring side effects. It was frequently used by bored members of high society, who typically misunderstood the pain and depression of withdrawal as ailments to be cured by another dose.

Between 1805 and 1811, the German pharmacy assistant Wilhelm Sertürner isolated the active ingredient that made raw opium such a powerful product. In honour of the Greek god of sleep and dreams, he named the new substance mor-

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28 T. De Quincey, Confessions of an English Opium-Eater [1821], Hertfordshire 2009, 141–142.
30 Berridge / Edwards, Opium, 56.
Morphine proved to be far more powerful in terms of analgesic and psychoactive potency than raw opium or Laudanum, its only flaw being that it caused extreme nausea when consumed orally. Morphine’s career as a miraculous painkiller was therefore delayed until the invention of the hypodermic syringe in 1855. Fascinated by its stunning effects, more and more consumers used it for medical and non-medical reasons, quickly developing addictions. Hypodermic syringes could not as easily be hidden as could Laudanum bottles, and the consequences of frequent opiate use soon began to be observed more attentively than before. In 1868, Norman Kerr published one of the first detailed studies on the phenomena of inebriety and addiction, marking the starting point of a process that led to increased awareness of the dark sides of opium and morphine in British society.

Meanwhile, as medicine and pharmacy became more and more professionalised and institutionalised, attempts by doctors and pharmacists to monopolise the interpretation of illness as well as the decisions regarding what constitutes proper treatment began to take effect. Thanks to the Pharmacy Act of 1868, authorities started regulating the sale of certain medications such as opiates by establishing import regulations and prescription rules. Moreover, people began to reflect the side effects of opium. Norman Kerr’s descriptions reveal a strong moral perspective on opium: «Opium transforms the manly, high-toned, pleasant companion into an effeminate, drivelng, querulous bore. [...] The effect of long-continued opism [sic] is seen rather in nervous disquietude and excitability, leading to speculation and gambling. With opium addiction there is frequently associated immorality.» In some respects, this fear of moral degeneration through opium consumption and addiction resembled Chinese concerns about the substance. British anti-opium agitation and, more generally, the sober ambitions of the temperance movement featured elements of «anti-narcotic nationalism», fuelled by the idea that sobriety would strengthen industrial workers, vitalise the nation and counter all kinds of moral and/or physical weakness.

The focal point of Great Britain’s opium fears was the myth of the opium den, which combined anxieties of deviance and degeneration with xenophobic images. Chinese immigrants working for low wages in British ports formed their own communities and imported the habit of opium smoking along with the opium itself.
to China Town. The narrative of how opium dens endangered public health was as gloomy as it was fantastical: according to the myth, dirty, dim, smoky bars were frequented by sickly criminals who sucked on their opium pipes while their families suffered from poverty and hopelessness. It was feared that delirious young Englishmen could be easily corrupted by Chinese prostitutes and thus lost to addiction and misery, instead of contributing to the glory of the Empire. Pure and innocent young women were, according to a similar tale, threatened by reckless Chinese opium addicts, whose sexual appetite was thought to be unleashed by the mysterious ingredients of the opium pipe. In this respect, opium was also perceived as a threat to the purity of the white race.40

What was imagined as a sinful and dirty half-world, provoked temperance reformers and their religious allies to condemn the opium habit as a social menace. A former missionary in China, George Piercy, described the problem in 1883 by stressing its connection to the Chinese communities in Europe: «we really have a new habit, prolific of evil, springing up amongst us [...]. It is coming close to us with a rapidity and spring almost undreamt of [...]. What could all this grow to but to the plague spreading and attacking our vitals? If I speak again of what has been seen of the Chinese who smoke opium in London it must be understood that it is to raise a warning voice against the evil they have brought. It begins with the Chinese, but does not end with them!»41

A mixture of medical knowledge of addiction, fears of national decline, puritan disdain for inebriety and anti-Chinese xenophobia fostered new forms of prejudice toward opium in Great Britain. However, the early British anti-opium movement was not concerned with British opium problems. In 1874, the wealthy Quaker Joseph Pease founded the Anglo-Oriental Society for the Suppression of the Opium Trade in order to «protect» China from the importation of opium from British India. Similar to the British abolitionists, the mostly protestant activists working against opium were driven by anti-imperialist perspectives and rarely referred to opium problems at home.42

This growing public opposition to the Indian opium business was but one perspective to be considered by the British government. The sale of Indian opium to China was a central element of the imperial economic system. Additionally, the Indian perspective on opium further complicated the situation. In India, opium had been used as a painkiller for centuries. In rural areas with rudimental professional health care structures, opium was frequently used as a means of self-medication.

The smoking of opium was scarcely known in India, and the substance was very rarely used for non-medical reasons. Indian authorities as well as opium merchants and poppy farmers had no domestic opium problem, and for economic reasons they had little sympathy for the British anti-opium crusaders.

In an attempt to settle this complicated situation of conflicting opium attitudes, the British government appointed a Royal Commission on Opium in 1893. After conducting several interviews with all kinds of opium experts in London and India, the commission surprised anti-opium activists by arriving at the verdict that opium was no more dangerous to consumers than alcohol, and that it would not be advisable for the government to abolish the Indo-Chinese opium trade. It should be noted that Indian authorities had successfully influenced this verdict by assisting the commission with its choice of witnesses. As a result, India was able to avoid what was perceived as an attempt of imperial paternalism. By contrast, Chinese and British anti-opium activists interpreted continued opium trade as an act of the imperial degradation and deliberate enslavement of the Chinese people. After the publication of the Opium Commission's report, the anti-opium movement in Great Britain lost impact and disappeared from the public sphere — that is, until the Chinese anti-opium reform gained momentum with the beginning of the new century.

By the time Chinese authorities desperately needed British cooperation to prohibit opium in 1906, things had somewhat changed from the British perspective. The mass movement of the Chinese opium reform had revived British anti-opium activism. In 1906, the opium-critical Liberals gained a majority of seats in the House of Commons. In May 1906, Parliament adopted its first opium resolution condemning the Indo-Chinese opium trade as «morally indefensible». These developments can only be properly explained when linked to the economic situation: due to growing competition from the Chinese domestic opium production, profits from the opium business had slowly but clearly decreased since the 1880s.

The Ten-Year Agreement on the gradual reduction of the opium trade until total prohibition in 1917, signed by China and the United Kingdom in 1907, may seem

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45 Richards, Opium, 418.
46 The determined objections by some authors who tried to disprove the commission's findings did not revitalise the movement. See A. Foster, Reports of the Royal Commission on Opium compared with the evidence from China that was submitted to the commission. An examination and an appeal, London 1899; J. Rowntree, Opium Habit in the East. A Study of the Evidence Given to the Royal Commission 1893–1894, London 1895.
47 Taylor, Diplomacy, 25.
like a generous act of compromise. On closer inspection, however, the agreement enabled the British to gradually abandon a declining market on their own terms and to revoke within a three-year period of probation.⁴⁹ In 1907, the British government made some steps towards cooperation, but sovereign Chinese control over the Chinese opium trade was still out of the question. When, in January 1908, the US secretary of state sent an invitation to the British Foreign Office, suggesting an international conference on the opium problem, British authorities were less than enthused by the idea of reconsidering an affair so smoothly arranged only months before.⁵⁰

But what did the US secretary of state have to do with the matter? At the beginning of the nineteenth century, opium was not a public issue in the United States. People did consume psychoactive substances, but that was not perceived as a problem, let alone an American one.⁵¹ Unchallenged by public discourse, U.S. companies began engaging in the Ottoman and Persian opium trade to China in 1805. When the British East India Company lost the exclusive right to the Indo-Chinese opium trade, US companies also started selling Indian opium to China.⁵² Although the Treaty of Wangxia prohibited this practice in 1844, some private American firms earned good money with contraband opium trade.⁵³ Notwithstanding these efforts, US opium dealers were gradually pushed out of business after the official legalisation of opium trade to China in 1859. When the USA and China agreed on the abolition of the United States’ engagement in the Chinese opium business in 1880, there was not much left to lose for the US economy.⁵⁴ Untroubled by economic concerns, the US discourse on opium was driven by fears, hopes and arguments that were in some respects different from those in Great Britain.

In the second half of the nineteenth century, thousands of Chinese immigrants were drawn to the American West by the gold rush. Working for low wages in the mines and living in ghettoised communities, young men from China often failed to blend in with the rest of American society. They were not only perceived as rivals by American workers, they also inspired wild fantasies and hysterical fears of the exotic Other. As in Great Britain, anti-Chinese racism fuelled fantastical narratives featuring opium as a symbol of savage degeneration.⁵⁵ The association of Chinese immigrants and opium in the United States in some cases went so far as to spread the rumour that opium smoking could cause consumers to develop not only a Chinese character, but also Chinese facial features.⁵⁶ This wild mixture of social rivalry, racial

⁴⁹ Reins, Reform, 134.
⁵¹ Taylor, Diplomacy, 3.
⁵² Ibid., 7–8.
prejudice and fear of cultural difference was strengthened by the strict moral views of American missionaries who reported about the Chinese «opium evil» after returning from their missions.57

The xenophobic elements of the American opium opposition were accompanied by strong moralistic attitudes toward opium in social and medical discourse. Opium was assumed to be an aphrodisiac that could threaten the strict ideals of monogamous modesty while slowly exhausting virility and leaving behind shame and impotence.58 Alarmed by numerous veterans of the Civil War who brought home their opiate habits from military hospitals,59 medical professionals also anxiously observed the phenomenon of addiction. The conclusion of Harry Hubbell Kane’s study on the effects of opium smoking in America and China sums up the complex and diffuse fears in a nutshell: «Viewed from any stand-point the practice is filthy and disgusting; is a reef that is bound to sink morality; is a curse to the parent, the child, and the government; is a fertile cause of crime, lying, insanity, debt, and suicide; is a poison to hope and ambition; a sunderer of family ties; a breeder of sensuality and, finally, impotence; a destroyer of bodily and mental function; and a thing to be viewed with abhorrence by every honest man and virtuous woman.»60

Moral arguments like these made opium a political issue that concerned every American, because it supposedly threatened not only the addict, but also the social community and the moral condition of the nation. This perspective linked the opium discourse to the passionately debated temperance movement and can be described as «anti-narcotic nationalism».61 In this respect, American reactions to opium closely resembled Chinese and British debates. However, the American narrative on how psychoactive stimulants were endangering the nation was particularly powerful, since it seemed to constitute an antipode to the tale of the American Dream: drug addiction was interpreted as enslavement, depriving its victims of independence and freedom, and thus endangered the pursuit of the rags-to-riches happiness to which virtuous, hard-working Americans were supposedly entitled. Identifying with the abolitionist movement, anti-narcotic activists frequently referred to anti-slavery rhetoric in order to legitimise their aims.

The marginal economic significance of the American opium trade and the complex fears explain the general American perspective on opium as an evil to be eradicated. They do not explain, however, why the US government would want to start an international initiative to outlaw global opium trade. This initiative can only be understood in the context of the US experience in Southeast Asia. In 1898, the US

57 See, for example, J. Doolittle, Social Life of the Chinese, New York 1865; Ahmad, Opium Debate, 51–53, 74; idem, «Opium Smoking», 53–68.
58 Idem, Opium Debate, 45; idem, «Opium Smoking», 55–61.
61 Padwa, Poison.
government took over the former Spanish colony of the Philippines after the Spanish-American war. Itself a former European colony, the United States and its citizens strongly identified with the ideas of independence and self-determination – and by this means became an imperial power themselves. The severe problem of legitimacy resulting from this contradictory situation called for a solution. What was needed was a convincing civilising mission that promised peace, progress and freedom to the new subjects of American rule. Part of this program of legitimisation was a strict regime of narcotics control, which the American administration tried to install in the Philippines in order to protect «uncivilised» Filipinos from the destructive forces of Chinese opium abuse.

The large Chinese population in the Philippines had been allowed to consume opium under Spanish rule. Their consumption had been controlled by a license system, allowing the colonial regime to have a share in the profits of the opium business. When the United States took over, the Episcopalian Bishop Charles Brent, who was in charge of the Christian mission in the Philippines, and the Methodist Bishop of Manila, Homer Clyde Stuntz, launched a campaign advocating total prohibition.

In 1903, US President Taft appointed the Philippine Commission on Opium with the purpose to assess whether opium prohibition would be an advisable step to take for the US administration in Manila. From August 1903 to January 1904, the commission formed by the US surgeon Edward C. Carter, the Filipino doctor José Albers, Bishop Brent and their assistant Carl J. Arnell went to Japan, Formosa (Taiwan), China, Singapore, Burma and Java to evaluate local opium policies. Like the British Royal Commission nine years before, the Philippine Commission on Opium conducted numerous interviews with doctors, merchants, scholars, diplomats and clergymen. However, the perspective of the American investigators differed from that of the British: While the latter had dealt with opium as a colonial issue to be investigated in London and India only, the American commission perceived it as an international problem that crossed borders. They therefore not only tried to determine how opium affects the human body and social life, but were also interested in the mechanisms of the opium trade. Parallel to public opinion on opium in the United States, the Philippine Commission on Opium's verdict was harsh and stated that «the use of opium is an evil for which no financial gain can compensate and which America will not allow her citizens to encourage even passively».

65 Opium Investigation Committee, Use of Opium, 11.
67 Ibid., 53–54.
Subsequently, the civil administration of the Philippines passed prohibition laws that were supposed to apply also to the Chinese population. As a result, prices for opium on the black market went through the roof, smuggling flourished and the colonial authorities now faced the task of controlling the coasts of all 7107 Philippine islands in order to enforce trading prohibition. It was obvious that there was no chance the United States could control opium consumption in their colony, as long as the global opium trade was legal.\(^6\) In terms of imperial strategy as well as integrity, revoking the prohibition laws did not seem opportune. Hence, it was the opium trade in the South China Sea that needed to be tackled.

The Philippine opium prohibition problem kick-started the political initiative of US authorities to take action against opium on a more global scale. However, it should not be ignored that the United States also had an economic interest in ending the Indo-Chinese opium trade. In terms of an open door strategy, it seemed useful to strengthen the Chinese economy, which was thought to be held down by foreign domination as well as inner social problems, such as opium addiction. Freeing China from the «opium evil» would thus not only satisfy public opinion at home and cut off Philippine opium supplies, it would also open another very promising door to a, hopefully, prospering market for American goods. It was under these circumstances that in 1906 President Theodore Roosevelt received a letter from the Episcopalian Bishop Charles Brent suggesting international cooperation in opium prohibition.\(^6\) It does not seem too surprising that Roosevelt agreed.

By the beginning of the twentieth century, China, Great Britain and the United States had all developed their own opium problems. The various pressure groups fuelling public opinion against the «opium evil» were driven by similar fears, and their arguments sounded alike in many respects. In China and the United States, the opposition to opium happened to converge with economic and political interests, whereas in Great Britain the perception of opium as evil did not agree well with the colonial and economic agenda.

### 2. Opium Diplomacy: New Rules for an Old Game

Opium had been an issue of diplomacy long before the first meeting of the International Opium Commission in Shanghai. In the nineteenth century, it had mostly been perceived and dealt with as a matter of colonial politics. However, it was not until the twentieth century that opium entered international politics as a global problem. After the opium reform of 1906, China was eagerly hoping for peaceful European cooperation in order to enforce the new opium laws in the European settlements along the Chinese coast. As long as opium was legal there, Chinese authorities had little hope of preventing illicit trade. Correspondence between the Ameri-
can delegation and the State Department as well as records from the German embassy at Beijing and the administration of Kiaochow provide an impression of how diplomatic negotiations were developing between the European powers and the Chinese government.70

In December 1906, the German ambassador Graf von Rex sent a report to Berlin, advising Germany not to stand in the way of the reform project, which he judged to be very important for the «moral well-being of the Chinese population». As far as the American and British governments were concerned, von Rex anticipated extensive cooperation.71 But when the Chinese government substantiated its demands, British willingness to cooperate quickly melted away. In February 1907, the Chinese authorities informed the European powers about their action plan: In addition to the abolition of the Indo-Chinese opium trade within the next ten years (which would be decided in the Ten-Year Agreement), they demanded a Chinese officer be sent to Calcutta to enforce export regulations. Additionally, the import tax on opium was to be doubled, the import of opium from Hong Kong to China prohibited, and Chinese opium laws extended to the territory of the European settlements, while the morphine prohibition was to be expanded to include British dealers.72 The Chinese were asking a lot. Since the establishment of the unequal treaty system, European settlers had never been subjected to Chinese legislation. Extraterritorial rights were at the core of European rule on Chinese soil. Enforcing Chinese legislation within the settlements meant challenging European authority. The idea of a Chinese officer enforcing Chinese laws in the capital of British India and thus reversing the mechanisms of extraterritoriality seemed even bolder to European eyes. The reactions to the Chinese demands clearly marked the limitations of cooperation: Chinese opium campaigns were no longer considered to be a problem, as long as European authority remained unchallenged. Even the German ambassador, who had spoken in favour of the Chinese cause previously, now wrote to Berlin saying that the Chinese demands were «out of the question».73 The British elites in Hong Kong and the Straits Settlements were especially enraged, and they complained angrily about the economic losses of British opium dealers, insisting on the arguments of the Royal

70 For the American delegation, see National Archives and Records Administration (NARA), RG 43, Records of International Conferences, Commissions and Expositions, International Conference Records, U.S. Delegations to the International Opium Commission and Conferences, Entries 34–39. For the records of the German delegation, see BA-MA, RM 3/6823–6825. Although Germany was not a major player at the commission, the German files are very helpful to understand the developments in Shanghai, because in their reports the German diplomats tried to explain the different perspectives without being too preoccupied with justifying their own actions. Compared to the files at NARA, they also seem more complete and help to understand diplomatic relations prior to the commission. It therefore seems appropriate to rely on the German files.


Commission report. In June 1907, a report from the German Settlement of Kiaochow stated that «whether China will be capable of following through with its objectives [...] depends on the position of Great Britain, whose Indian properties and East Asian colonies will suffer great fiscal losses through these measures. Great Britain will hardly be overly inclined to comply.» The conflict was not new. China wanted to suppress opium, the British Empire wanted to sell opium to China. China linked its demands for opium suppression with demands for a revision of Chinese sovereignty rights in the settlements. In effect, on an international scale, the opium problem was a conflict between two unequal powers. In 1907, this conflict was resolved bilaterally by the Ten-Year Agreement, which confirmed China’s subordinate position within the international power game of opium diplomacy.

In terms of nineteenth-century political history, this might well have been the end of the story. But the frameworks within which international politics were negotiated had somewhat changed in the decades leading up to 1909. Since the 1860s, international cooperation had increased in reaction to advancing entanglement and modernisation. Negotiations on the standardisation of units of measurement, products and processes were intended to facilitate international communication and commerce. The development of international institutions increasingly shaped the frameworks of international politics. Driven by the hope that multilateral cooperation could also be a promising path toward world peace, activists in the peace movement strongly supported attempts to establish institutions to regulate international communication. In 1899 and 1907, the peace conferences in The Hague codified rules for the peaceful settlement of international conflicts. In addition to installing a Permanent Court of Arbitration, the conference also agreed on rules for multilateral negotiations. These rules advised the formation of international commissions under certain conditions:

In disputes of an international nature involving neither honor nor vital interests, and arising from a difference of opinion on points of fact, the contracting Powers deem it expedient and desirable that the parties who have not been able to come to an agreement by means of diplomacy, should, [...] institute an international commission of inquiry, to facilitate a solution of these disputes by elucidating the facts by means of an impartial and conscientious investigation. [...]
The report of the commission is limited to a statement of facts [...]. It leaves to the parties entire freedom as to the effect to be given to the statement.78 When the US secretary of state suggested a «general and impartial investigation of the scientific and material conditions of the opium trade and the opium habit in the Far East»79 to the United Kingdom, France, the Netherlands, Germany, China and Japan in 1908, he was directly referring to the resolutions in The Hague.

And yet the political conflict regarding opium as outlined above clearly involved «vital interests». The powers in question more or less agreed on the «facts». There had been an «agreement by means of diplomacy», signed by the two primary powers involved: the Ten-Year Agreement between China and the United Kingdom. There was therefore no reason to call for an international commission, at least not as far as The Hague Conventions were concerned. China and the United States, however, had good reason to refer to the new instruments of diplomacy. The international conference that the United States had originally called for would have given them a chance to revise the Ten-Year Agreement and negotiate a new set of rules for global narcotics control.80 Still, an international commission seemed at least like a good start. It was safe to assume that the open discussions in Shanghai would stress moral arguments and make traditional mechanisms of power less effective than they would have been in bilateral negotiations, and that this situation would strengthen the US/Chinese position. However, no matter how upset British diplomats were about this challenge to their opium policy, only eight months after signing the Hague Conventions, it was almost impossible for them to refuse Roosevelt’s invitation to Shanghai without jeopardising diplomatic credibility. In a situation where the position of the British Empire was already being seriously challenged on an international scale, emerging powers such as the United States were able to use international cooperation as a strategy for organising, as well as reorganising legislative regimes and power structures to their advantage.

In the course of the following months, the invited powers reached an agreement.81 The circumstances for negotiations were chosen carefully in favour of Chinese and American interests. Shanghai with its opium port and vivid nightlife impressively illustrated the Chinese perspective on the opium problem. European interests were defended by delegates who regularly worked for the administrations of the settlements in China and for the most part had subordinate positions within

80 Secretary of State Adee to the Diplomatic Officers of the United States, Accredited to the Governments which were Represented in the Shanghai International Opium Commission, 1 September 1909, in: NARA, RG 43, Entry 38.
the political systems of their countries. China sent six delegates and four associate
delegates, including the Governor General of the Liangjiang Provinces.\(^8\)\(^2\) The US
government appointed the passionate opium prohibitionist Charles Brent as chair.\(^8\)\(^3\) After Great Britain had imposed its opium policies on China for over half a century, the conditions for negotiations were changing to their disadvantage.

3. Defending the Evil:
Negotiations toward an «Opium Evil» Consensus

In February 1909, the International Opium Commission convened fourteen times at the Palace Hotel in Shanghai. The delegates formed sub-committees and published their findings in the commission’s final report.\(^8\)\(^4\) During the commission sessions, the delegations reported on the opium situations in their countries before discussing the statements. When the presentations had been completed, resolutions were discussed and voted on. Each delegation was entitled to one vote.\(^8\)\(^5\)

The opening statement of the Chinese High Commissioner Duan Fang leaves no doubt as to the objective of the Chinese delegation: «It was first intended to limit the abolition of opium in the [Chinese] Empire to ten years, but the various provinces have been able so to reduce the cultivation of the poppy that it would seem that this cultivation may be entirely stopped within the next couple of years. [...] 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 sequence.»\(^8\)\(^6\)

Thankful ovations for American assistance in initiating the cooperation process were accompanied by pleas for «world-wide philanthropy and enlightenment».\(^8\)\(^7\) The Chinese position became clear to everyone: By referring to moral arguments, China was hoping to revise the Ten-Year Agreement, to accelerate global opium prohibition as much as possible and to achieve these aims with assistance from the United States.

The Chinese delegates could indeed be sure of American assistance. Roosevelt’s telegram cited above was accompanied by passionate statements from the American delegates Hamilton Wright, Charles Tenney and Charles Brent. They outlined the opium problems in the United States and the Philippine colony and demanded international action be taken against the global opium trade and the problem of

\(^8\)\(^4\) IOC. Commission debates were recorded in detail, some of them verbatim. It is likely that, in the process of recording, some statements were more or less deliberately modified. In comparison with other archival material it can be assumed that the report provides a good impression of the general development of the negotiations.
\(^8\)\(^5\) The regulations were passed in the third session explicitly according to the report of the The Hague Convention, which President Brent even cited in his statement. IOC, Vol. 1, 15–17.
\(^8\)\(^6\) IOC, Vol. 1, 10.
\(^8\)\(^7\) Ibid., 10.
smuggling in the South China Sea. Their demands were underscored by the announcement that the US government had passed the first set of federal drug prohibition laws in US history, forbidding the import of opium for smoking as of 1 April 1909.\(^{88}\)

While the American and Chinese delegations presented strong, coherent arguments in favour of the speedy establishment of an international opium regime, the British delegation was more reserved. It was, however, not before the fifth session that the British position was openly articulated by James Bennet Brunyate, who spoke for the government of British India. He explained that it would be difficult for poppy farmers to find a crop similarly profitable to replace poppy cultivation in order to comply with the Ten-Year Agreement. Moreover, even if complete prohibition were to be enforced immediately, the stockpile of raw opium in the hands of traders would be sufficient to supply the Chinese market for almost ten years. He added that, although opium abuse was not a common phenomenon in Indian society, the Ten-Year Agreement had been signed as a generous concession to China, because the government of British India was aware of the moral dimension of the issue. Citing the Earl of Minto, the governor-general of India, Brunyate, closed his statement as follows: «[...] there is no doubt throughout the whole civilized world a feeling of disgust at the demoralizing effect of the opium habit in excess. [...] But, notwithstanding the prospect of a heavy loss in revenue, I hope we may accept [the] view that, provided the transition state through which we must pass is spread over a sufficient number of years, we need apprehend no financial disaster.»

This passage demonstrates the ambiguity of the British position. Opium, if used in excess, was despicable, but being forced out of the opium business all at once spelled financial disaster for British India and thus for the British Empire itself. A «transition state» as provided by the Ten-Year Agreement was therefore absolutely necessary from the British perspective.\(^{89}\)

The question of whether the Ten-Year Agreement would be revised and opium prohibition accelerated was at the core of the Shanghai negotiations. The statement by Commissioner Brunyate shows that, although his objective was to save the agreement, even the British delegation had to admit to the «evil» character of the opium trade. At this point, the convening powers therefore already agreed that, at some time in the future, measures should be taken to prohibit opium. What was new about the Shanghai Commission was not the idea of bringing opium trade to an end, but the notion that there should be a global regime of opium control to be negotiated and enforced in cooperation, a regime that should be based on the assumption that opium was «evil».

\(^{88}\) Ibid., 19–21. The Opium Exclusion Act was passed on 9 February 1909. \(^{89}\) Ibid., 24–25.
Throughout all the debates, the delegations from China and the United States (supported by the German delegate) used moral arguments. Drawing on the narratives of the vivid anti-opium discourses of their home countries, they kept repeating that opium was an evil that threatened public health and social peace by causing physical and moral degeneration. This assumption was not challenged by the British delegation. Rather than engaging in a losing battle on the moral implications of opium use, the British delegation chose to argue on a different level. One reason for this was that the anti-opium movement in the United Kingdom had again gained momentum, and Parliament had called the Asian opium trade «morally indefensible».

In order to understand the British strategy of argumentation, it is necessary to take a closer look at the three strongest arguments brought forward by the British delegation. In the sixth session, delegate Sir Alexander Hosie challenged the Chinese assertion that between 1906 and 1908 Chinese opium cultivation had been reduced by 37 per cent. With a strong attitude of imperial arrogance, Hosie claimed: «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.» By questioning the Chinese capacity to perform proper modern administration, Hosie not only queried China’s status as equal member of the commission, he was also referring to the unfounded British suspicion that China might be trying to push the British out of the Chinese opium market in order to eliminate competition in that field, and that in fact the Chinese opium reforms were a ruse. Hosie tried to suggest that, as long as the statistics were not reliable, it would not be wise for the British to retire from the Indo-Chinese opium trade. Meanwhile, Hosie’s challenge to the Chinese opium statistics had no visible effect on the course of the debates.

The second strategic move of the British delegation was more successful. During the ninth session, the British delegation managed to prevent the commission from appointing a committee to discuss medical perspectives on opium by claiming that the commission lacked enough experts on that matter. As a result, the British delegates stripped their opponents of a set of powerful arguments. This is remarkable because, in fact, there were four qualified physicians present at the commission who could have easily formed an expert committee.

The most effective move by the British delegation was made in reaction to the American delegate Charles Tenney’s statement, including a demand for Chinese

90 Ibid., 21: 44; 53; 54; 66; 67.
91 Taylor, Diplomacy, 25.
95 IOC, Vol. 1, 38.
sovereignty rights.\textsuperscript{97} The Chinese delegate Tang Guo’an hurried to voice China’s support for Tenney’s position. Instead of engaging in a debate with regard to the contents of Tenney’s statement, the British delegate Sir Cecil Clementi-Smith then asked Mr. Tang Guo’an if he was speaking on behalf of the Chinese government.\textsuperscript{98} At this point in the debate, the parties were no longer talking about opium. With his objection, Sir Cecil Clementi-Smith had not only questioned the authority of the Chinese delegation, he had primarily challenged the authority of an international commission to abrogate passed treaties, such as the Ten-Year Agreement – which was exactly what the US and Chinese delegations were trying to do. Sir Cecil Clementi-Smith elaborated: «I think it would be amazing to 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.»\textsuperscript{99} Sir Cecil Clementi-Smith received support from the Japanese and French delegates, who posed the question to the commission of whether «the resolution presented by Dr. Tenney […] is within the scope of submission to this International Commission». The delegations from China, the United States and Germany were overruled by eight votes of «No».\textsuperscript{100} Without bringing forward a single substantial argument in favour of continuing the opium trade to China, Sir Cecil Clementi-Smith had managed to save the Ten-Year Agreement from abrogation. The Hague Convention was on his side – after all, international commissions were expected to settle questions of facts instead of reorganising international politics.

4. Outcomes: Setting the Stage for Global Narcotics Control

The International Opium Commission did not bring the Indo-Chinese opium trade to a speedy close. For this objective, the United States would have had to assemble the plenipotentiary conference the British had managed to prevent, and it would have needed more support from the other delegations. In this respect, the British still had the power they needed to defend their position. Obviously, Sir Clementi Smith had not succeeded with his strategy because he was good at citing laws, but because he had the support of the other European colonial powers. Throughout the negotiations, France, Portugal and the Netherlands never voted against Great Britain, thereby providing the British with a stable majority in most cases.\textsuperscript{101}

Instead, the International Opium Commission passed a set of resolutions expressing its views on the opium problem. Resolution No. 3 sums up the most important result: «[Be it resolved] that the International Opium Commission finds that the use of Opium in any form otherwise than for medical purposes is held by almost

\textsuperscript{97} IOC, Vol. 1, 54. 
\textsuperscript{98} Ibid. 55. 
\textsuperscript{99} Ibid. 
\textsuperscript{100} Ibid. 
\textsuperscript{101} All the votes are recorded in IOC, Vol. 1.
every participating country to be a matter for prohibition or for careful regulation; and that every country in the administration of its system of regulation purports to be aiming, as opportunity offers, at progressively increasing stringency.»102

Because the International Opium Commission was not a plenipotentiary conference, its resolutions were not binding. Contemporary commentators therefore deemed the commission to be ineffective and pathetic.103 In the long run, their judgment would be proved wrong. For the first time in an international legal context, the line between «good» and «evil» was drawn by defining all opium use for non-medical reasons as illegitimate, thereby formulating the most important basic principle of drug policy in the twentieth century. While debates about what drugs should be on which side of the line continued, drug politicians all over the world stuck to the belief that it was possible and necessary to draw this line, and to draw it according to criteria of medical benefit. Thus, using the new institutions of international cooperation, the United States and China managed to establish their interpretation of opium as the international standard. They used the institutional and communicational frameworks of these negotiations to stress moral arguments in a way that boosted anti-opium positions.

The British were not interested in reviewing their opium policies, but after Shanghai they were unable to keep out of the political process of defining international legislation that was yet to come. It was only by means of cleverly using formal arguments and with the support of their fellow colonial powers that the British delegation was able to partially maintain the legal status quo. However, their success was short lived. In order to comply with the resolutions of Shanghai, the administrations of Hong Kong and the Straits Settlements had to close at least part of the opium dens and started enforcing prohibition, just as the Chinese government had demanded.104 Only months after the resolutions of Shanghai had been passed, the US secretary of state sent out invitations again, this time proposing a conference with the authority to actually adopt binding principles of global narcotics control. He argued in his invitation that the International Opium Commission had resolved that «the opium evil should be eradicated not only from Far Eastern countries, but also from [the] home territories and possessions in other parts of the world».105 Having

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102 IOC, Vol. 1, 84.
105 Letter from Acting Secretary of State Alvey Adee to the Diplomatic Officers of the United States Accredited to the Governments which were represented in the Shanghai International Commission. Washington, 1 September 1909, in: BA-MA, RM 3/6825, Fiche 1 and in: NARA, RG 43, Entry 38.
signed the Shanghai Commission resolutions, Great Britain could not find a way out of this proposal, no matter how hard it tried.¹⁰⁶

In the course of the following years, an international regime of narcotics control was established, based on what could be called the «opium evil» consensus that had been formulated by the International Opium Commission in Shanghai. In July 1909, the American delegate Hamilton Wright was already confident that this consensus would not be challenged in the near future. In a memorandum concerning the preparations for the First International Opium Conference in The Hague, he stated: «It was generally recognized in the Commission, – and is recognized pretty generally over the world now, [...] that the excessive use of [opium and anti-opium remedies] is morally, economically and otherwise unsound. I am confident that a Conference to conventionalize the Shanghai Declarations would not consider the matter in any other light.»¹⁰⁷

After 1909, the countries involved in international drug diplomacy would overwhelmingly stick to this consensus for over a century.

Building the «Opium Evil» Consensus

Global narcotics control in the twentieth century developed based on the consensus that the use of drugs for non-medical purposes was morally despicable and therefore needed to be prohibited. This premise was first agreed upon by the International Opium Commission of Shanghai in 1909 and resulted from negotiations between delegations from China, the US and the British Empire. Their differing perspectives on opium and on the opium trade shaped their positions of negotiation: all had to some extent experienced domestic opium problems but their economic interest in the opium trade did not align. Open negotiation and institutionalised international cooperation boosted moral arguments against what was conceived as the «opium evil». Under these conditions the US and China managed to build the foundation for a prohibitive global narcotics regime that fit their purposes.

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