

# Treaties, Extraterritorial Rights, and American Protestant Missions in Late Joseon Korea

Ryu Dae Young

## Abstract

Entering into treaty relations with Western powers, Korea, unlike China and Japan, did not legally allow religious freedom or foreign residence in the interior. Technical illegality of American missionaries' work and residence in the interior created various obstacles to the performance of their missionary activities. Nevertheless, the American missionary enterprise in Korea became one of the most celebrated chapters in the modern history of Christian missions. Many elements were involved in this puzzling success. Certain extra-religious factors, extraterritorial rights that American missionaries enjoyed, in particular, made a crucial contribution to it. At the heart of extraterritorial rights was the notion that Westerners were under the jurisdiction of their consulate only. The Korean government had no authority whatsoever to enforce its laws over American missionaries. Therefore, it was not able to prevent missionaries from residing and purchasing property in the interior. Utilizing their privileges, American missionaries successfully established themselves to be non-political, voluntary benefactors.

**Keywords:** American missionaries in Korea, King Gojong, extraterritorial rights, Korean-American Treaty, Korean-French Treaty, Korean-British Treaty, Protestant missions in Korea, evangelism, imperialism, Catholic missions in Korea, Horace Allen

Ryu Dae Young (Ryu, Dae-yeong) is Assistant Professor in the Department of Christian Culture and Mass Communication at Handong University. He obtained his Ph.D. in Religion at Vanderbilt University in 1998. His articles include "Understanding American Missionaries in Korea (1884-1910): Capitalist Middle-Class Values and the Weber Thesis" (Archives de Sciences Sociales des Religions, 2001). E-mail: ryudy@handong.edu.

Korea was a mission field dominated by American missionaries. Among the Western powers, the United States took the initiative to force Korea to sign a treaty in 1882, and thus American missionaries were the first to come and established themselves as an influential foreign element.<sup>1</sup> However, Korea, unlike China and Japan, did not legally allow religious freedom or foreign residence in the interior. The effects of this seclusion policy lingered and American missionaries and their Korean adherents faced various obstacles to the performance of their religious activities. Nevertheless, the American missionary enterprise in Korea became one of the most celebrated chapters in the modern history of Christian missions. How this success was attained in a legally anti-Christian kingdom is quite puzzling. Many elements were involved in it. This essay will attempt to examine some of the extra-religious factors conducive to this success, with a focus on the treaties and extraterritorial rights that American missionaries enjoyed.

## Treaties and the Freedom of Missionary Work

King Gojong began to establish diplomatic relations with countries other than China. The exact reasoning behind his decision to overturn his father, the former regent Daewongun, and his vehement anti-Christian and anti-Western policies is not altogether clear.<sup>2</sup> Per-

1. On the relationship between America's Korea policy and mission work, see Ryu Dae Young, "An Odd Relationship: The State Department, Its Representatives, and American Protestant Missionaries in Korea, 1882-1905," *The Journal of American-East Asian Relations* 6.4 (winter 1997): pp. 261-288.

2. For various views on this, see Yi Gwang-rin, *Gaehwadang yeongu* (Seoul: Ilchokak Publishing Co., 1996), pp. 17, 98, 215; *Gaehwagi-ui immul* (Seoul: Yonsei University Press, 1993), pp. 46, 67-68; "Progressive Views on Protestantism (II)," *Korea Journal* (March 1976): pp. 29-30; Andrew C. Nahm, "Kim Ok-kyun and the Reform Movement of the Progressives," *Korea Journal* (December 1984): p. 43; Key-Hiuk Kim, *The Last Phase of the East Asian World Order: Korea, Japan, and the Chinese Empire, 1860-1882* (Berkeley: University of California Press, 1980), pp. 289-300; Martina Deuchler, *Confucian Gentlemen and Barbarian Envoys: The*

haps Gojong was simply one of Korea's growing young leaders who had become disillusioned by the devastating effects of the seclusion policy. By the time Gojong assumed actual control of his kingly office in 1873, these young minds must have come to the conclusion that the opening of the nation to international trade and diplomacy was not only necessary, but also inevitable.

Gojong's court began making treaties first with Japan in 1876 and then with the United States and other Western powers. Gojong was, in a sense, a moderate reformer who typically maintained a double standard regarding the West's material and spiritual elements. Without emulating the strength of the Western powers, he thought Korea would be unable to prevent their contempt for, and covetousness for Korea's resources and land. The position of King Gojong and his reform-minded ministers is most eloquently expressed in his decree issued in August (lunar calendar) 1882, shortly after the signing of the Korean-American Treaty. The opening of the nation to the West triggered a great deal of uneasiness among the Korean populace. Conventional Confucianists clamored with anti-Western polemics. The royal decree was intended to calm these people down. At the heart of anti-Western sentiment was the fear that the opening of the country to the West would inevitably lead to the introduction of Christianity. Some Koreans, the royal proclamation admitted, feared that once entering Korea, foreign nations would "contaminate us with their depraved religions":

But as regards entering into treaty relations, of course we shall enter into them, and as regards prohibiting the foreign religion, of course we can prohibit it, and in establishing treaties of amity and commerce, we shall do so in accordance with the principles of

*Opening of Korea, 1875-1885* (Seattle: University of Washington Press, 1977), pp. 88-89, 114-120; Robert R. Swartout, Jr., *Mandarins, Gunboats, and Power Politics: Owen Nickerson Denny and the International Rivalries in Korea* (Honolulu: University of Hawaii Press, 1980), ch. 2; Dalchoong Kim, *Korea's Quest for Reform and Diplomacy in the 1880s: With Special Reference to Chinese Intervention and Control* (Ph.D. diss., Fletcher School of Law and Diplomacy, 1972).

international law. According to the rules of propriety, it cannot be permitted that religion shall be promulgated in the interior; besides, how can you . . . suddenly abandon the true and embrace the false and bad? Supposing, for instance, there were to be some stupid fellow, some uneducated lout, secretly attempting to diffuse his teachings [in our country]; then we have the law of our state, by which all such shall be exterminated and destroyed without mercy; what reason, then is there for sorrow on account of our (alleged) inability to deal with such abuses? Moreover, when [these malcontents] see even so little adoption of foreign methods in the direction of mechanism and machinery, they immediately regard that as contamination with foreign heresies. This, indeed, is the ne plus ultra of obtuseness! If the [foreign] doctrine is to be regarded as a doctrine of lechery and sensuality, then it can be kept at a distance; if foreign mechanism is advantageous, then we can reap advantage from it and use it to increase our wealth. . . . Let us repel their doctrines, but learn to use or imitate their machinery; both these courses of policy can be carried out, and thus no outrage will be done to propriety.<sup>3</sup>

There was, therefore, no ground whatsoever, the king concluded, for any fear of entering into treaty relations with foreign powers.

This proclamation soon appeared in a Japanese journal, and its English translation was later printed in an English paper in Shanghai. The authenticity of this document was not confirmed when John Russell Young, the U.S. minister in Beijing, reported it to the State Department. Young considered the document to reveal undoubtedly the sentiment of King Gojong and his progressive ministers toward the West. This was, at least, Washington's official understanding as it indicated by the inclusion of the document in the 1883 Foreign Relations report of the State Department. Considering the high selectivity of the contents of Foreign Relations reports, it is likely that the department either believed in the document's authenticity or at least appreciated its value as a reliable indication of the Korean court's

<sup>3</sup> Enclosure 1, J. Russell Young to Frelinghuysen, 18 December 1882, *Foreign Relations* (1882-1883), pp. 170-172. This is a fine English translation of the decree.

sentiment toward Christianity.

Gojong's pragmatic approach toward the religion of America was revealed in the Korean-American Treaty of 1882. The treaty was a signal that the Korean government was willing to adopt the West's material advancements; however, Korea was still hostile toward the soul of the West. Gojong and his court sent a clear message to Christendom through the terms of the Korean-American Treaty. American citizens were allowed to reside only at ports open to foreign trade, where passports were not required. This meant that Americans could not travel in the interior, while this privilege was granted to the Chinese. Of course, an exception was given to diplomatic and consular representatives of the United States, who could travel in the interior "under passport." American citizens were also not permitted to transport foreign commodities into the interior.<sup>4</sup> As far as the letters of the treaty were concerned, missionary work per se was latently prohibited. More significant, the Korean court, thus establishing treaty relations, did not revoke the existing anti-Christianity law.

Upon the request of American missionaries in China, Secretary of State Frederick T. Frelinghuysen instructed Lucius H. Foote, the first American minister to Korea, to secure freedom of religious practices for American citizens in Korea. He added that "[t]his Department would be glad to see you extend your good offices within proper grounds and counsel the Koreans to treat all missionaries kindly."<sup>5</sup> However, Foote was no missionary sympathizer. Observing the political climate in Seoul, he thought it imprudent to raise the issue immediately. He could only promise to do all he could to secure religious freedom when proper time came.<sup>6</sup> Luckily, Foote apparently did not need to look for an opportunity to raise the religious tolerance issue.

4. Frelinghuysen to Foote, 17 March 1883, Diplomatic Instructions of the Department of State, 1801-1906, National Archives, Washington, D.C. (hereafter DI). For a full text of the treaty, see Henry Chung, ed., *Treaties and Conventions between Korea and Other Powers* (New York: HS Nichols, Inc., 1919), pp. 197-204.

5. Frelinghuysen to Foote, 23 October 1883, DI.

6. Foote to J. Russell Young, 15 October 1883, enclosed in Foote to Frelinghuysen, 22 December 1883, Dispatches from United States Ministers to Korea, 1883-1905, National Archives, Washington, D.C. (hereafter DD).

As the first Western diplomat ever in Korea, he was frequently consulted by the Korean government on matters of international relations.<sup>7</sup> So he "from time to time freely expressed" his opinion on religious liberty. He asserted, according to his dispatch, that religious freedom was one of America's "fundamental principles" and that Americans held religious persecution "in utter abhorrence."<sup>8</sup>

One can never know how much influence Foote exercised upon the Korean court in the later negotiations with British envoy Harry S. Parkes and German representative Eduard Zappe. At any rate, the Korean-British Treaty of 1883 granted more rights to foreigners than the Korean-American Treaty did. Article IV, Section 6 of the treaty had the following stipulations:

British subjects shall be allowed to go where they please without passports within a distance of one hundred li (33 miles) from any of the ports and places open to trade, or within such limits as may be agreed upon between the competent authorities of both countries. British subjects are also authorized to travel in Korea for pleasure or for purposes of trade, to transport and sell goods of all kinds, except books and other printed matter disapproved of by the Korean Government, and to purchase Native produce in all parts of the country under passports, which shall be issued by their Consuls and countersigned by the Korean local authorities.<sup>9</sup>

In addition, the new Korean-British Treaty included rights of the British to erect their own places of worship, locate cemeteries, and regulate municipal affairs in foreign settlements.<sup>10</sup> Now a British sub-

7. John Davis to Foote, June 29, 1883, DI; Foote to Frelinghuysen, 19 July, 18 September, 3, 18, 19 October, 12 November 1883, 8 April 1884, DD; cf. Fred C. Bohm and Robert R. Swartout, eds., *Naval Surgeon in Yi Korea: The Journal of George W. Woods* (Berkeley: Institute of East Asian Studies, 1984), p. 55.

8. Foote to the Secretary of State (hereafter SS), 1 September 1884, DD.

9. Allen to Rockhill, 21 October 1896, Dispatches from United States Consuls in Seoul, 1886-1906, National Archives, Washington, D.C. (hereafter CD) (emphasis added). The Korean-German Treaty had the same provisions. See, Henry Chung, *op. cit.*, 107-116 (German), pp. 133-142 (British).

10. Foote to Frelinghuysen, 27 November 1883, DD.

ject, under passport, could not only travel anywhere in Korea, but could also build chapels in the open ports. The Korean government's softening attitude toward foreigners was apparent when compared with the Korean-American Treaty. However, the above provision clearly indicated that the Korean government would not welcome Westerners' inland residence or the propagation of Christianity.

The original Korean-American Treaty of 1882 had never been revised until the Korean kingdom itself collapsed under Japanese imperialism. However, the United States, as a most-favored nation, took advantage of each successive treaty Korea signed with Western powers. Thus the Korean-British Treaty entitled Americans to the privileges of British subjects. At the same time, however, they were also well aware that proselytizing was not allowed, although it was not explicitly prohibited either. This remained a key reason why mission boards in America were still hesitant to open a new mission in Korea. They were also tempered by their ignorance of Korea and conditions in Korea, especially by previous wholesale massacres of Catholics. The political conditions of Korea were uncertain, and a retaliatory attack by France for the murder of French missionaries was rumored.<sup>11</sup>

Upon receiving American mission boards' queries, Gojong and his court "tacitly encouraged" the establishment of mission schools and hospitals.<sup>12</sup> Korean leaders were willing to take risks to invite Western technology and learning. As Horace N. Allen, the first resident missionary, did not engage himself in any religious work and his medical services were most useful, the Korean court gave ample indi-

11. George S. McCune, Fifty Years of Promotion by the Home Board and Home Church, in *The Fiftieth Anniversary Celebration of the Korea Mission of the Presbyterian Church in the U.S.A.*, ed. Harry A. Rhodes and Richard H. Baird (1934), pp. 22-23.

12. Foote to SS, Sep. 1, 1884, DD; R. S. Maclay, A Fortnight in Seoul, Korea, in 1884, *Gospel in All Lands* (Aug. 1896): pp. 354-360. On Gojong's attitude and policy toward Christianity and missionaries, see Ryu Dae Young, Gidokeyo-wa seon-gyosa-e daehan gojong-ui taedo-wa jeongchaek, 1882-1905 (Gojong's Attitude and Policy toward Christianity and Missionaries, 1882-1905), *Christianity and History in Korea* 13 (Sep. 2000): pp. 7-42.

cation that teachers of English and physicians were welcome. Therefore, the Presbyterian Board and the Methodist Board began to send missionaries who would, as a China-based missionary advised, "labor not as missionaries so much as in the capacity of a teacher and a physician."<sup>13</sup> Henry G. Appenzeller and Horace G. Underwood, the first clerical missionaries, therefore, behaved as if they were teachers only, and their first actions were to open schools. Other pioneer missionaries worked in the medical field. However, for American missionaries educational and medical works remained subsidiary to evangelism. They soon began proselytizing in the streets as well as in schools and clinics.

Due to treaty regulations, American missionaries could not travel into the interior for evangelism. A breakthrough came with the Korean-French Treaty of 1886. Upon arrival at Jemulpo, French Plenipotentiary F. George Cogordan sent his secretary to the Korean Foreign Office to announce that France would insist upon the free exercise of the Christian religion.<sup>14</sup> French Catholic missionaries were still working clandestinely to restore the Catholic communities destroyed by bloody persecutions enacted under the Daewongun rule. This public declaration of religious liberty by France was considered by the Korean conservatives to be "intimidating." A series of disquieting rumors arose among Korean officials and the populace in response.<sup>15</sup>

Despite the alarming public reaction, American Chargé d'Affaires George C. Foulk, a sympathizer with the Christian missionaries, became interested in the French demand. Cogordan called on Foulk and informed him that the demanded provision would include all forms of Christianity. Foulk welcomed the French idea, thinking that

13. George S. McCune, op. cit., p. 22; also see *Foreign Missionary* 44 (Dec. 1885): p. 284.

14. Diary, 7 May 1886, Horace N. Allen Papers, Rare Books and Manuscripts Division, New York Public Library, New York (hereafter Allen Papers); Heron to Ellinwood, 14 May 1886; Allen to Ellinwood, 31 May 1886, Missions Correspondence and Reports, Microfilm Series, Korea, Department of History, Presbyterian Church (U.S.A.), Philadelphia, Pennsylvania (hereafter NPR); cf. Allen to Ellinwood, 20 June 1886, NPR.

15. Foulk to Bayard, 2 June 1886, DD.

their demand for religious freedom was “timely.” A few days after this meeting, the Korean monarch privately dispatched a messenger to Foulk, asking for his wisdom on the issue. Expressing his hope that religious freedom be bestowed upon his subjects, Foulk advised Gojong to use the treaty negotiations with France as an opportunity for doing so. Following this and other discussions with Korean officials, several of whom directly represented Gojong, Foulk realized that: “[t]he hatred of Christianity instilled by the former regency . . . waned to an extent, at which were the Government to make any public show of countenancing its presence, no further serious difficulties would arise.”<sup>16</sup>

According to Foulk, the Korean officials were well aware that China and Japan had by treaty already withdrawn government interference on religious matters, and were contemplating the possibility of following their neighbors’ examples. Due to the blatancy of the French envoy, however, the populace became rowdy, and the Chinese minister and the conservative sector of the Korean court were greatly alarmed. Other treaty powers were also not fond of the French demand. The haughty Chinese Minister Yuan Shikai watched the negotiation in disgust, and “used every means in his power” to spoil it. Neither British or German representatives favored the treaty, at least in the form proposed by France.<sup>17</sup> American missionaries also demonstrated a surprisingly negative attitude toward the French demand. Such anti-Catholic sentiment was expressed by Allen when Gojong sent an interpreter to inquire over Catholicism. Regarding it as his “duty” to reveal the nature of the Catholic religion, Allen tried to convey a negative impression of it to the Korean king.<sup>18</sup>

The Korean government took a position somewhere between that of the advice of Foulk and Allen. It did not agree to include an explicit clause of general religious liberty in the treaty. In particular, the

16. Foulk to Bayard, 12 May 1886, DD.

17. Foulk to Bayard, 2 June 1886, DD.

18. Diary, 9 May 1886, Allen Papers; also see Diary, 10 May 1886, Henry Gerhard Appenzeller Papers, Missionary Research Library Collection, Union Theological Seminary Library Archives, New York, New York (hereafter Appenzeller Papers).

Koreans strongly opposed the erection of churches outside the treaty ports. However, they appeased the French by providing them with more freedom of travel than the Korean-British Treaty. To be exact, the Korean-French Treaty omitted the conditional words concerning inland travel contained in the British Treaty, “for purposes of trade.” The words “to teach” were also added to the article that conditioned the purpose of British subjects’ coming to Korea. Thus, the French were now allowed to enter Korea “in order to learn or to teach” language, literature, arts, or industries. This removed restrictions on the travel and work of missionaries in the interior that might be claimed as operative from the wording of the British Treaty.<sup>19</sup>

The French regarded the treaty as a practical proclamation of religious tolerance. They claimed that French missionaries had the right to preach and teach their faith throughout the country. They were well aware of the reasoning behind the Korean government’s vehement rejection of their proposal to allow building chapels in the interior.<sup>20</sup> However, they argued that religious activity was not expressly prohibited by the treaty. If missionary work was objectionable, they insisted, it should have been explicitly expressed such as the trading of ginseng and the introduction of opium had been. Moreover, since the French Treaty omitted the “for purposes of trade” clause of the British Treaty, it was not necessary to furnish any reason to travel. If this were not the case, according to the French, they would never have signed the treaty. The French missionaries began, on the basis of this rationale, aggressively proselytizing in the interior.<sup>21</sup>

The U.S. State Department either was not aware of the nature of the French Treaty and its repercussions or did not care much about the missionary enterprise in Korea. It was not until 1891 that the

19. Yi Won-sun, *Hanguk cheonjugyohoe sa* (History of Catholic Church in Korea) (Seoul: Tangudang Publishing Co., 1986), p. 227 (emphasis added); Allen to SS, 22 May 1902, DD.

20. *Seoul gyogu nyeonbo (I) 1878-1903* (Yearbook of Seoul Diocese 1) (Seoul: Myeongdong Cathedral, 1984). This is a translation of *Compte Rendu de la Société des M.E.P.* (hereafter *Compte Rendu*), pp. 53, 73, 74, 103.

21. Kim’s writing quoted in Yi Won-sun, *op. cit.*, pp. 228-29.

State Department instructed the Seoul post to secure, if necessary, the same privileges for the American missionaries in accordance with the most-favored-nation status. However, American ministers did not actively seek to extend their missionaries' rights until, as explained later, an incident happened at Daegu in 1900. Up until that time the general principle of the American representatives was not to claim rights on behalf of missionaries as their French counterparts had but, as a minister said, "to rely solely upon the toleration and good will of the local authorities."<sup>22</sup> Nevertheless, the Korean-French Treaty gave confidence to those American missionaries who were impatiently looking forward to entering the interior. A common understanding among American missionaries by this time was that the letters of law forbade Christianity, but there was tacit approval.<sup>23</sup>

### Passports, Extraterritorial Rights, and Racism

Until the French-Korean Treaty, American missionaries had remained in Seoul and its vicinity. Evangelistic works in the interior had been carried on mostly by Korean colporteurs who were converts of Scottish missionaries in Manchuria. Conspicuous evidence of the new treaty's impact was the applications made for inland travel by American missionaries.<sup>24</sup>

As long as American missionaries resided in Korea's open ports and within thirty-three miles from these places, they did not need to possess a passport. When they desired to travel further into the hinterland, they had to obtain a passport at the American legation and receive a Korean visa. As it turned out, the local Korean authorities

22. Heard to SS, 2 April 1891, DD. Britain, similarly, did not consider its missionaries as entitled to teach the Christian religion to nationals, and warned all British travelers in the interior not to attempt it.

23. See, for instance, Underwood to Ellinwood, 14 December 1887; Heron to Ellinwood, 11 September 1887, NPR.

24. See, for instance, *Guhanguk oegyo munseo* (Diplomatic Documents of the Late Joseon Dynasty), vol. 10 (Seoul: Asiatic Research Center, Korea University, 1967) (hereafter *GOM*), pp. 244, 281, 325, 338-339, 344-346, 349.

did not understand the visa concept. The Korean Foreign Ministry soon began to issue a Korean passport to foreign travelers on application through the appropriate consular representatives. The Korean passport not only authorized the bearer to travel into the interior, but also entitled him or her to the good offices of local authorities throughout the country. When shown a Korean passport, the local authority was to provide for the foreign traveler's needs, especially food, lodging, transportation, and money.<sup>25</sup> The foreign beneficiary was supposed to reimburse the expenses back in Seoul. Foreign travelers did not really need the passports to impress local officials and enjoy the privileges of good offices. Koreans were famous for their kindness to foreigners, and foreign travelers would find friendly help practically at every corner. Nevertheless, missionaries found this official documentation very useful at times.

Foreign visitors would eventually find that the Korean passport was abused not only by other foreigners but also by the Korean government. Quite often, a magistrate who advanced money to a foreigner was not remitted by the central government, although the foreign beneficiary had paid the sum back in Seoul. Therefore, the passport exposed its bearer to the suspicion that he or she would take everything without paying for it. In addition, the misuse of passports by foreigners discouraged Koreans from engaging in business with a foreigner armed with a passport. Realizing that the passport could prove a great hindrance, British traveler Isabella Bishop, for instance, thought better to discard it during her journey.<sup>26</sup> Similarly, Arthur Brown, a secretary of the American Presbyterian Board, advised in his report of his visit to Korea against using the passport "unless absolutely necessary."<sup>27</sup> He found that some foreigners, abusing passport privileges, had made peremptory and sometimes impractical

25. Isabella Bishop, *Korea and Her Neighbors: A Narrative of Travel with an Account of the Recent Vicissitude and Present Condition of the Country* (New York: Charles E. Tuttle Co., 1898), pp. 66-67, 128, 159, n. 1.; Arthur Brown, *A Reading Journey through Korea*, *Chautauquan* 41 (1905): p. 528.

26. Isabella Bishop, *op. cit.*, pp. 87, 146, 159.

27. Arthur Brown, *op. cit.*, p. 528.

demands, and when unsatisfied with the supply, threatened local authorities. At any rate, passports enabled missionaries to travel into the interior lawfully.

The Korean passport was supposed to be renewed each year. The American legation maintained a regulation that any American citizen who desired to have a Korean passport should first acquire a U.S. passport, which was valid for two years. The purpose of this temporary validity of passports was clear—it was a reminder that residence in the interior was temporary and only under passport. Besides the technical illegality of missionaries' residence in the interior, those who had served long enough in Korea knew that foreigners' residence in the interior was fundamentally incompatible with their extraterritorial rights.

Extraterritorial rights were provisional; nonetheless, they were key unequal elements of the treaties that Korea made with the West and Japan. At the heart of extraterritorial rights was the notion that the citizens of the treaty nation were under the jurisdiction of their consulate only. In other words, the Korean government had no authority whatsoever to enforce its laws over foreigners. American citizens, for instance, could be persecuted only when they violated U.S. law and only by the judgment of the American consulate court. This right of extraterritorial jurisdiction was, of course, based on the Western view that Korean laws and judicial procedure were yet to be civilized. The following provision of the Korean-American Treaty vividly reveals condescending nature of extraterritorial rights:

It is, however, mutually agreed and understood . . . that whenever the King of Chosen shall have so far modified and reformed the statutes and judicial procedure of his Kingdom that, in the judgment of the United States, they conform to the laws and course of justice in the United States, the right of ex-territorial jurisdiction over United States citizens in Chosen shall be abandoned, and thereafter United States citizens, when within the limits of the kingdom of Chosen, shall be subject to the jurisdiction of the native authorities.<sup>28</sup>

28. Henry Chung, *op. cit.*, p. 278.

Extraterritorial rights were applied not only to the person of the American citizen, but also to his or her property. If a Korean, running afoul of the law, took refuge in the property of an American, the person could be arrested only by an American consulate officer. When it was not practical to inform the American consulate of the contemplated arrest, the Korean authority had at least to receive the American property-owner's permission.<sup>29</sup> Extraterritorial rights, without any clear legal basis, nonetheless were customarily extended to Korean employees. The State Department's position on this issue was quite ambiguous. Recognizing possible legal problems, the department cautioned against any injudicious exercise of the privilege.<sup>30</sup> For instance, the State Department thought it improper that an American representative would claim extraterritorial rights over a Korean employed in his personal services. Despite these legal technicalities, a Korean employer's extraterritorial status was taken for granted by both the Korean government and the Americans. The employer of an American citizen could be arrested only through the American consulate. The primary purpose of the extension of the principle to Korean employees was to protect Americans from indirect coercion.<sup>31</sup>

American missionaries were willing to utilize their extraterritorial rights as much as they could. No missionary questioned the fairness of the privileges. Despite their good intentions they all shared the Anglo-American universalism of the time. Behind the American missionaries' pretensions lurked the racial prejudices that were in vogue in the turn-of-the-century Anglo-Saxon world. Their writings indeed betrayed what Mary Louis Pratt termed Victorian imperialist rhetoric.<sup>32</sup> According to her convincing analysis of Victorian travel narratives of non-European lands, most travel writings described the "deficiencies" of cultural cultivation waiting to be filled by the Christianizing-civiliz-

29. Pak Chai Soon to the Governor of North Gyeongsang Province, 26 February, enclosed in Allen to Hay, 5 March 1901, DD.

30. Alvey A. Adee to Dinsmore, 16 September 1889, DI.

31. George Gilmore, *Korea From Its Capital, with a Chapter on Missions* (Philadelphia: Presbyterian Board of Publication, 1892), p. 288.

32. Mary Louise Pratt, *Imperial Eyes: Travel Writing and Transculturation* (London: Routledge, 1992), pp. 204-205.

ing mission. This technique acts as a means to convince others that the newly discovered land was a legitimate target of the West's material and spiritual intervention. American missionaries' portrayal of Korea and the Korean people likewise betrayed this peculiar perspective of "imperial eyes." American missionaries' writings revealed the underlying presupposition that they had the power to evaluate Korea and its people.

In the typical race hierarchy of the time, those with the lightest skin enjoyed the highest positions, and those with the darkest complexion were placed at the bottom. The "yellow" Mongolians and Malays, the "red" American Indians and the mixed Latinos fell in between. One characteristic aspect of this hierarchy of race was the belief that specific, inherent physical differences, and color of skin in particular, determined a race's level of mental and moral development. Even among the "whites," Anglo-Saxons were the supreme race, followed by the Germans, the Slavs, and the Latin peoples. Therefore, the English language, democracy, Protestant forms of Christianity, and material abundance were regarded as proof of the superior race.<sup>33</sup> After the Civil War, in particular, racial difference became a significant factor of American society. As the whole nation became overly color-conscious, the notion of race hierarchy was infused into the worldview of white, middle-class Americans. Accordingly, it was natural that American missionaries, who came from white, middle-class homes, believed that their own race and culture were superior and should serve as the universal standard for all measurement.<sup>34</sup> Their mission to Korea was to teach their religion and

33. Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxonism* (Cambridge: Harvard University Press, 1981), especially pp. 116-138; Michael H. Hunt, *Ideology and U.S. Foreign Policy* (New Haven: Yale University Press, 1987), pp. 46-91.

34. On American missionaries' middle-class characteristics, see Ryu Dae Young, "Understanding Early American Missionaries in Korea (1884-1910): Capitalist Middle-Class Values and the Weber Thesis," *Archives de Sciences des Religions* (Jan-Mar. 2001): pp. 93-117; idem, *Chogi miguk seon-gyosa yeongu, 1884-1910* (Early American Missionaries in Korea, 1884-1910) (Seoul: Institute for Korean Church History, 2001).

culture, and extraterritorial rights were simply an adjunct to their superiority.

#### Extraterritorial Rights and Interior Residence

Extraterritorial rights were created under the fundamental assumption that foreigners should reside near their consular authority. Conflicts between missionaries in the interior (and their followers) and local authorities (and residents) were common. It was particularly the case with French Catholic missionaries who had clandestinely penetrated into the interior even before Korea's opening of its doors to the West. The Korean government tried to minimize their conflicts with local Koreans by making concordats with missionary authorities. In 1899, for instance, the Korean Interior Ministry asked French Bishop Gustave C. M. Mutel to sign an agreement that spelled out proper relations between the missionaries and local authorities. Then in 1904 the foreign minister invited the French minister to do the same. However, the French were unwilling to accept the proposals for fear that written regulations might hinder their virtually free exercise of extraterritorial privileges.<sup>35</sup>

The incompatibility of extraterritorial rights with inland residence was dramatically demonstrated by two incidents, both involving Catholic priests. The first was the usurpation of magisterial powers by the Catholic missionary Joseph Wilhelm and his colleague. In 1900-1903, these two Catholic priests, who had been aggressively expanding Catholic communities in Hwanghae-do province, protected Korean followers who ran into conflict with local people and authorities.<sup>36</sup> While this conflict was growing in Hwanghae-do a most tragic

35. 10 March 1899; 7 June 1904 in Gustave Charles Marie Mutel, *Mutel jogyo ilgi* (Diary of Bishop Mutel), vols. 1-3 (Seoul: Research Foundation of Korean Church History, 1985-1993) (hereafter *Mutel*).

36. Entries in January, February, March, April, and 10 June 1903, *Mutel; GOM*, vol. 20, pp. 296, 304, 305; Allen to SS, 7 April 1903, ID; Hunt to Ellinwood, 16, 17 February 1903; Moffett to Ellinwood, 26 February, 17 March 1903; Avison to

incident occurred on the Jeju Island. The Jeju People's Uprising was a complex antiforeign phenomenon; nevertheless, a direct cause was the arrangement between Catholic missionaries in Jeju and the authorities that Korean Catholic Christians would collect heavy taxes while themselves being exempted. The Jeju Catholics used their privileged commission to threaten people into the church. They also chopped down totem trees and demolished local shrines. As a result, the outraged non-Christian Jeju populace and the Catholics collided. The French priests escaped, but all the known Catholic adherents in the island were killed. The situation calmed only after the French and the Korean government dispatched war vessels.<sup>37</sup>

The Jeju incident in many ways displays a striking resemblance to the sensational Boxer Uprising in China that occurred only shortly before. Standard studies hold that the Boxer movement was a spontaneous, anti-imperialist peasant uprising. It was, in fact, a large-scale, complicated phenomenon and there were indications that it was, indeed, an anti-Western political-ideological movement. However, a central cause of the uprising in Shanxi Province, which cost several hundred Westerners and thousands of Chinese lives, was the refusal of Christians to pay opera subscriptions. Religious-civic festivals in rural China usually culminated in opera performances. Western missionaries, based on their secular-sacred dichotomy, wanted Chinese adherents not to participate in these "superstitious" acts. Their diplomatic representatives appealed to the central government and obtained an exemption for Christians from contributing to such local festivities. When the Chinese Christians thus refused to pay for operas, it was, to the eyes of the non-Christian populace, a provoca-

Ellinwood, 9 March 1903; Baird to Ellinwood, 21 March 1903; Mary E. Barrett to Ellinwood, 6 April 1903; Allen to Ellinwood, 8, 21 April 1903; Charles E. Sharp to Ellinwood, 12 May 1903; Hunt to Ellinwood, 12 May 1903, NPR; Lillias Underwood, *Fifteen Years Among the Top-Knots* (New York: American Tract Society, 1904), pp. 195-196, 255-268.

37. 13, 28 May, 1, 3 June 1901; 10 August 1902, *Mitel*; Allen to SS, 29 May, 7 June, 3 July 1901 (The *Korea Review* report is enclosed here); 29 August, 3 September 1902, DD. For more on these incidents, see Yi Wan-sun, *op. cit.*, pp. 167-240.

tive challenge to their tradition and cultural identity.<sup>38</sup>

These incidents demonstrate that the presence of foreigners in the interior was an unfair burden not only on the local authorities expected to entertain strangers who were outside their jurisdiction, but also on the populace who became caught between the two. The massacre in Jeju Island acutely shows that in the face of trouble, Korean adherents were the ones who ultimately suffered. When local authorities attempted to warn missionaries, or any conflict arose between the missionaries and the non-Christian populace, missionaries' household servants, helpers, language teachers, and followers were easy and frequent targets of arrest, beating, imprisonment, and fines.<sup>39</sup> Alexander Michie, a veteran British missionary in China, correctly pointed out that missionaries had "means of escape" but that their followers had "no such option . . . tied to the soil."<sup>40</sup> Excessive demonstrations of missionary extraterritorial status that benefited Korean followers generated local resentment and eventually caused harm.

For American representatives, it was unwise to allow their nationals residence in any locality in which they could neither be protected nor controlled. For this reason, the American and British

38. See Roger Thompson, "Twilight of the Gods in the Chinese Countryside: Christians, Confucians, and the Modernizing State, 1861-1911," in *Christianity in China: From the Eighteenth Century to the Present*, ed. Daniel Bays (Stanford: Stanford University Press, 1996), pp. 53-72; Joseph Escherick, *The Origins of the Boxer Uprising* (Berkeley: University of California Press, 1987); Paul Cohen, "Christian Missions and Their Impact to 1900," in *The Cambridge History of China*, vol. 10, ed. John Fairbank (Cambridge: Cambridge University Press, 1978), pp. 563-573; William J. Duiker, *Cultures in Collision: The Boxer Rebellion* (San Rafael, Calif.: Presidio Press, 1978); Kenneth Latourette, *The Chinese: Their History and Culture* (New York: MacMillan Publishing Company, 1964), pp. 315-317.

39. A typical case is found in Allen to Hay, 19 November 1902, DD and Account of Lumber Transaction, The Case of Yun Hyeng Pil, The Case of Pai Ni Il, The Case of Choi Pong Ik (enclosed); Allen to Hay, 9 December 1902, 8 April 1903, DD; Hay to Allen, 13 January 1903, DI.

40. Alexander Michie, *The Political Obstacles to Missionary Success in China* (Hong Kong: Hongkong Daily Press, 1901), pp. 3-4, enclosed in Allen to Hay, 7 June 1901, DD.

legations in China and Korea refused to grant a license of inland residence to merchants, despite their repeated requests. However, according to Michie, it was “tacitly, by an oblique process, granted to missionaries—a much more dangerous element.”<sup>41</sup> Missionaries’ interior residence was a key reason for the antagonism between American merchants and missionaries in the Far East.<sup>42</sup> Having thus allowed missionaries, whether explicitly or implicitly, to reside in places where no consular authorities existed, it was clear that the governments were “morally bound” to oversee them. That is, consular officers were responsible for following the activities of missionaries, or imposing such regulations for their conduct to obtain a working peace between the missionaries and local authorities. However, the American legation in Korea had neither personnel nor urgency to do that. As a result, as an American consular officer candidly wrote:

. . . some missionaries would assume for [themselves] a semi diplomatic status and would usually extend the same privilege to the natives who formed part of his household, as teachers, catechists or servants. His house would thus assume by custom the status of an embassy; a further step would make it an asylum for any one taking refuge there, and finally, exemption from the jurisdiction of the magistrate would be assumed for all native Christians of that mission.<sup>43</sup>

Missionaries were, in this way, the greatest beneficiaries of extraterritorial rights.

41. *Ibid.*, pp. 20-21.

42. Horace Allen, *Things Korean: A Collection of Sketches and Anecdotes, Missionary and Diplomatic* (New York: Fleming H. Revell, 1908), p. 181; William Sands, *Undiplomatic Memories* (Seoul: Royal Asiatic Society, 1977, repr.), p. 94.

43. William Sands, *op. cit.*, pp. 92-93. Missionaries extraterritorial status, Sands added, created insidious temptations for the Koreans to join the church. Sands wrote: All kinds of loose fish would join up in a mission because of the protection it gave.

Whenever problems relating to missionaries’ residence in the interior arose, the American government and their representatives in Seoul attempted to help their citizens. But in so doing, they were very careful not to encourage missionaries to take up their residence in the interior. American Minister Horace Allen personally believed that it was “a mistake” to allow missionaries’ interior residence. As a former missionary, he believed it was unwise to allow missionaries to reside so far from the jurisdiction of their authorities. Allen suggested that it would be better to restrict missionary residence to places within the immediate jurisdiction of the U.S. consul. The State Department agreed that it was “inexpedient to encourage American citizens to reside in the remote interior.”<sup>44</sup> However, they did not openly discourage missionaries from doing so. A basic principle appears to have been tacitly to let missionaries reside in the interior and actively protect them whenever necessary.<sup>45</sup>

Fortunately, there were among American missionaries no extreme cases of the abuse of extraterritorial rights as practiced by Wilhelm and the Jeju priests. From the very first, they had made it a rule not to interfere in matters that pertained to the governance of the people by the Korean government. In other words, American missionaries tried not to side with Korean Christians when they were involved in conflict with other Koreans or authorities. It was, as Methodist missionary Homer Hulbert acknowledged, “not always . . . possible to follow this principle implicitly.”<sup>46</sup> When Korean Christians were suffering apparent persecution by local authorities in particular, it was difficult to turn down their appeal. There were, of course, some missionaries who tended promptly to take their followers’ troubles to the U.S. legation. But most missionaries took great pains to maintain

44. Horace Allen, *Missionaries and the Far Eastern Question*, enclosed in Allen to SS, 15 September 1900, ID; Hill to Allen, 24 July 1901, Consular Instructions of the Department of State, 1801-1906, File Microcopies of Records in the National Archives, Washington, D.C. (hereafter CI).

45. Dae Young Ryu, *An Odd Relationship . . .*, pp. 277-287.

46. Homer Hulbert, *The History of Korea*, vol. 2 (Seoul: Methodist Publishing House, 1905), p. 325.

the non-interference principle, especially with regard to political matters.<sup>47</sup>

### Extraterritorial Rights and Missionary Work

Even following Korean-French Treaty, the Korean passports were issued only for the purpose of "pleasure," that is, for travel and study. The chief purpose of missionary trips was, of course, not "pleasure." The Korean government must have been aware of their true intent, and in their issuance of passports it seems that they were ready to admit Christian evangelism. King Gojong tried his best to stop foreign encroachment into the interior.<sup>48</sup> But a careful examination of several incidents and their aftermath reveals the Korean government's helplessness in the influx of foreign elements.

Shortly after the Korean-French Treaty, French Catholics had obtained a future Cathedral site in Seoul, without the knowledge of the Korean monarch.<sup>49</sup> Located upon a high hill, it overlooked the palace and spatially adjoined the shrine holding the royal ancestral tablets. On receipt of this information, the Korean government attempted to buy the site, as the possibility of a cathedral in that location was obnoxious to the Korean king. However, despite the combined pressure of the king and the French legation, the priests were not dissuaded and laid the foundations of the cathedral. Indignant, the king forbade the teaching of Christianity. The Korean Foreign Office wrote to American Minister Hugh Dinsmore that it was well aware of American missionaries' evangelical works in schools and among the Korean populace. They demanded that such "objec-

47. See, for example, James Gale, *The Vanguard: A Tale of Korea* (New York: Fleming H. Revell Company, 1904), p. 239; Horace Allen, *Missionaries and the Far Eastern Question; Things Korean*, pp. 184-86; Lillias Underwood, *op. cit.*, p. 268; Yun to Young J. Allen, 25 December 1906 in Hyung-chan Kim, ed., *Letters in Exile: The Life and Times of Yun Ch i-ho* (Atlanta: Oxford Historical Shrine Society, 1980).

48. Ryu Dae Young, *Gidokgyo-wa . . .*, pp. 17-33.

49. *Compte Rendu*, pp. 53, 65.

tionable" activities, as not authorized by the treaty, should cease.<sup>50</sup>

The ban took effect. After the incident, Dinsmore discouraged the building of a foreign chapel in Seoul. Of greater importance, he decided to issue passports for missionaries only on the condition that they should not engage in religious activities. The State Department sanctioned this policy. Some even suggested that missionaries should obtain passports directly from the State Department, which would make them take their promise more seriously.<sup>51</sup> Most of the American missionaries could do little but pray that the ban be lifted. A minority, however, held that the ban was not directed at American missionaries and that, if so, they were "under higher orders than that of a Korean king."<sup>52</sup> So they continued evangelistic works. This headstrong minority was particularly irked at the American legation's attitude in dealing with the whole situation. "I sometimes feel," wrote Appenzeller to his board, "that the check upon us comes more from the American Legation here than from the Korean Government. There!"<sup>53</sup>

The ban did not entail any attempt to hinder the non-proselytizing work of missionaries. The Korean government desperately needed Western machinery and technology for modernization. Korean leadership recognized the risk inherent in modernization, and that the introduction of Christianity was to some extent inevitable. In issuing the anti-Christian order the Korean monarch was careful to deliver the message that it was not his intention to hinder nonreligious missionary activities.<sup>54</sup> In reality, the ban of 1888 was a bluff. It paradoxically revealed the Korean government's helplessness and

50. Dinsmore to SS, 28 April 1888; Cho Pyong Sik to Dinsmore, 24 April 1888; Dinsmore to Cho Pyong Sik, 25 April 1888, DD.

51. Appenzeller to Leonard, 1, 24 April 1889, Missionary Collection, General Commission on Archives and History of the United Methodist Church, Madison, New Jersey (hereafter MR); Horton to Ellinwood, 8 March 1889; Wilds to Blaine, 28 October 1889; Blaine to Wilds, 1 November 1889; Allen to Ellinwood, 21 August 1888, NFR; Dinsmore to SS, 21 April 1888, DD.

52. Lillias Underwood, *op. cit.*, p. 14.

53. Appenzeller to Leonard, 31 July 1889, MR.

54. Dinsmore to SS, 28 April 1888, DD.

vulnerability as the Korean peninsula became a target of imperialist contention.

American missionaries soon recovered confidence and carried on their work, eventually without disguising or concealing their purposes. They defended their violation of Korean anti-Christian laws on the basis of "Eastern customs." In the East, they held, "Laws become a dead letter, and pass into disuse; they are not often annulled."<sup>55</sup> As long as Korean leaders did not actively implement the anti-Christian laws legal problems did not bother missionaries—no active persecution meant to them tacit approval. Nevertheless, the Korean government stubbornly rejected French proposals (in 1889 and 1893) proposing the official conferring of the freedom of religion.<sup>56</sup> The Korean court was not particularly concerned about the Christian religion; but rather it feared that freedom of religion would accelerate foreign infiltration into the interior. During the chaotic Sino-Japanese War (1894–95), it became increasingly clear that Korea was not able to prevent foreign infiltration into the interior. It was in this context that in 1898 the Korean government finally issued a passport "allowing evangelism" to American Presbyterian missionary William Swallen.<sup>57</sup>

Until approximately 1890 American missionaries could obtain a passport and travel in the interior only upon condition that they would not proselyte or administer religious rites. But practices of other foreigners, especially the Japanese and the French, freed American missionaries from this restriction. The French priests had openly engaged in missionary work since the Korean-French Treaty. They were residing in the interior and buying property there. Real problems arose with the arrival of thousands of Japanese, even prior to the Sino-Japanese War. These Japanese were in general lawless and did not care about the treaty provisions or Korean laws.<sup>58</sup> Although

55. Lillias Underwood, *op. cit.*, pp. 14–15; similarly, Heron to Ellinwood, 11 September 1887, NFR.

56. *GOM*, vol. 19, pp. 53, 60.

57. *GOM*, vol. 11, pp. 363–364.

58. Japanese Residents in Korea, *Korean Repository* 2 (Aug. 1895): pp. 310–311; Allen to SS, 1 March 1896, DD; Arthur Brown, *op. cit.*, p. 507.

Japanese became ubiquitous throughout the whole Korean peninsula and boldly acquired real estate wherever they pleased, the Korean government had no means to stop them. Other treaty powers could demand the same privilege, on the basis of the most-favored-nation clause. Consequently, the treaty regulations that prohibited foreigners' residence and property-owning in the interior became dead laws. After the Sino-Japanese War, American missionaries began to reside in the interior.

Permanent residence in the interior compelled American missionaries to buy property. As the treaties still forbade foreigners to purchase property outside the open ports, they adopted the clever method of their missionary colleagues in Japan. They bought property in the name of a dependable Korean convert who, in turn, provided a certificate clarifying that the property in question really belonged to the missionaries. Although this method was invented to avoid a forthright violation of the treaty regulation, it was, nonetheless, against the letters of the treaty. Unlike property lawfully purchased in the open ports, houses and land thus acquired could not be registered in the American legation. For this reason, such property could not be owned in the name of the mission, as the Mission Boards preferred, but was held by individual missionaries for their "personal" purposes.<sup>59</sup> Moreover, it was also not an honest way to deal with the Korean sellers. Some missionaries insisted that they work from the open ports until the problem of inland residence was legally solved.<sup>60</sup> However, most missionaries considered the unlawful transactions to be well within their rights. In 1897 Methodist missionary William B. Scranton reported to his board that the practice by then was so general that it would be "undoubtedly impossible" to prevent it.<sup>61</sup>

Missionary property in the interior caused many problems. Korean local authorities were obliged to prevent foreigners from owning property in their district. When a Korean local authority wished to

59. Appenzeller to Leonard, 4 September 1888, MR.

60. See, for instance, W. L. Swallen to Ellinwood, May 1893, NFR.

61. Scranton to Leonard, 31 March 1897, MR.

express his opposition to the location of a missionary's residence and proselytizing in his district, he had no choice but to punish the Koreans involved in the transaction. Without exception, Korean Christians, assisting the missionaries to acquire property were among the beaten and imprisoned by local authorities. Missionaries often interpreted this as religious persecution and reported the incident accordingly to the American legation. The American minister, despite the illegality of missionaries' residence and property possession in the interior, had to represent the case to the Korean Foreign Ministry. He would refer to the most-favored-nation clause and demand that the American citizens enjoy the same tolerance that was granted to, say, the French or the Japanese residents. In most cases such representation resulted in the punishment of the local authority and the end of his act of "persecution."<sup>62</sup>

The 1900 incident at Daegu and other related cases illustrate this process. American Presbyterian missionary James E. Adams bought property in the name of a Korean assistant. The governor of Gyeongsangbuk-do province did not want missionaries to reside in his interior province. He arrested the Korean assistant who had drawn up property documents between the American and Koreans, without the notification or consent of the missionary. At the missionary's request, American Minister Horace Allen represented the case to the Korean foreign minister, protesting that the unnotified arrest was a violation of the treaty and asked him to order the governor to release the Korean. The Korean assistant was soon released. When medical missionary Woodbridge O. Johnson joined the Daegu station, they needed to build a new house for accommodation. Adams and Johnson, through a Korean assistant, contracted a tile-baker for tiles to cover the house.

62. The most famous case was one involving the opening of Pyongyang missions, before the city became a treaty port. See Sill to SS, 17 May 1894, DD; Diary, 11, 12, 17, 19, 21 May; 11 June, 2 July 1894, Appenzeller Papers; Gifford to Ellinwood, 9 February 1891, 16 May, 23 August 1894; Lee to Ellinwood, 13 April 1893; Allen to Ellinwood, 9 June, 26 July 1894; Moffett to Ellinwood, 25 March, 21 May 1891, NPR; Lillias Underwood, *op. cit.*, p. 112; Daniel Gifford, *Every-Day Life in Korea* (New York: Fleming H. Revell, 1898), pp. 209-229.

The governor thought that they were building a church and ordered that the Korean who had written the contract be arrested. He was taken to the governor and severely beaten. When Adams and Johnson went to the governor's yamen, he refused to see them. The missionaries cabled the incident to Seoul, and Allen called on the Korean Foreign Ministry.<sup>63</sup>

Allen's central argument was the precedent that the Korean government had allowed a French priest to reside in that region. In September 1890, French missionary Achille Robert faced similar local hostility. The French representative, V. Collin de Plancy, under instruction from Paris, demanded the punishment of the governor and a warning proclamation to all governors and indemnity for the missionary. Since the governor was a near relative of the queen, who was determined to support him, the Korean government refused to accept the French demands. The president of the Korean Foreign Office induced the intervention of French Bishop Mutel to modify Plancy's demands and a final settlement was reached in April 1891. A dispatch of censure, drafted by Plancy, was "by the order of the king" sent to the governor, a copy of which was circulated to every governor in Korea. In addition, a royal proclamation was issued to the people of the province to calm and impress upon them the necessity of treating foreigners with respect. American missionaries, who traveled in the interior after the incident, reported unusually kind treatment by the local authorities, as an instant result of the proclamation.<sup>64</sup>

This settlement was far in advance of anything that other nations had so far achieved regarding interior residence and religious liberty. It was in a sense a final triumph of the French claim that their missionaries had the right to teach Christianity in the interior. Upon receiving a report on the case, Secretary of State Alvey A. Adee instructed then American Minister Augustine Heard that, if neces-

63. Allen to Hay, 14 December 1900, DD; *GOM*, vol. 12, p. 56.

64. Allen to SS, 8 May 1891; Heard to Adee, 2 April 1891, DD; Adee to Heard, 19 May 1891, DI; Memorandum re Difficulties of Americans at Taikoo, enclosed in Allen to SS, 5 March 1901, DD.

sary, similar rights should be secured for the American missionaries.<sup>65</sup> But Heard did not make any such demand as all American missionaries, until that time, were residing in open ports. Given the change in circumstances, Allen thought that he might well use those instructions, and received the Department's approval on the matter.<sup>66</sup> Shortly before the 1900 Daegu incident, there was a similar case involving American missionaries in Hwangju, Hwanghae-do province. Allen at that time successfully requested that the foreign minister issue instructions to all districts in Hwanghae-do province that "all the people of whatever belief may have peace and suffer no more trouble."<sup>67</sup> Allen interpreted the instructions as practically providing religious liberty for that province. When the Daegu incident occurred, he did not mention the Hwangju case as a precedent, but rather, the U.S. minister wisely referred to the French settlement as it entailed more liberal connotations.

Allen initially requested an appropriate punishment for the governor and for steps to show the people that the governor acted without the sanction of the central government. However, the governor resigned from the post apparently in disgust, and the acting governor reported to the foreign minister the other side of the story. In brief, the governor dismissed the whole accusation of the Americans as "false and without proof."<sup>68</sup> Allen became extremely angry at the foreign minister's "failure to treat" his complaints on the basis of the acting governor's report. He added to his demands the punishment of chief offenders and monetary compensation to the American missionaries. He wrote:

. . . the provisions of the Treaty restricting the residence of foreigners to the open ports and immediate vicinity has been practically

65. Heard to Adee, 2 April 1891, DD; Adee to Heard, 19 May 1891, DI.

66. Allen to Hay, 5 March 1901, DD; Hay to Allen, 18 April 1901, DI.

67. Allen to Hay, 27 February 1899, DD and Pak Chai Soon to Allen, 15 February 1899 (enclosed); GOM, vol. 11, pp. 501, 505, 512.

68. GOM, vol. 12, p. 56; Allen to Pak, 17 December 1900, enclosed in Allen to SS, 5 March 1901, DD.

set aside by Your Excellency's Government in the case of the French subject above referred to, as well as in other cases that have come to my knowledge. . . . I am compelled to fall back upon the explicit instructions of my Government and to demand equal rights for my people with those enjoyed by people of other nationalities.

In pursuance of this decision I shall inform Americans that they may freely visit and reside in any Korean town wherein any other foreigners may be sojourning, and I shall have to insist that the local authorities grant them full protection.<sup>69</sup>

The latter part was no more than a threat—Allen never intended to tell American citizens to reside in the interior. Knowing the Korean government's abhorrence of the Japanese presence in the interior, Allen expected that this threat would be considered "a most distasteful measure." Allen was right and the foreign minister ordered that the business be immediately resolved. The new governor called Adams to provide a full account of the affair, and then summoned the Korean official involved and questioned him concerning the alleged bribery charge, which he denied. The official was dismissed because of his ill-treatment of foreigners and mismanagement of the incident. The governor decided that as the tile-baker was poor and unable to reimburse the missionaries, the official should pay the Americans who sued the tile-baker. He further issued an order to arrest the tile-baker to find out more about the bribery charge. That night both the official and the tile-baker disappeared.<sup>70</sup>

These incidents demonstrate the inability of the Korean government to keep missionaries from residing and doing evangelical work in the interior. Missionaries' extraterritorial rights gave them freedom to do whatever they were willing to with only the American legation to check them. American representatives were concerned about mis-

69. GOM, vol. 12, p. 66; Allen to Pak, 1 February 1901, enclosed in Allen to SS 5 March 1901, DD.

70. James E. Adams to Allen, 4 August 1901, enclosed in Allen to SS, 30 August 1901, DD; Adams to Ellinwood, 23 February 1901; Allen to Ellinwood, 6 March 1901, NFR. For more on the incident, see Allen to SS, 5 March, 7 June, 1901, DD.

sionaries' inland residence and property-owning, but their concern lay more with missionaries' safety and the conflicts that may possibly arose among local authorities and populace, than with the legality of their inland residence. Therefore, as long as missionaries were safe in the interior, the American legation had no intention to interfere in the missionary enterprise. No further problem occurred after the Daegu incident. In 1901 the American minister finally declared that Korean interior become "practically" an open field.<sup>71</sup>

### Conclusion

As the sole judge of what makes for the good or ill of its people, every sovereign nation has the final word concerning the laws and regulations within its borders. As foreign residents in Korea, the American missionaries ought to have been subject to Korean law and justice, as they existed and were practiced during that period. Efforts to change Korean laws to modify the tenure of property, travel, and residence, "however reasonable in themselves," George H. Jones of the Methodist Board admitted, "are in fact requests for legal privileges, however strongly they may be urged as moral rights."<sup>72</sup> A moral right or spiritual obligation does not confer any legal right to act. When missionaries acted upon their religious convictions and thereby violated Korean laws, they should have been subject to the Korean court. Missionaries also had no right to interfere with the Korean authorities' rule over their subjects. Even when their followers were assaulted purely on the ground that they were Christian, they should have offered moral and not material support and resistance.

Following Christian ideals, the missionaries' and their Korean adherents' attitudes should have been such that the consequences of

71. Allen to Pak, 1 February 1901, enclosed in Allen to SS, 5 March 1901, ID.

72. George H. Jones, *Missions and Government*, George Heber Jones Papers, Missionary Research Library Collection, Union Theological Seminary Library Archives, New York.

their religious convictions would be cheerfully accepted. The "readiness" of missionaries and the missionary constituency, asserted Jones, "to pay the price of loyalty wins respect and magnifies the supremacy of Christian obligation."<sup>73</sup> However, such "readiness," in reality, was not to be found very often among the American missionaries in Korea. More frequently they assumed that any law against the Christian religion was inherently defective and that the nation that enforced such a law was inferior. Missionaries' extraterritorial rights, together with the presence of an American warship at the Jemulpo harbor, were tangible signs of that assumption. As such, they were galling to Korea's sovereignty and national pride.

The Korean government continued to resist various pressures to permit foreigners officially to reside and purchase property in the interior. However, the government was not able to prevent these illegal practices. With extraterritorial rights, foreign residence in the interior became a virtual Pandora's box—once opened it was unstoppable. Allowing American missionaries to reside in the interior appeared harmless, considering the Korean people's dislike of the Japanese and French presence. The United States had demonstrated itself to be an indifferent nation, and American missionaries successfully established themselves to be non-political, voluntary benefactors. But Korea was under constant imperialist attack. American missionaries, being some of the first foreigners permitted to enter the kingdom, were able to take advantage of this expanding infiltration. When the Korean government was finally ready in 1904 to legalize Westerners' residence and property-owning in the interior, American missionaries must hardly have found it to be necessary. By this time, Japan was rapidly establishing itself as the new ruler over the Korean peninsula.<sup>74</sup>

73. *Ibid.*

74. *GOM*, vol. 11, p. 783; vol. 12, pp. 82, 87; vol. 19, pp. 481-482; vol. 20, pp. 71, 458; Yi Won-sun, *op. cit.*, pp. 233-234.